

PROMOTING EFFECTIVE STATES

A progressive policy response to failed and failing states

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Introduction

September 11 and recent military action against Afghanistan and Iraq has pushed the issue of 'failed' and 'failing' states to the very top of the international political agenda. Earlier this month, in a speech to British troops in Basra, Tony Blair suggested that the coming together of failed or 'rogue' states with international terrorist groups represented the biggest single security threat facing the world today.¹ In a similar vein, German Chancellor Gerhard Schröder recently drew attention to the challenges posed to developed countries by weak and dysfunctional states in other parts of the world, including the links with international crime, conflict, drug trafficking and migration.²

While these links certainly exist, it is too often overlooked that those who suffer most from state failure and ineffective systems of government are poor people living in these states, through low living standards, crumbling infrastructure, the spread of disease including HIV/AIDS, limited access to basic services and pervasive insecurity. The World Bank estimates that 500 million people live in such countries. These are also the states that are furthest from the achievement of the Millennium Development Goals (the targets for poverty reduction and development agreed by the governments of the world at the UN Millennium Assembly in 2000). In many cases, state failure has a regional dimension. State failure in one country can spill over into neighbouring states, sucking in other countries and intensifying the level of conflict. Tackling state failure and promoting more effective states is therefore a moral imperative as well as in our common interest.

In October 2003, the Institute for Public Policy Research (ippr) and the London Office of the Friedrich-Ebert-Stiftung (FES) convened a major 1-day symposium to address these issues. We brought together high-level representatives from the British and German governments. There was also representation at the event from think tanks, NGOs, academia, international organisations and the media, drawn from Austria, France, Germany, the UK and the US. A full list of those who participated in the symposium is included at Appendix 1.

The specific purpose of the symposium was to help develop a progressive policy agenda for tackling state failure and promoting more effective states. This paper is our initial attempt to help sketch out the framework for such an agenda, drawing on the discussion at the October event.

We look first at what we mean by state failure, why states fail and why this matters. We then consider the policies necessary to better address the challenge of state failure, including the importance of improved analysis and integrated policy thinking and the role of international and regional organisations. We put particular emphasis on the importance of developed countries putting their own house in order – changing those policies that may be hindering rather than helping poor countries to secure better governance and more effective states. This includes issues like arms exports, money laundering, the regulation of business and the global rules on trade. We also stress the importance of acting decisively 'upstream' – tackling problems at an early stage rather

than having to react to full-blown crises when they emerge. Lastly, we address the highly contentious and topical issue of intervention: when, if ever, is it legitimate to intervene on humanitarian grounds and in what circumstances is this likely to be successful?

The ippr and the FES would like to thank all those who participated in the October symposium. While many of the comments and insights discussed there are incorporated in this paper, final and exclusive responsibility for its contents and for the policy recommendations rests, of course, with the authors.

David Mepham and Gero Maass, January 2004

Summary of key policy recommendations

Governments and international organisations should:

- Improve their systems of analysis, to better understand the forces and factors – local, national, regional and global - that contribute to state failure and weak governance.
- Address the underlying causes of state failure and not merely its symptoms, by bringing together thinking and analysis on security, development, human rights, conflict, the environment and migration in a more joined-up way. Wherever possible, developed countries need to help build up effective institutions in weak states. That means not just competent institutions, but also states that are more open, democratic and accountable, which protect the rights of the poor, women and minority communities, and promote greater social justice.
- Strengthen regional organisations like the Economic Community of West African States (ECOWAS), the South African Development Community (SADC), the African Union and the New Partnership for Africa's Development (NEPAD), which are often best placed to tackle state failure in their regions. We know that in Europe, for example, the EU has been a powerful force for stability. Stronger and more effective regional organisations could play a comparable role in other parts of the world.
- Commit for the long-term: tackling state failure is necessarily long-term and requires sustained engagement and substantial aid resources. In post-conflict societies, this may require a transitional international presence, under the authority of the UN, to help maintain stability and assist with the demobilisation and demilitarisation of ex-combatants, as well as support for the rebuilding of institutions and the revival of the economy.
- Tighten controls over weapons transfers to failing states, to countries in conflict or where human rights are being violated, through an updating of the EU Code of Conduct on Arms Exports and through agreement on a new International Arms Trade Treaty. Existing mechanisms, including the EU Code of Conduct, are failing to prevent arms from being transferred to conflict zones or to human rights abusers, particularly in Africa and Central Asia.
- Toughen controls over money laundering and corruption. Western companies are sometimes complicit in corrupt practices and plundered wealth from failed and failing states is often placed in western bank accounts.
- Strengthen the regulation of international companies that invest in such countries. In failed states such as the Democratic Republic of the Congo (DRC), western companies have been involved in the illegal trade in commodities like diamonds and coltan, a trade that is fuelling conflict across the Great Lakes region. The Kimberley Process, for preventing the trade in 'conflict diamonds', is the kind of initiative that should be supported strongly.

