



AMERICAN ACADEMY OF ARTS & SCIENCES

**Civil Wars, Violence, and International Responses project
Institution-building and Governance in Areas of Limited Statehood Workshop
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Is Prevention the Answer?

Policy-makers around the world are giving renewed attention to conflict prevention. But does conflict prevention work? What can we expect of its renewed focus? Prior calls for conflict prevention in the early 1990s and 2000s did not result in the kind of systematic and well-resourced programs envisioned by advocates. What, if anything, has changed that might lead us to expect a different outcome at this juncture?

Like most other tools of international relations, the logic of prevention employs a mixture of carrots, sticks, and socialization. The difference between the logic of conflict prevention and the use of carrots and sticks in other international security domains is that preventing the escalation of violence is usually not within the intervener's vital national security interest. In contrast to situations in which core security interests (like nuclear warfare) are at stake, a civil war in a faraway, nonstrategic country is less consequential and may not affect global security. Initial discussions of conflict prevention failed to make this distinction, assuming that states deploy the same tools that they had used to prevent interstate war to prevent intrastate war abroad. In addition, the uncertainty of potential escalating violence—as opposed to manifest civil war—makes it even less likely that states will make an initial offer of carrots or sticks. When states and international organizations have acted preventively, they have done so inconsistently, giving little credibility to their repeated commitment to act preventively.

If uncertainty and a credibility gap undercut conflict prevention's prospects for success, those prospects are even slimmer due to political, organizational, and bureaucratic considerations.

Policy-makers in London, Tokyo, and Washington argue that competing demands on scarce resources and the difficulty of justifying prevention make it hard to invest in prevention. As Annan's report *We the Peoples* stated, "Political leaders find it hard to sell prevention policies abroad to their public at home, because the costs are palpable and immediate, while the benefits—an undesirable or tragic future event that does not occur—are more difficult for the leaders to convey and the public to grasp."

Political considerations not only impede the ability of external actors to decide to act preventively, but they also plague the implementation of prevention policies. Prevention, by definition, requires changes to the status quo inside a country. As political scientist Barnett Rubin has written, "All prevention is political." Whereas postconflict peace-building often rests on the legitimacy of a peace agreement, prevention of civil wars takes place in the absence of domestic political consensus about the functioning, if not the form, of the country's political institutions. External conflict prevention—whether it occurs pre-, post-, or during civil war—is based on the assessment that a country's political institutions are unable to prevent the escalation of violent

conflict on their own and that international intervention is necessary to change the country's trajectory. Prevention is thus a highly political act.

Organizational and bureaucratic challenges also plague prevention. It is difficult for decision-makers to decide to take preventive actions. Decision-makers are busy. The higher their position, the busier they are. At the same time, sensitive prevention actions usually require the buy-in of high-level decision-makers. To make numerous decisions daily, high-level decision-makers tend to use heuristics, or rules of thumb, based on their past experiences. These heuristics help decision-makers save cognitive energy and reduce uncertainty by enabling them to make the same types of decisions they have made in the past, reinforcing the organization's standard operating procedures and existing policies. Decision-makers avoid complexity, delaying decisions that appear to be complex and risky in favor of simple solutions to problems about which they have more limited knowledge.

Decision-makers are also likely to put off decisions, particularly complex ones, until they have to make them. According to political scientists Graham Allison and Philip Zelikow, "deadlines force issues to the attention of incredibly busy players." The tendency of decision-makers to put off decisions until the deadline and avoid complex problems hinders their ability to mandate preventive actions. Conflict prevention rarely has a clear deadline, has little guarantee of success, should be grounded in a complex and detailed analysis of the conflict context, and usually requires that the external actor alter its current approach to the context. Generating "political will" for conflict prevention thus requires altering the cognitive processes of decision-makers and convincing them that prevention is worth the risk and effort required.

