

International Protectorates and the Challenge of State Building: the record, the politics, the prospects

Rockefeller Foundation's Bellagio Study and Conference Center

Bellagio, Italy

6-10 February 2006

Context

During the past fifteen years, humanitarian intervention proliferated in response to collapsed states, heinous human rights violations, and civil war. In a number of cases, this was followed by the establishment of medium- or long-term direct international administration under the influence of prosperous democracies, in a seeming but unspoken resuscitation of the trusteeship model created by the League of Nations nine decades ago. While aware of the tension between liberal ends (the establishment of capitalist and democratic states) and illiberal means (undemocratic international government) that is intrinsic to the new protectorates, realists cautiously defend them as unavoidable, if ad hoc, attempts at dealing with malignant political phenomena and dangerous power vacuums.

After a decade of such efforts, the time has come to take stock of the new protectorates as a rare but no longer exceptional form of rule, their underlying (and unstated) theories of governance, and the chances for achievement of desired outcomes. Early research on the subject focused on the normative and legal issues associated with the "new interventionism". Only recently has the focus shifted to the governance issues associated with transitional administration resulting in a number of important comparative studies. These studies discuss broad questions pertaining to the legitimacy of international administrations and their bids at social engineering as perceived by developing world, the extent of (or lack of) "local ownership", and the implications for the concept and reality of sovereign statehood. Recent studies also tackle questions related to everyday administration, economic management, the rule of law, public order/internal security, dealings with the past, the competence and inclinations of different "state builders", the particular character of each administration, and the timing for an exit that leaves behind durable results.

Goals

The Bellagio conference brings together a select number of key policymakers who possess deep understanding of the issues at stake and academics responsible for much of the high-quality research on international administration of occupied territories. The aim of the conference is threefold: first, to scrutinize the state of the art of the first wave of studies on the subject and the wealth of experience collected in what is by now a substantial range of international administrations. Second, to specifically address why international governance has fallen short of creating the sort of sustainable institutions, “well-adjusted” political actors and liberal politics it aspires to. This will encompass both a critical look at notable policy failures of international administrations and an analysis of the deeper structural and political limitations of the new protectorates. Third, to highlight gaps, both empirical and conceptual, in our grasp of the politics of exogenous state building, and suggest tracks for a future research agenda.

Format

The intimate format of a Bellagio conference allows for an open and intense exchange of experience, approaches and opinions. The conference is structured around thematic sessions featuring short paper presentations (15-20 minutes) followed by discussion. As all participants have a claim to multiple policy and research expertise that goes well beyond their individual papers, the presentations are meant to provide the basis for an open discussion amongst all participants.

Draft Conference Program

Monday 6 February

Arrival throughout the day
(transport from airport to Bellagio Center)

19.00 Drinks and Welcome Address (James Mayall)

20.00 Dinner

Tuesday 7 February

8.00 Breakfast

9.00 **Old and New Protectorates: Framing the Debate**

Chair: James Mayall

Trusteeship and Empire (William Bain)

Weak statehood and the international community: protectorates reborn
(Ricardo Soares de Oliveira)

The new protectorates from a non-western perspective (Aswini Ray)

11.00 Coffee Break

11.20 **New protectorates and Africa: a no-go area?**

Chair: Ricardo Soares de Oliveira

Decertifying Failed States (Jeffrey Herbst)

From International Receivership to Trusteeship? Challenges of re-floating Failed States in West Africa (Amadu Sesay)

Reluctant Imperialism: the International Community in Sierra Leone and Liberia
(Christopher Clapham)

13.00 Lunch

15.00 *The Office of the High Representative in Bosnia* (Wolfgang Petritsch)

16.30 Coffee Break

17.00 **The EU as State Builder: Lessons from the Balkans**

Chair: vacant

tba (Wolfgang Petritsch)

tba (Richard Caplan)