- Encourage greater transparency in respect of resource transfers from transnational companies to governments. The Extractive Industries Transparency Initiative is an important new development on which to build. By allowing civil society in these countries to better hold their governments to account for the resources at their disposal, it reduces the opportunities for corruption and the misuse of resources.
- Strengthen international cooperation on conflict prevention and increase significantly the resources allocated to it. The resources currently devoted to conflict prevention – for example to development and diplomacy, human rights monitors, early warning systems or peace mediators - are still massively outweighed by the resources allocated to military spending and war fighting. It is important for governments and international organisations to act more decisively 'upstream' – to tackle problems early before they have developed into full-blown crises.
- Work for greater international consensus on military intervention for human protection purposes. US and UK led military action in Iraq has made this much more difficult, but no less necessary. Such a consensus would need to take account of issues of legality and legitimacy, the human and opportunity costs of intervention, as well as issues of capacity and consistency.

What do we mean by state failure?

State failure takes many different forms and goes under a variety of different labels. 'Failed states', 'failing states', 'states at risk of failure', 'rogue states', 'poor performers', 'Low Income Countries under Stress (LICUS) – these are just some of the descriptive terms that have been used to define and conceptualise it.

Many countries exhibit varying degrees of state weakness and ineffectiveness and have governments that lack the will or the capacity to deliver basic public goods to their people. *'Public goods are those intangible and hard to quantify claims that citizens once made on sovereigns and now make on states. They encompass expectations and obligations, and together give content to the social contract between ruler and ruled.'*³ The most important of these public goods is basic security, security from external and internal threats, the security of people and their property and the creation of a secure space in which disagreements and conflicts between citizens can be resolved or managed without recourse to violence.

But other essential public goods include health and education services; effective infrastructure; the rule of law, security of contracts and accessible systems of justice; the enjoyment of human rights and democratic freedoms; and a free press and media. Where these conditions exist, societies tend to be more prosperous, free and peaceful. Where they are absent, societies are generally poorer, less free and subject to greater violence and lawlessness.

State failure might therefore best be seen as a continuum, with countries differentiated and defined in terms of their capacity or willingness to deliver on these public goods. 'Effective states' are those that control their territories, that have open, accountable and inclusive political institutions, thriving economies, low levels of corruption, an impartial rule of law, and a commitment to tackle poverty and discrimination. 'Failed states' – like the DRC, Somalia, Afghanistan and Liberia – are those in which the capacity to deliver these public goods has all but disappeared. These countries have effectively disintegrated as a consequence of civil conflict or external invasion. In the case of Somalia, there is no central government at all; while in Afghanistan, the DRC and Liberia, the writ of the central government barely extends beyond the capital. Much of the rest of the territory in these three countries is controlled by competing warlords. Far from seeing their role as providing for their co-nationals, the ruling elites in these situations use their positions for personal enrichment and the plunder of national resources.

'Failing states' or 'states at risk of failure' sit along the spectrum in between. They tend to have weak institutions; to suffer from ethnic, communal, linguistic or religious tensions; to experience widespread corruption and conflict; to have inadequate and deteriorating infrastructure and poor quality public services.

Of course, states may be proficient at providing some public goods and poor or very poor at providing others. For example, they may uphold basic human rights and democratic

freedoms but be weak in terms of the provision of economic opportunities and education and health services. Over time, a persistent failure to deliver economically can threaten the legitimacy of a government and the viability of its democratic institutions.

In discussing state failure, it is also important to look below the level of the nation state, at the disparities and inequalities of performance that can exist within a country. For example, some national governments may provide public goods in one part of the country but not in others. This may be a reflection of ethnic, communal or religious allegiances, with a leadership drawn from one group deciding to 'look after its own', allocating them a disproportionate share of national resources.