Preventive policies, when adopted, are often suboptimal and poorly resourced. Multiple bureaucratic actors within a state or multilateral bureaucracy must reach an agreement, and the final decision is often a "political resultant" of this process. It reflects a compromise among a highly diverse group of actors, often with limited knowledge of the actual country context, and often more concerned with their political relationships than with the particular context. In IOs and governments alike, this decision-making process often results in relatively vague policy prescriptions that are implemented in an ad hoc fashion.

Given the long-standing and multifaceted obstacles to effective prevention, how likely is it that the latest calls for conflict prevention will end differently? One of the problems is the maximalist standard used to assess prevention's success. Yet given the numerous barriers facing conflict prevention—commitment problems, organizational disincentives, decision-making patterns, and uncertainty facing any preventive intervention—should we not adopt another metric for assessing efforts at conflict prevention? It may be wiser to identify its occasional successes rather than focus on its absolute failures. Given the scale of the challenges, the surprise is that conflict prevention sometimes succeeds, not that it fails. As with other ambitious norms—human rights, humanitarian protection, and the responsibility to protect—the fact that a norm is unachievable does not mean that it is not worthwhile.

Rather than being futile, calls for more action and better organization aimed at preventing violent conflict may embolden a few policy-makers and bureaucrats to take on the risk of prevention. The more policy-makers who act preventively, the more credible the commitment that they will act in the future. In other words, the more that preventive action occurs, the more effective it is likely to be. If we look at the sea change in thinking that led to the decriminalization of marijuana in some U.S. states in recent years, some of the key ingredients also exist with regard to conflict prevention: mounting evidence of its utility, a frustration with the inadequacy of existing policies, and entrepreneurial leadership from key political leaders. Those factors helped produce a shift in thinking that was unimaginable a few years earlier and that defied immediate political calculations. Although we should not expect conflict prevention to work in many cases, the few cases in which it may prevent escalating violence justify an investment, in spite of the odds.



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Civil War, Economic Governance, and State Reconstruction in the Arab Middle East

Three civil wars currently underway in the Middle East, in Libya, Syria, and Yemen, demonstrate that patterns of governance *during* violent conflict—the practices used by insurgent and regime forces to maintain order in their areas of control—differ less from *pre-war* practices than might be expected. In all three cases, the legacies of pre-war governance are especially evident in how embattled regime and insurgent forces construct wartime economic orders to advance their political agendas.

For both researchers and practitioners, the persistence of pre-war governance practices under conditions of violent conflict raises important questions, along three distinct but related lines.

1. Continuity challenges understandings of civil war as marking the breakdown of peacetime governance and the emergence of distinctive wartime governance practices. Violent conflict may disrupt pre-war practices less than is often assumed.
2. Second, continuity between pre-war and wartime practices, especially in the domain of economic governance, highlights the limits of state fragility frameworks intended to improve the performance of poorly governed states.
 - a. Current conflicts in the Middle East make clear that civil war can deepen the perceived utility of institutions that were intentionally structured to support the authoritarian, exclusionary, and predatory preferences of incumbents and challengers. Conflict, in other words, may not reduce demand for institutions and practices associated with poor governance and state fragility.
 - b. Such conditions challenge the feasibility of approaches to post-conflict reconstruction that reflect the underlying assumptions of fragility-based frameworks.
3. A third set of issues associated with the continuity of prewar practices concerns the relationship between sovereignty, governance, and conflict resolution. In Libya, Syria, and Yemen protracted conflict has been accompanied by proposals to redefine the terms of sovereignty, including various forms of local autonomy, federalism, decentralization, and even state partition. However, civil wars in the Middle East underscore the difficulties that confront attempts to advance alternative conceptions of state sovereignty as solutions to violent conflict.
 - a. These alternatives often rest on the assumption that *governance* and *sovereignty* are separable. They further assume that the relationship between the two can take a variety of forms (federalism, decentralization, power sharing). Yet as evidenced by

the determination with which warring parties in Libya, Syria, and Yemen pursue the control of state institutions and state functions, governance itself is a potent measure of a regime's sovereign standing. And sovereignty itself is far too significant a resource to dilute through political frameworks that would weaken the power of a central authority to govern.