20.00 Dinner

Wednesday 8 February

- 8.00 Breakfast
- 9.00 **The US as State Builder: Lessons from Iraq and Afghanistan**
Chair: Thorsten Benner
tba (Stefan Halper)
tba (panelist to be confirmed)
- 10.30 Coffee Break
- 11.00 **The UN as State Builder**
Chair: Richard Caplan
Challenges of Strategic Planning and Organizational Learning (Thorsten Benner)
Ownership in Theory and Practice – Transfer of Authority in UN Peace Operations (Simon Chesterman)
- 13.00 Lunch
Free Afternoon
- 17.30 *The Interim Government in Afghanistan* (Ashraf Ghani)
- 19.00 Cocktails
- 19.30 Dinner
- 21.00 *Running Iraq* (Mark Etherington, chaired by James Mayall)

Thursday 9 February

- 8.00 Breakfast
- 9.00 **The Political Economy of Protectorates**
Chair: Clare Lockhart
Rebuilding Economies, Markets and Institutions (Mats Berdal)
Development Challenges under International Protectorates: The Case of Privatization in Kosovo (Dominik Zaum)
- 10.45 Coffee Break

11.15 **Coordination of Disparate Actors: Possibilities and Limits**

Chair: Ashraf Ghani

Donor-Government Relations (Clare Lockhart)

Civil-Military Relations (Mark Etherington)

A Perspective from the Field (Ayesha Khan)

13.00 Lunch

14.30 **Protectorates and the Law**

Chair: Christopher Clapham

Judicial Dealing with Past Crimes (Gary Bass)

The Domestic Legal Framework (William Burke-White)

Constitutions and Trusteeships (panelist to be confirmed)

16.00 Coffee Break

16.30 ***New Protectorates: Pushing the Boundaries of Knowledge and Practice***

Plenary Session, chaired by James Mayall

19.00 Cocktails

19.30 Dinner

Friday 10 February

8.00 Breakfast

Departure

(transport from Bellagio center to airports)

International Protectorates and the Challenge of State Building: the record, the politics, the prospects

List of Participants

William Bain

University of Wales, Aberystwyth

William Bain is a Lecturer in International Relations Theory at the Department of International Politics at Aberystwyth. He joined the department in 2004, after having taught international relations theory, international ethics, and eighteenth century political thought at the University of Glasgow. William Bain specialises in international relations theory and normative approaches to world affairs. He published *Between Anarchy and Society: Trusteeship and the Obligations of Power* (Oxford University Press, 2003) as well as a number of articles and book chapters on these subjects. William Bain holds a BA from the University of South Carolina and an MA and PhD from the University of British Columbia in Vancouver, Canada.

Gary J. Bass

Princeton University

Gary J. Bass is Associate Professor of Politics and International Affairs at Princeton University. He works on human rights, international justice, international security, and ethics in international relations. Dr. Bass is the author of *Stay the Hand of Vengeance: The Politics of War Crimes Tribunals* (Princeton University Press, 2000), as well as a number of articles and book chapters on international justice. He is completing a book on the politics of humanitarian intervention and the origins of the modern human rights movement. Before coming to Princeton, he was a reporter for the *Economist*. He has also written for the New York Times, the New Yorker, the Washington Post, the Los Angeles Times, the New Republic, and other publications. Gary Bass holds a Ph.D. from Harvard University.

Thorsten Benner

Global Public Policy Institute, Berlin

Thorsten Benner is Associate Director of the Global Public Policy Institute (www.globalpublicpolicy.net) in Berlin, a think tank focusing on the reform of international organizations, EU-US relations and global governance. Prior to co-founding the Global Public Policy Institute in 2003, he worked with the German Council on Foreign Relations, Berlin; the UN Development Program, New York; McKinsey & Company, Berlin and the Global Public Policy Project, Washington D. C. His commentary has appeared in *DIE ZEIT*, the *International Herald Tribune* and the *Neue Zürcher Zeitung*. His publications include *Critical Choices. The United Nations, Networks, and the Future of Global Governance* (with Wolfgang Reinicke, Francis Deng, Jan Martin Witte, Ottawa 2000). His most recent research project focuses on *Crisis and Change: The UN Secretariat and the Quest for Accountability*. Thorsten Benner studied Political Science, History, and Sociology at the University of Siegen, the University of York (UK) and the University of California at Berkeley. He was a McCloy Scholar at the Kennedy School of Government, Harvard University, where he received a Master of Public Administration (MPA).