Regional disparities within countries can also result from civil war or major internal conflicts. Take the case of Uganda. Far from being regarded as a 'failing state', Uganda is generally seen as an African success story, a country that has made very substantial progress in poverty reduction and development over the last decade. In most parts of the country, the central Ugandan state exerts effective control over security, and provides a steadily increasing number of public goods to its citizens. But in the north west of the country, where the Ugandan Government faces a continuing challenge from the Lord's Resistance Army, the Government does not have effective control over security, which in turn hinders its capacity to deliver public goods to citizens living there. Colombia is another example: not a 'failing state', but a country in which the central government cannot fully uphold its authority and prevent lawlessness across part of its national territory.

This phenomenon of variable state performance in different parts of a country is a very common one. It suggests, perhaps, that we should think less in terms of 'failed or failing states' and more in terms of 'failed or failing regions or sub-regions'.

The labels 'poor performers' and 'Low Income Countries under Stress (LICUS)' are the terms more frequently used in the world of international development. In a 2002 World Bank Report into such countries, LICUS were described as '*chronically performing countries, characterised by weak policies, institutions and governance*'.⁴ While the criteria used by the World Bank may differ slightly from those used by foreign policy specialists, 'failing states' and 'poor performers' are broadly synonymous concepts: countries that, to varying degrees, fail to provide adequate public goods to their citizens.

However, there are two other very important state types that do not sit so easily along this continuum: firstly, there are 'authoritarian states'; secondly, there are 'highly autocratic states' or what are sometimes called 'rogue states'. 'Authoritarian states' have been common throughout history. Strong and competent states which provide some public goods to their people, but which deny political and civil rights and which allow zero or very limited public involvement in the process of political decision-making. In the post-war period, such states have existed in many countries in Latin American and in South-Eastern Europe. The Communist states of the former Soviet Union and Eastern Europe were also authoritarian states. Although these states became progressively less

competent in the provision of public goods and while dissent was severely constrained and punished, these states did deliver some significant benefits to their populations. The case of China also raises huge issues: an authoritarian state with a very poor human rights record (particularly on civil and political rights), but a state that is making extraordinary economic progress and in the process providing very substantial public goods to many Chinese people.

A large number of countries in the Middle East and in Asia are also authoritarian states. They provide a limited number of public goods, but deny their people democratic freedoms and essential human rights. The influential Arab Development Report 2002 identified the lack of democracy and the denial of human rights, particularly for women, as the principal obstacle to development social progress in the Arab world.⁵ Similar comments could be made about Central Asia.

The 'highly autocratic state' or the 'rogue state' is again a distinctive type, defined largely by the 'threat' such states are seen to pose to the wider international community. This includes countries like North Korea today and Iraq before the overthrow of Saddam Hussein. James Putzel of the LSE has suggested that these states might be best be categorised as 'countries in violation of international law'.⁶ This violation may reflect non-compliance with UN resolutions on weapons of mass destruction or the violation of international human rights law through the repression of their own people.

A country like North Korea demonstrates state competence in some very limited respects, such as the management of advanced military technology. But at the same time, it provides hardly any public goods. Indeed, in recent years the North Korean state has stood by and allowed tens of thousands of its people to starve, apparently lacking the will or the capacity to seek to prevent this.

The Iraqi case is slightly different. In many respects – certainly before the first Gulf War in 1991 and the introduction of comprehensive economic sanctions – Iraq was a fairly sophisticated state, with high levels of literacy and reasonable levels of healthcare, infrastructure and social services. But under Saddam Hussein it was ruled by someone who brutally crushed all internal opposition and systematically violated the human rights of his people.

Why do states fail?

The causes of state failure are extremely diverse. Every state has its own complex history of internal and external influences, and any attempt at conceptual generalisation will necessarily omit some particular factor that is relevant and important to the individual case. State building was a lengthy and difficult process for today's developed countries: it took Britain alone hundreds of years. In most cases, state formation and development involved considerable violence, as the newly established power of the central state was exerted over previously autonomous centres of authority.

It is also an ongoing process; the British state has changed significantly in recent years as a consequence of its membership of the European Union and, most recently, following devolution to Scotland and Wales. Appropriate humility and historical perspective is therefore required when considering the challenges faced by newer nation states.

That said, it is possible to identify a number of factors that may help to explain why some modern states have been less effective than others.