This analysis of the implications of continuity in pre-war and wartime governance practices in three civil wars currently underway in the Middle East leads to sobering conclusions.

1. Governance practices institutionalized by authoritarian regimes prior to conflict have proven decisive in shaping important wartime behaviors of regimes and insurgents in all three cases.
2. With respect to economic governance, the emergence of wartime economic orders has produced similar governance strategies across conflict lines, with incumbents and challengers alike relying heavily on coercion, predation, criminality, the selective allocation of public goods, and the outsourcing of sovereign economic functions to external and non-state actors who acquire vested interests in the perpetuation of conflict.
3. Under these conditions, we should anticipate that civil wars in the Middle East will not yield easily to negotiated solutions. We should also expect that the eventual outcomes of conflict are unlikely to produce durable peace, political stability, or economic well-being for citizens.
4. In addition, the extent to which repressive, predatory, and exclusionary wartime economic orders reflect institutionalized economic norms and practices, and have empowered armed actors whose interests are served by the continuation of conflict, make these cases poor candidates for external interventions defined in terms of overcoming state fragility. They are also likely to feature the abuse of sovereignty norms to exacerbate maximalist claims by regimes and insurgent challengers alike.

Pathways out of civil war in such cases are particularly elusive. They are likely to require diplomatic, financial, and military strategies that create incentives for embattled regimes and insurgent challengers to end violence and accept meaningful compromises in the interest of securing their minimal requirements—and these may well include the absence of transitional justice and accountability for perpetrators, as well as power-sharing arrangements that accommodate all warring parties to differing degrees. As violent conflicts in Libya, Syria, and Yemen rage on, however, such outcomes still appear stubbornly out of reach.



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Can the “Standard Treatment” for Civil Wars Survive?

The United Nations, encouraged and supported by its most powerful members, has developed a “standard treatment” for civil wars since the end of the Cold War. The key features of this treatment have been:

- A belief that civil wars should end in *mediated political settlements*, rather than military victory;
- Investments in *peacekeeping forces* to secure the resulting deals;
- An overarching focus on *the obligation to minimize civilian fatalities and suffering* in war zones.

This treatment has been applied, in part or in full, from the Balkans to South Sudan and Syria.

While there have been variations and alterations in its application (such as the recurrent debate over whether “light footprint” political missions may be better options than large-scale peacekeeping forces) the basic rudiments of the treatment have remained largely unchanged for three decades. It is notable that, in contrast to more robust and intrusive proposals for militarized “humanitarian intervention” in civil war, the standard treatment of mediation plus peacekeeping plus aid is not especially controversial. All main actors agree, for example, that mediation is necessary in Syria and peacekeeping is necessary in CAR.

This consensus in favor of the standard treatment for civil wars, at least at a rhetorical level, can obscure how unusual the treatment is. Prior to the end of the Cold War, few scholars believed that mediation in civil wars was viable. Major powers typically engaged in intrastate conflicts to help their proxies win, or at least avoid defeat. The UN’s ability to deal with civil wars was severely limited by great power tensions,

The constellation of geopolitical shifts around the end of the Cold War created unexpected political space for a new approach to civil wars to take root. Without going into the details of this transformation in conflict resolution, we can still ask an unsettling question: If the current

¹ This briefing draws on Richard Gowan and Stephen John Stedman, “The International Regime for Treating Civil War, 1988–2017,” *Dædalus* 147 (1) (Winter 2018).

international regime for ending civil wars appeared in a remarkably short space of time after 1989, could it disappear now equally quickly?

There have always been immense difficulties in applying the standard treatment in practice (cf. Srebrenica and Rwanda) but UN officials and outside analysts now identify three recurrent sets of challenges to it:

- *Local level obstacles to treatment:* In cases such as the DRC, local conflicts, the persistence of militias and recurrent or endemic violence have made it hard for the UN and others to “make peace stick”;
- *National level obstacles to treatment:* Some of the largest and highest-profile UN missions are currently trapped in confrontational relations with national leaders – such as Salva Kiir in South Sudan and Joseph Kabila in the DRC – who repeatedly question or reject the UN’s efforts to remedy conflicts;
- *International obstacles to treatment:* While major power tensions and regional frictions over cases such as Syria and Libya do not rule out mediation (and have actually *increased* demand for token UN political interventions) the broader tensions around them militate against effective conflict resolution.