Mats Berdal

King's College, London

Mats Berdal is Professor of Security and Development in the Department of War Studies at King's College London. From 1999 to 2003 he was Director of Studies at the International Institute for Strategic Studies (IISS) in London. He is currently completing *The UN and the Search for International Order*, a book that covers the immediate post-Cold War period and focuses in particular on the UN's involvement in the mitigation, containment and resolution of civil wars. He is also working on an Adelphi Paper for the International Institute for Strategic Studies (IISS) examining the relationship between security and development in

international relations. Other publications include "The UN, Peacebuilding and the Genocide in Rwanda", *Global Governance*, vol. 11 No. 1, 2005, "The UN's Unnecessary Crisis", *Survival*, Vol. 47, No. 3, Autumn, 2005, "Beyond Greed and Grievance - and not too soon", *Review of International Studies*, Vol.31, No. 4, October 2005, and *Greed and Grievance: Economic Agendas in Civil Wars* (edited with David Malone, Lynne Rienner, 2000). Mats Berdal holds a DPhil from Oxford University.

William Burke-White University of Pennsylvania

William Burke-White joined the Penn Law faculty in 2005 coming from Princeton University, where he was a Lecturer in Public and International Affairs. His scholarship addresses the operation of international tribunals, post conflict justice systems, the International Criminal Court, human rights, amnesty legislation and the "international constitutional moment" after September 11. He is currently advising the Government of the Democratic Republic of Congo and has worked previously with the Government of Cambodia and the U.N. Transitional Administration in East Timor on the establishment of international criminal tribunals. Among his publications are *Complementarity in Practice: The International Criminal Court as Part of a System of Multi-Level Global Governance in the Democratic Republic of Congo* (Leiden Journal of International Law, forthcoming 2005) and *The Future of International Law is Domestic* (with Anne-Marie Slaughter, Dutch Yearbook of International Law, 2005). Burke-White holds a J.D. from Harvard as well as an M.Phil. from the University of Cambridge where he is completing a Ph.D.

Richard Caplan University of Oxford

Richard Caplan is currently a University Lecturer in International Relations and Official Fellow at Linacre College, University of Oxford. Until 2001, he was a Lecturer at the University of Reading, a Research Associate at the International Institute for Strategic Studies (IISS), and an Advisor to the House of Commons Select Committee on Foreign Affairs, among other appointments. His research centres on international organisations and conflict management, peacekeeping, European security, the Western Balkans, humanitarian intervention and nationalism. His most recent monographs, in addition to many scholarly articles and papers, are *International Governance of War-Torn Territories: Rule and Reconstruction* (Oxford University Press, 2005), and

Europe and the Recognition of New States in Yugoslavia (Cambridge University Press, 2005). He also co-edited (with John Feffer) *Europe's New Nationalism: States and Minorities in Conflict* (Oxford University Press, 1996) and (also with John Feffer) *State of the Union: The Clinton Administration and the Nation in Profile* (Westview Press, 1994). Caplan holds a DPhil from the University of Oxford, an MPhil from the University of Cambridge and a BA from McGill University.

Simon Chesterman New York University

Simon Chesterman is Executive Director of the Institute for International Law and Justice at New York University School of Law. Prior to joining NYU, he was a Senior Associate at the International Peace Academy and Director of UN Relations at the International Crisis Group in New York. He has previously worked for the Office for the Coordination of Humanitarian Affairs in Belgrade and the International Criminal Tribunal for Rwanda in Arusha. He taught at the Universities of Melbourne, Oxford, Southampton, and Columbia. Chesterman is the author of *You, The People: The United Nations, Transitional Administration, and State-Building* (Oxford University Press, 2004) and *Just War or Just Peace? Humanitarian Intervention and International Law* (Oxford University Press, 2001), which was awarded the American Society of International Law Certificate of Merit. He is the editor, with Michael Ignatieff and Ramesh Thakur, of *Making States Work: State Failure and the Crisis of Governance* (United Nations University Press, 2005) and of *Civilians in War* (Lynne Rienner, 2001). He holds degrees from the universities of Oxford and Melbourne.