Firstly, there is the colonial legacy. This is a particular issue in Africa. Across much of the continent, state boundaries drawn up by the colonial powers cut across existing tribal, ethnic and regional allegiances. Many of these new states were landlocked (15 of Africa's 54 countries fall into this category) or faced other geographical barriers to effective economic development. At independence, most of the new African states lacked adequate numbers of appropriately trained and educated personnel to run the institutions of an independent state. In cases like the Congo, the colonial experience was especially brutal, with the colonial authorities enriching themselves on the abundant natural resources of the country. Many of the newly independent countries were also heavily dependent on the export of one or more primary commodities and were locked into disadvantageous terms of trade with more developed countries.

Secondly, there is the role of the Cold War powers in fomenting conflict and in stymieing economic development. Throughout the Cold War period, the US and the Soviet Union sought to advance their geopolitical interests by supporting a significant number of regimes in Africa, Asia and Latin America. Many of these regimes were corrupt, violated systematically the human rights of their people, and got extremely rich while many of their fellow nationals slipped further into poverty. The role played by the US and other western powers in supporting General Mobutu in Zaire is a particularly shocking example. While it was well known that Mobutu was a kleptocrat of the worst order, western support for him continued for over three decades because he was regarded as anti communist.

The experience of the post-communist states is distinctive, but like the newly independent states in Africa and Asia, they too suffered from external interference and, in particular, from the imposition of a dogmatic and highly inefficient economic model. This continues to affect them today. Many of the new states in Central Asia remain

Communist-style kleptocracies; while some of the states of the former Yugoslavia remain hampered by communist economic infrastructure.

Thirdly, of course, there are the policies pursued by the governments of certain states. History is not destiny, and some states have made real development progress despite an unfavourable colonial legacy and negative trends during the Cold War period. The most dramatic success has been in East Asia. Over the last four decades, the proportion of East Asia's population living in acute poverty has dropped from 40 per cent to 10 per cent of the population, the most dramatic reduction in poverty that the world has ever seen. This has been achieved through strong states (although states that in many cases have been authoritarian, undemocratic and where human rights have not always been upheld). Heavy investment in education and healthcare, encouragement of inward investment and an proactive approach to seizing trading opportunities have also contributed to this economic success.

There has also been real development progress in Latin America, in Central and Eastern Europe and in some Africa countries, particularly Botswana, Ghana, Mauritius, Mozambique, Uganda and South Africa. Effective state institutions have played an important part in this process.

But many other countries, especially in Africa, have pursued damaging economic policies that have weakened the capacity of the state, and its ability to deliver public goods. Human agency is invariably at the root of state failure. Michael Ignatieff describes this all-too-familiar trajectory of state decline, characteristic of many African states over the last few decades. *'Rulers at independence inherit a poor country, a weak infrastructure, a multitude of ethnic groups, and basically weak coverage of state institutions across the country. Mismanagement, corruption, and bad economic planning or simple misfortune cause the tax revenue base to shrink. As it does, ruling elites lose the capacity to buy off or conciliate marginal regions or minorities. When these minorities pass into discontent, the regime concentrates its political base on its own ethnic group, heightening the discontent and causing minorities to pass into open rebellion.'*⁷

Fourthly, it is important to appreciate that there are some people who benefit from state failure. What appears chaotic and dysfunctional from the outside, is not always so when viewed from the inside. Usually it is the individuals who serve in the government itself or those groups closely associated with the government that benefit most. Not all failed or failing states are poor; indeed in countries like Afghanistan, Angola, Chad, Colombia and Sierra Leone, the abundance and easy availability of highly profitable commodities like heroin, cocaine, oil, diamonds and coltan has provided the resources for endless civil war and helps to explain the descent into conflict and state failure.

While the ruling elites and warlords in such societies are not providing a full range of public goods, they do often provide some limited benefits for their own ethnic or communal groups, and people living in these regions seek those benefits precisely because the central government is unable or unwilling to provide them. In the DRC, for

example, communities become reliant on warlords for the provision of security or reliant on illegal trading in commodities to sustain themselves.