In a period of international uncertainty, it is possible to conceive of scenarios including:

- *The decline of the standard treatment* due to local, national and international pressures involving (i) the UN’s footprint on the global stage and (ii) a return to Cold War models of interventions;
- *Revising the standard treatment for a new world:* Whereas Western-inspired concepts such as “humanitarian intervention” are increasingly hard to sustain in a divided international system, the standard treatment could still survive as an object of minimal agreement and cooperation between divided powers – although this would raise questions about its links to human rights, democracy, etc.



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Limited Statehood Does Not Equal Civil War

- **Areas of limited statehood** are territorial or policy areas of a country in which the central authorities (governments) lack the ability to implement and enforce rules and decisions and/or in which the legitimate monopoly over the means of violence is lacking.
- **Areas of limited statehood are the global default rather than the exception**, at present and historically. Most states are neither consolidated nor failed. Rather, they are characterized by areas of limited statehood to different degrees. Thus, efforts to eliminate limited statehood will likely be unsuccessful.
- **Areas of limited statehood are neither ungoverned nor ungovernable spaces.** There are almost always some governors or groups of governors – state as well as non-state actors, local, national as well as external/international actors who provide rule structures, as well as collective goods. E.g. actors such as multinational companies provide health care, faith-based organization provide education, and transnational public-private partnerships (PPPs) deliver food and water.
- **Limited statehood does not equal civil war and violence.** In fact, only a small fraction of areas of limited statehood are affected by civil war. While limited state capacity may enable civil war, it is neither a sufficient nor a necessary condition. As a result, it is very unlikely that strengthening the institutional capacity of central state authorities in areas of limited statehood will prevent civil wars.
- **Civil war dynamics, degrees of statehood, and governance effectiveness vary significantly within countries.** Focusing on areas of limited statehood instead of entire countries allows for taking these sub-national and cross-boarder variations seriously. Chad is a case in point – a country that is often ranked among the countries with the lowest level of state capacity on a global scale. Chad displays significant statehood limitations throughout its entire territory. However, even during the civil war from 2005 to 2010, only some regions were affected by the conflict.
- **In areas of limited statehood, the state itself is often more a source of insecurity rather than security.** Thus, strengthening state capacity may not only be insufficient in preventing or

ending civil wars, but may in fact have unintended consequences. If the state acquires stronger capacities but uses them in a predatory way – not to protect but to harm its citizens – state-building initiatives are counter-productive.

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- **Stark differences between citizens' perceptions of governance effectiveness and actual governance may exist.** Governance actors need to be precise in their formulation of policy goals. At the same time, they need to be aware that achieving these policy goals does not necessarily go hand in hand with satisfaction of the local populations' governance expectations. For example, while homicide rates may decline, citizens may still feel insecure.
- **Governance-building instead of state-building.** Governance are the various institutionalized modes of social coordination to produce and implement collectively binding rules or to provide collective goods. Accordingly, governance-building focuses on intentional activities to strengthen effective state and non-state governance institutions and to foster service delivery. This also explicitly includes the possibility of focusing on non-state governance structures instead of state institutions, if strengthening state capacity may result in repressive and authoritarian state structures.
- **Success factors for governance-building:** local legitimacy, appropriate institutional design, social trust, fair and transparent institutions.
- **There is no one-size-fits-all solution for governance-building.** Reflect on the role the state can play in a specific context for achieving stable governance and peace as well as on the role external and non-state actors can play. For example, will strengthening state capacity lead to improved governance? What are the chances for state, external and non-state actors to be considered legitimate among the local population? What are available sources for state and non-state legitimacy? How can political processes and institutions become more transparent and inclusive?