Christopher Clapham University of Cambridge

Christopher Clapham is an associate of the Centre of African Studies at Cambridge University, and editor of *The Journal of Modern African Studies*. He was previously Professor of Politics & International Relations at Lancaster University, and President of the African Studies Association of the United Kingdom. His main area of interest is in the international relations of Africa. His books include *Africa and the International System: The Politics of State Survival* (1996) and *African Guerrillas* (edited 1998). He has a specialist interest in Ethiopia and the Horn of Africa, on which he has written two books, *Haile-Selassie's Government* (1969), and *Transformation and Continuity in Revolutionary Ethiopia* (1988, revised 1990), as well as a large number of articles. He is a member of the Africa

policy advisory group for the UK Foreign and Commonwealth Office, and has briefed UK and other ministers and officials on issues related to Africa. He has carried out a number of consultancies on behalf of the UK Department for International Development and other agencies.

Spyros Economides

London School of Economics and
Political Science

Spyros Economides is a Senior Lecturer in International Relations and European Politics at the London School of Economics and Political Science. He came to LSE in 1993 from the Centre for Defence Studies at King's College London where he had been a research associate since 1991. He specializes in the Balkans, the study of civil wars and European security issues as well as US foreign policy. Economides has published widely in academic journals, most recently *The Europeanization of Greek Foreign Policy* (West European Politics, 2005), *Balkan Security: Which Security? Whose Security?* (Journal of Southeast European and Black Sea Studies, 2003) and "The International Criminal Court: Reforming the Politics of International Justice" (Government and Opposition, 2003). He is the co-editor (with Mats Berdal) of *Strategic Thinking: An Introduction and Farewell. Essays by Philip Windsor* (Lynne Rienner, 2002). Spyros Economides holds a B.Soc.Sc. of the University of Birmingham as well as an M.Sc. and Ph.D. in International Relations from the London School of Economics and Political Science.

Mark Etherington CBE

fmr. CPA governorate coordinator in
Wasit, Iraq

Mark Etherington was brought up in Kuwait and Qatar and educated at York and Cambridge Universities and the Royal Military Academy Sandhurst. He served six years in the British Army's Parachute Regiment, including two tours in Northern Ireland. He was seconded to the European Community's Monitor Mission in former Yugoslavia during the 1992–1995 war and has subsequently worked in Croatia, Bosnia, Serbia, Kosovo, Iraq, and Afghanistan. Only recently, he published *Revolt on the Tigris: The Al-Sadr Uprising and the Governing of Iraq* (Cornell University Press, 2005). He was appointed CBE in December 2004 and holds an MPhil in International Relations from the University of Cambridge.

Ashraf Ghani

Kabul University

Ashraf Ghani is currently Chancellor of Kabul University. From 2002–4 he was Finance Minister of Afghanistan, and from November 2001 to February 2002 Adviser to the United Nations on Afghanistan. Between 1991 and 2001 he worked at the World Bank on institutions, the state and country strategies. Previously, he held a series of academic positions at Aarhus, Johns Hopkins and Berkeley Universities, teaching on state formation and anthropology. Between 1974 and 1978 he was Lecturer in Afghan Studies and Anthropology at Kabul University. His commentary has appeared in the New York Times and the International Herald Tribune, and broadcast widely through the Persian and Pashtun services of the BBC and Voice of America. He is the author of *Closing the Sovereignty Gap: An Approach to State-Building* and a forthcoming book and manual on state-building (with Clare Lockhart and Michael Carnahan). He holds a Ph.D. in Anthropology from Columbia University, and a BA and Masters in Political Science from the American University Beirut.

Stefan Halper

University of Cambridge

Stefan Halper is a Senior Fellow at the Centre of International Studies and a Senior Research Fellow at Magdalene College, Cambridge. He directs the Atlantic Studies Programme at the Centre of International Studies and lectures on Anglo-American relations, US national security policy and contemporary international security issues. His most recent book is *America Alone: The Neo-Conservatives and the Global Order* (with Jonathan Clarke, Cambridge University Press, 2004). Stefan Halper holds a D. Phil. from Oxford. He has served four American presidents in the White House and Department of State and is an expert on U.S. foreign policy, national security policy, the United Nations and Anglo-American relations.