Fifthly, the policies of developed countries also contribute to state failure in the developing world. There are many respects in which the policies of developed countries are hindering rather than helping to secure better governance and more effective states. In many failing states today, civil conflicts are fuelled by arms and monetary transfers that originate in the developed world. The proceeds of national plunder by corrupt leaders and dictators are generally stored in western bank accounts. The existing international rules of trade are heavily stacked against the interests of developing countries and can weaken state capacity. State institutions can also be inadvertently undermined by the policies of development donors and international development agencies like the World Bank and the IMF. Far from strengthening national capacity, the development relationship between donor and recipient has often served to hollow out the state or to make the state dependent and accountable to external donors rather than to its own people.

Why does state failure matter?

Post September 11, and after the wars on Afghanistan and Iraq, most of the debate on state failure has focused on the implications for developed countries, including the link with terrorism, weapons proliferation, international crime, drug trafficking and migration flows. Tony Blair, for example, has placed considerable emphasis on the possibility that terrorists, aligned with rogue states, will one day acquire weapons of mass destruction. While risks and challenges for developed countries certainly exist, those who suffer most from state failure and ineffective systems of government are poor people living in these states, through low living standards, crumbling infrastructure, the spread of disease including HIV/AIDS, limited access to basic services and pervasive insecurity.

The World Bank estimates that 500 million people live in Low Income Countries under Stress. These are the countries which generally have the lowest levels of life expectancy, literacy and access to basic services, and with the highest levels of infant and maternal mortality, crime and corruption. They are also the countries that are furthest from the achievement of the Millennium Development Goals (the targets for poverty reduction and development agreed by the governments of the world at the UN Millennium Assembly in 2000).

International development agencies have in recent years paid far too little attention to the needs of weak states, preferring instead to work with so-called 'good performers'. The clear trend in aid allocations by aid donors has been to spend more in these countries – where it is easier to secure and demonstrate poverty-reducing outcomes – and less or none at all in 'poorly performing' countries. But the World Bank's own research shows that countries abandoned by the international development community show few signs of autonomous recovery. Indeed, the evidence suggests that they become locked into a process of social decline, economic marginalisation and worsening levels of poverty.

Without better systems of government in many of these countries, there is little prospect of the Millennium Development Goals being achieved. This is particularly true of Africa, where weak governance, conflict and HIV/AIDS are reversing development gains made over previous years. Many African states are poorer today than they were a decade ago. The 2003 Report of the United Nations Development Programme said of Africa, *'Almost across the board the story is one of stagnation. Economies have not grown, half of Africans live in extreme poverty and one third in hunger, and about one-sixth of children die before the age of five'*.⁸

State weakness and poor governance is also a major barrier to development progress in parts of Latin America and the Caribbean, South Asia, Central and Eastern Europe and the former states of the Soviet Union, and many states in the Arab world. Here, too, more effective states and more democratic governance are an essential precondition for higher and more inclusive levels of growth, and greater progress in development.

State failure damages the economic prospects of surrounding states, by deterring inward investment and economic activity. It can also lead to social implosion and state collapse, triggering regional conflict and instability and large-scale population displacement.

And state failure in the developing world contributes to wider global tensions and instability. While the link between terrorism and state failure is sometimes overstated, it does exist. It is not coincidental that the leadership of Al Qae'da chose to locate in Afghanistan, a quintessential failed state. Al Qae'da also appears to have been very successful in drawing support from impoverished and disaffected young people in the Middle East and in Asia, particularly from the failing states of those regions.

Migration flows also tend to come disproportionately from weak states and those engaged in conflict. For example, the top ten countries of origin of asylum seekers wishing to enter the EU, for the period 1990-2000 were Federal Republic of Yugoslavia (FRY), Romania, Turkey, Iraq, Afghanistan, Bosnia-Herzegovina, Sri Lanka, Iran, Somalia and Democratic Republic of the Congo (DRC).⁹

How should we respond to state failure and help to promote more effective states?

A serious strategy for tackling state failure and promoting more effective states requires a multi-dimensional and joined-up policy response. There are a number of priorities for action:

- **Improved analysis.** The starting point for any sensible public policy approach to state failure is good analysis that seeks to better understand the local, national, regional and global context. The regional and global dimensions to the issue have tended to get overlooked. Good analysis should avoid static categories and recognise that states can change over time. When analysing state failure it is also extremely important to learn from success. How have today's developed states managed to establish stable political institutions? What are the lessons that can be drawn from the experience of countries in East Asia or Latin America?
- **Increased engagement and acting upstream.** Despite the scale of the development, humanitarian and security challenge that state failure represents, the international community has been generally slow and half-hearted in responding to it. Tackling state failure will require much greater political commitment and increased levels of engagement. But it also means changing the way we engage, using a more diverse range of policy tools. If the only tool in the toolbox is a hammer, every problem tends to look like a nail. But the problems of state failure are too diverse to be subject to a one-size-fits-all policy response. A lot of the most creative policy initiatives need to happen at the sub-national level. That can involve identifying key reformers within a state and seeking to enlarge their political space. It means recognising that the window of opportunity for reform is often limited and so reform needs to be combined with the provision of practical benefits and the development of social capital. It means properly sequencing reforms. And it means bringing together thinking and analysis on security, development, human rights, conflict, the environment and migration. It is particularly important to act decisively 'upstream' - to identify and address problems early rather than wait for them to develop into full-blown crises.
- **Working with others.** The problems of state failure are too complex to be tackled by any one state acting alone. We need a strengthened multilateral response, where individual countries, the United Nations and the European Union are working together. The EU's relationship with the African, Caribbean and Pacific countries through the Cotonou Agreement is a good example of where Europe can exert its influence in support of effective governance. Governments and international organisations also need to co-operate closely with the private sector, including through helping to create conditions in which developing countries can attract greater flows of beneficial inward investment. We need to help ensure that the resources from inward investment are used for poverty reduction and development. Helping to promote better governance in Nigeria or Angola, for example, requires monitoring

where major sources of income are coming from and how they are being spent. The Extractive Industries Transparency Initiative, which calls on the major companies to provide details of the revenue transferred to national governments, is an important contribution to this.¹⁰ Action to promote more effective states should also involve strengthened support for progressive elements within civil society. As we know from the history of developed countries, a vibrant civil society can be a powerful advocate for better governance, human rights and social progress.

- **Strengthening regional organisations.** In many cases, state failure has a regional dimension. State failure in one country can spill over into neighbouring countries, sucking in other states and intensifying the level of conflict. But regional organisations can potentially help to promote more effective states. In the European context, the European Union and the OSCE have played important roles in defusing tensions in Central and Eastern Europe. Arguably the European Union is the most effective conflict prevention organisation ever. In relation to the EU accession states today, the prospect of membership, and the obligations that that entails, can be a positive force for stability. In Africa, developed countries should provide increased support to organisations like ECOWAS, SADC and the African Union itself. In Africa, the other crucial initiative is the New Partnership for Africa's Development (NEPAD). Formally launched in 2001, this asserts the importance of African ownership and leadership of its development agenda, and places heavy emphasis on improving systems of government. Developed countries should provide strong backing for the NEPAD initiative.
- **Committing for the long-term.** Action to tackle state failure is necessarily long-term. We have already indicated that nation building is something that took today's developed countries a very long time. We should not make unrealistic assumptions that other countries can achieve advanced state institutions overnight. Wherever possible, developed countries need to work in partnership with developing country governments to help build more effective institutions. That means not just competent institutions, capable of carrying out the basic administrative duties of a modern state, but also states that are more open, democratic and accountable, and which protect the human rights of the poor, women and minority communities – the very groups whose rights are most often ignored or violated. And it means a serious and sustained effort to tackle inequality and social exclusion and promote greater social justice. In post-conflict societies the need for long-term engagement is greater still. Countries that have undergone civil war need help to rebuild effective national institutions, to revive their economies, and support for the demilitarisation and demobilisation of armed combatants. Where this support is missing, fragile societies can all too easily slip back into armed conflict.
- **Putting our own house in order.** Developed countries can also be implicated in state failure in developing countries, not just through the colonial legacy, but in the present too. Tighter controls over the transfers of arms and military equipment, action against money laundering, proper regulation of developed country companies

that invest in weak states, fairer rules on global trade, and a changed development relationship that strengthens rather than weakens local accountability – these are all essential to a joined-up strategy for tackling state failure. Developed countries need to consider, too, the impact of actively recruiting large numbers of skilled professionals from the developing world to work in our public services and in other forms of employment. What are the implications of this for state development in developing countries?

The ethics and efficacy of intervention

The most controversial of all the issues in relation to state failure is that of intervention: how bad does a failing state have to be to justify forcible intervention; when, if ever, is that legitimate; and under what circumstances is it likely to be successful?