Jeffrey Herbst

Miami University

Jeffrey Herbst is Provost and Executive Vice President for Academic Affairs at Miami University, in Ohio. Until 2005, he was a Professor of Politics and International Affairs and Chair of the Department of Politics at Princeton University. He has broad interests in African politics, economic policy-making in the third world, and international political economy. Among his many publications are *The Future of Africa: A New Order in Sight?* (co-authored with Greg Mills,

OUP, 2003) and *States and Power in Africa: Comparative Lessons in Authority and Control* (Princeton University Press, 2000). Herbst spent considerable time teaching at universities in Zimbabwe, South Africa and Ghana. He holds a PhD from Yale University.

Ayesha R. Khan

University of Cambridge

Ayesha R. Khan is a doctoral candidate at the Centre of International Studies, University of Cambridge. Her PhD dissertation explores the issues of governance and geopolitics in the tribal areas along the Afghanistan-Pakistan border. She aims to document on the strategic and political evolution of this borderland as a historical 'front-line' to war and state fragmentation in Afghanistan. Previously Ayesha worked as the Afghanistan Crisis Response Researcher for Amnesty International and has reported and published extensively on the human rights situation and post conflict reconstruction in Afghanistan since 2001. She has also worked for the United Nations on child protection issues for Afghan refugees.

Clare Lockhart

Harvard University

Clare Lockhart is currently Co-Director of the State Effectiveness Program and Research Fellow at the Overseas Development Institute in London. From 2001 to 2005 she worked for the Afghan Government and the UN on the institution-building and reconstruction processes in Afghanistan, where she led budget design, aid management, institutional reform, and national program design processes. Previously, she managed a program on institutional analysis at the World Bank. She is the author of *Closing the Sovereignty Gap: an Approach to State-Building* (with Ashraf Ghani and Michael Carnahan, ODI Working Paper, 2005), several articles on state-building, state-effectiveness and post-conflict reconstruction, as well as a number of papers for the World Bank and the Afghan Government. She is a barrister and a member of the Bar of England and Wales, and holds degrees in History, Law and Public Administration from Harvard and Oxford universities.

James Mayall FBA

University of Cambridge

James Mayall is a former Director of the Centre of International Studies at the University of Cambridge and Academic Director of the Cambridge Security Programme. In 1997, he was the first Sir Patrick

Sheehy Professor of International Relations in the University of Cambridge, a position he held until 2004. He was elected a Fellow of the British Academy in 2001. After a period as a National Service Officer in West Africa and six years in the British Civil Service, including a period in the British High Commission in New Delhi, James Mayall taught International Relations at the London School of Economics and Political Science between 1966 and 1998. From 1991-94 he was Convenor of the Department of International Relations. Over the past decade his research and writing has concentrated on the resurgence of ethnic, national, and religious conflicts since the end of the Cold War and the international reaction to them. His recent publications include *World Politics: Progress and its Limits* (Polity Press 2000), *The New Interventionism 1991-1994: United Nations Experience in Cambodia, former Yugoslavia and Somalia* (Cambridge University Press 1996) and *Nationalism and International Society* (Cambridge University Press 1990).

Ambassador Wolfgang Petritsch

Permanent Mission of Austria to the United Nations, Geneva

Ambassador Petritsch is the Permanent Representative of the Republic of Austria to the United Nations Office and Other International Organisations at Geneva. In late 2004, he was President of the Nairobi Summit on a Mine-Free World. He served as the international community's High Representative for Bosnia and Herzegovina, the European Union's Special Envoy for Kosovo and its Chief Negotiator at the Kosovo peace talks at Rambouillet and Paris. Petritsch's reflections on international affairs have been published extensively in the world's leading newspapers and he is the author or co-author of several books, including most recently *Kosovo-Kosova. Der lange Weg zum Frieden* (Wieser 2004). Ambassador Petritsch holds a Ph.D. in Southeastern European History from the University of Vienna and was a Fulbright Scholar at the University of Southern California at Los Angeles.