In recent years, the most substantive piece of work on this issue is *'The Responsibility to Protect'*, the report of the International Commission on Intervention and State Sovereignty (ICISS).¹¹ The Commission was set up by the Canadian Government and it presented its report to the UN Secretary-General in late 2001. While overshadowed by the events of September 11, the report continues to be actively promoted by the Canadian Government and others. It is finding a steadily growing international audience and is now the subject of numerous conferences and roundtables, as well as informal debate in the UN Security Council and in the General Assembly.

The report rejects the term 'humanitarian intervention', arguing that this is to prejudge the issue in question – that is whether the intervention is in fact defensible in humanitarian terms. In its place the Commission proposes a redefinition of sovereignty – sovereignty as responsibility. The report asserts that, *'sovereign states have the primary responsibility for the protection of their people from avoidable catastrophe – from mass murder, rape, starvation – but when they are unable or unwilling to do so, that responsibility must be borne by the wider community of states'*.

This responsibility to protect has three parts. Firstly, and most importantly, the responsibility to prevent: to address the root causes of human rights abuse and humanitarian crises. Secondly, there is a responsibility to react: to respond to situation of compelling human need with appropriate measures, such as smart sanctions (that hit the elite not the majority of ordinary people), and through diplomatic pressure and humanitarian assistance. In extreme circumstances, the Report suggests, this will require military intervention: to prevent genocide, massive human rights abuses or to alleviate a humanitarian crisis that results from the collapse of social order. Thirdly, there is a responsibility to rebuild. This is particularly important after a military intervention. In these circumstances, there needs to be substantial support for reconstruction and reconciliation. Too often in the past there has been an assumption that short, sharp interventions will be followed by a swift exit. More realistically, there will have to be a long-term commitment from developed countries to help countries recover and rebuild.

Alongside this redefinition of sovereignty, the Commission proposes further criteria for judging the appropriateness of an intervention. This includes a just cause threshold: military intervention for human protection purposes is an exceptional measure and can only be justified where there is large-scale loss of life, actual or apprehended, or large-scale ethnic cleansing. It also includes some precautionary principles: right intention, last resort, proportional means and reasonable prospects.

The Commission has important things to say about legality too. It states, 'there is no better or more appropriate body than the United Nations Security Council to authorise military intervention for human protection purposes...Security Council authorisation should in all cases be sought prior to any military intervention action being carried out'.

The ICISS Report is a very important contribution to the debate about the ethics and efficacy of intervention, but key issues still remain. Six in particular stand out as requiring considerable further discussion:

- **Prevention.** While the ICISS Report flags the importance of prevention, is the international community really doing enough to tackle the underlying causes of state failure?
- **Opportunity costs.** What are the opportunity costs of spending money on expensive military interventions? The Iraq war has already cost the US administration \$79 billion, and President Bush has now asked for an additional \$87 billion to cover the foreseeable future costs for both Iraq and Afghanistan.¹² Could this money be more usefully spent – with greater overall humanitarian benefit – supporting long-term development or specific conflict prevention initiatives?
- **Legality and legitimacy.** Is it ever legitimate for one country or a group of countries to intervene in the affairs of another country on humanitarian grounds in the absence of explicit UN authority? This happened in Kosovo and in Iraq.
- **Human costs.** All military interventions involve the loss of human lives. 3,500 civilians are estimated to have died in Afghanistan as a consequence of the US-led intervention and between 7,000 and 9,000 in Iraq.¹³ But not intervening can also have costs (800,000 people died in the Rwandan genocide because the international community failed to intervene). On what basis do we make decisions about acceptable human costs from intervention? What are the obligations of intervening powers towards innocent civilians in the countries in which they intervene? And to what extent should they try to take into account the views of ordinary people living in countries in which intervention takes place?
- **Capacity.** If interventions are going to take place, do we have the necessary capacity – military and non-military – to do this effectively? There is a lot of justifiable criticism of the unilateralism of the Bush administration, but to what extent could the European Union act without US support?
- **Consistency.** Why do we intervene in some cases but not in others? One of the reasons that the Iraqi action was so deeply unpopular internationally was because of the widespread feeling of double standards on the part of the international community (the US in particular), especially in relation to Israel's illegal occupation of the West Bank and Gaza Strip. Getting greater international support for action in failed or failing states is likely to require a more consistent and even-handed approach.

Conclusion

The Iraq war – carried out without a second UN resolution, and on the basis of an assessment of a threat from Saddam Hussein that now looks severely flawed – will make the building of a progressive consensus on intervention and the tackling of state failure much more difficult. But it does not make it any less important or any less urgent. State failure remains one of the biggest challenges facing the international community. The humanitarian, development and security costs of state failure cry out for greater international engagement and a more joined-up and long-term policy response.

As Kofi Annan put it in his address to the United Nations Millennium Assembly in 2000, '*If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica – to gross and systematic violations of human rights that offend every precept of our common humanity?*'¹⁴ It is time that progressives developed a convincing analytical and policy response to that question. This report is an opening contribution to that wider task.

APPENDIX 1

On October 27, 2003, the ippr and the FES (London Office) held a 1-day symposium at the Commonwealth Club, London. The participants at the event were:

Michael Anderson	Department for International Development, UK
Hilary Benn MP	Secretary of State for International Development, UK
Pascal Boniface	Directeur, L'Institut de relations internationales et strategiques (IRIS), FRANCE
Aurel Croissant	University of Heidelberg, GERMANY
Karl Duffek	Director, Renner Institute, AUSTRIA
Paul Eavis	Director, Saferworld, UK
Gernot Erler MdB	Deputy Leader of the SPD Parliamentary Group in the Bundestag, GERMANY
Alex Evans	Special Adviser to Hilary Benn, DFID, UK
Gilles Finchelstein	Director, Fondation Jean-Jaurès, FRANCE
Jonathan Freedland	Journalist, <i>The Guardian</i> , UK
Mike Gapes MP	House of Commons, UK
Edward Gresser	Director of Trade & Global Markets, Progressive Policy Institute, US
Reinhard Hesse	Adviser, Federal Chancellery, Germany
Michael Hofmann	Director for Global & Sectoral Policies, Federal Ministry for Economic Co-operation & Development, GERMANY
Catriona Laing	Deputy Director, Strategy Unit, Cabinet Office, UK
Matthew Lockwood	Head of UK Advocacy, ActionAid, UK
Gero Maass	Director, London Office, Friedrich-Ebert-Stiftung

Joanna Macrae	Coordinator and Research Fellow, Humanitarian Policy Group, Overseas Development Institute, UK
David Mephram	Associate Director and Head of International Programme, ippr, UK
James Putzel	Director, Crisis States Programme, DRC, LSE, UK
Ravi Rajan	Head of Operations Support Group, United Nations Development Programme, USA
Susan Richards	Open Democracy
Andrew Shepherd	Coordinator and Research Fellow, Rural Policy and Environment, Overseas Development Institute, UK
Paul Smith-Lomas	Humanitarian Director, Oxfam, UK
Fiona Weir	Director of Policy & Communications, Save the Children Fund, UK
Leni Wild	Intern, ippr, UK
Gert Weisskirchen MdB	Foreign Affairs Spokesperson of the SPD Parliamentary Group in the Bundestag, GERMANY
Esther Zimmermann	Intern, London Office, Friedrich-Ebert-Stiftung

Endnotes

- ¹ Tony Blair, (January 4, 2004), speech to UK armed forces in Basra, www.number-10.gov.uk
- ² Gerhard Schroder, (September 24, 2003), speech to the UN General Assembly
- ³ Robert Rotberg, (ed.) (January 2003), 'State Failure and State Weakness in a Time of Terror', Brookings Institution Press, p.3
- ⁴ World Bank Group, (September 2002), 'Work in Low Income Countries under Stress: A Task Force Report'
- ⁵ UNDP Arab Development Report (2002)
- ⁶ Comments made by James Putzel during the October 27 seminar
- ⁷ Michael Ignatieff, (February 2003), State failure and nation building, in Holzgrefe and Keohane 'Humanitarian intervention – ethical, legal and political dilemmas', p.301
- ⁸ Human Development Report (2003), p.37
- ⁹ Stephen Castles, Heaven Crawley and Sean Loughna, (2003), 'States of Conflict: Causes and patterns of forced migration to the EU and policy responses', ippr
- ¹⁰ EITI was announced by Tony Blair at the World Summit for Sustainable Development (September 2002)
- ¹¹ International Commission on Intervention and State Sovereignty, (2001), 'The Responsibility to Protect' Report
- ¹² Figures used by Radio Free Europe, the New York Times and the Guardian
- ¹³ www://iraqbodycount.net
- ¹⁴ Kofi Annan, (2000), Speech to the Millennium Assembly

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