Aswini Kanta Ray

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Aswini Kanta Ray is currently a Visiting Professor at Burdwan University, West Bengal. He was Professor of International Relations and Comparative Politics at Jawaharlal Nehru University, New Delhi, a post from which he retired in 2003. Previously, he taught at the universities of Calcutta and Delhi. He has also been associated with the universities of Tokyo, Mexico, Colima, Southampton, the London School of

Economics, the University of Illinois at Urbana-Champaign and the Sorbonne. His books include *Domestic Compulsions and Foreign Policy* (New Delhi 1975), *The Global System. A Historical View from the Periphery* (Tokyo 1996), *Democratic Rights in a Post-Colonial Democracy* (CNRS Paris, 1997) and *Western Realism and International Relations. A Non Western-View* (New Delhi 2004). He holds an MA from Calcutta University and a PhD from the University of Heidelberg.

Amadu Sesay

Obafemo Owolowo University of Ife,
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Amadu Sesay is currently Claude Ake Visiting Chair at the Department of Peace and Conflict Research, Uppsala University. In 2003, he was a DAAD Alumni Winter School Distinguished Scholar at the University of Leipzig, Germany, as well as Director of the CODESRIA Child and Youth Institute, Dakar, Senegal. He was also a Visiting Research Fellow at the Institute of Strategic Studies in Pretoria. Born in Sierra Leone, he received his higher education from the London School of Economics and Political Science. He has been based at the Department of International Relations, Obafemi Awolowo University in Nigeria since 1978, and has headed the Department since July 2000. He specializes in African Politics, Security and Conflict Studies, areas in which he has also published extensively, including *Ethnic militias and the future of democracy in Nigeria* (co-edited, Heinrich Böll Foundation, 2003). Amadu Sesay holds a B.Sc. in Economics and PhD in International Relations, both from LSE.

Ricardo Soares de Oliveira

University of Cambridge

Ricardo Soares de Oliveira is the Austin Robinson Research Fellow at Sidney Sussex College, University of Cambridge. He was a visiting scholar at the Centre d'études et recherches internationales (Sciences-Po) in Paris and a Joseph C. Fox Fellow at the Centre of International and Area Studies at Yale University. He has worked in the field of governance and the energy sector for the World Bank, the European Commission, Catholic Relief Services, the National Democratic Institute for International Affairs (NDI) and the French Ministry of Defence, among others. His research interests include international relations and international political economy, especially in the fields of natural resource extraction, organized crime, state-decay and post-conflict reconstruction. Most recently,

he has focused on the issue of oil and governance in the Gulf of Guinea, where he has conducted extensive fieldwork. He is the author of the forthcoming *Petroleum and Politics in the Gulf of Guinea* and a contributing author to *Bottom of the Barrel. Africa's Oil Boom and the Poor* (Catholic Relief Services, 2003). He holds a BA in politics from the University of York, an MPhil in International Relations and a PhD, both from the University of Cambridge.

Dominik Zaum

University of Oxford

Dominik Zaum is a Junior Research Fellow in International Relations at Oxford University. He also worked at the Lessons Learned and Analysis Unit, EU Pillar, UN Interim Administration Mission to Kosovo (UNMIK), at the Office of the High Representative (OHR), Bosnia and Herzegovina and as a Retained Lecturer in International Relations at Oxford University. His academic work centres on issues of sovereignty in peacekeeping and state-building. He published articles on these issues in *International Peacekeeping*, *Millenium* und *International Affairs*. He is also currently co-editing a book on the United Nations Security Council and War, together with Adam Roberts, Vaughan Lowe, and Jennifer Welsh. Dominik Zaum holds a BA (hons) in Philosophy, Politics and Economics as well as an M.Phil. and a Ph.D. in International Relations from Oxford University.

Rapporteur

Philipp Rotmann

Global Public Policy Institute, Berlin

Philipp Rotmann is a Research Assistant with the Global Public Policy Institute, Berlin. He is completing a two year graduate program in international relations offered jointly by Humboldt University Berlin, the Free University Berlin and the University of Potsdam (M.A. expected July 2007). He studied economics, political science and law at the University of Erfurt (B.A. 2005) and international relations at the University of Essex. He received scholarships from the German Academic Exchange Service (DAAD) and the Haniel Foundation. His research interests focus on the United Nations and international security governance as well as security affairs in the Middle East, Africa and Asia. His work experience includes an internship with the Organization for Security and Cooperation in Europe (OSCE) in Bosnia-Herzegovina as well as five years as a consultant and senior manager in the IT industry.