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UN PEACEBUILDING – LIGHT FOOTPRINT OR FRIENDLY TAKEOVER?

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I. INTRODUCTION

Rebuilding societies from the outside after they have just overcome large-scale violence and atrocities is a highly complex undertaking. Even ending the violence and achieving medium-term reconciliation among different groups of people who have not long ago tried to kill each other is difficult – but ensuring that violence will not recur and that a society builds institutions to settle its conflicts with peaceful means is an intricate task. The process involves a multitude of actors and takes place at various levels and in different time frames.

In the public discourse on modern peacebuilding, the assumption prevails that the international community must invest more in post-conflict states and that it is all a matter of ambition to meet “the unprecedented challenges.”¹ It is demanded that missions, which are designed for implementing broad peacebuilding and institution building mandates, require immense capacities, in terms of sufficient manpower and resource endowments, and a longer-term perspective. Additionally, they would have to be vested with wide-ranging authorities to the point where external actors temporarily take on government functions and the administrative control over a state or territory in the absence of functioning local institutions. In his well-known report, Lakhdar Brahimi demanded that peace missions with the directive for civilian protection also need to be endowed with so-called robust mandates, which authorizes the military units to defend themselves and the objectives of the mission in (Brahimi et al., 2000: 9f).

Policy trends and policy decisions often result from perceptions on singular events, mainly prominent successes or failures, and are not necessarily based on empirical facts. This study aims at providing such an empirical foundation for the peacebuilding discourse. Two questions arise that have yet not been systematically explored: First, was there indeed a trend in the capacities and authorities of peace missions? Can one statistically detect a gradual increase in the duration, the number of staff deployed – both military and civilian personnel –, the financial resources and executive functions of peace missions established after the end of the Cold War? Second, and more importantly, is the assumption justified that more of everything is the adequate response of the international community to internal conflicts? This is more than a purely academic inquiry. Not only could unwarranted or inappropriately designed interventions prolong human suffering but they would also deplete scarce international resources.

This study will provide comprehensive, well-grounded answers to both questions. First of all, it will track the evolution of interventions. External actors, especially the United Nations, have engaged in post-conflict environments for decades but only relatively recently, there has been a remarkable change in the nature and rationale of peace missions. Until twenty years ago, peace operations fulfilled the vital task of establishing an environment of safety and security after interstate wars. Today, international peace missions aim at far more than just ending wars. External actors have expanded their agendas and have taken on far-reaching responsibilities in post-conflict situations. Led by the imperative to resolve protracted conflicts within states in order to prevent the recurrence of violence, the focus has shifted

¹ Remarks of UN Secretary-General Ban Ki-moon to General Assembly in a thematic debate on “UN Peacekeeping - Looking into the Future” on 22 June 2010.
http://www.un.org/apps/news/infocus/speeches/search_full.asp?statID=864

from separating the conflict parties to bringing them together and supporting the process of reconciliation and reconstruction. In the 1990s, the UN started to actively implement comprehensive and multi-faceted peace agreements. Peacebuilding mandates have become multidimensional and include the demobilization and reintegration of former combatants into society, the resettlement of refugees and internally displaced persons, human rights investigations, security sector reform and, ultimately, economic, political and social reform. Since state institutions have collapsed in many cases of intense civil wars, the reform and (re)building of institutions, sometimes from scratch, has become a standard tool in modern peacebuilding. Institution building aims at strengthening the civilian capacities of a society for resolving its conflicts.² It is mostly synonymous with democratization, although research has shown that the process of democratization itself entails the potential for renewed conflict (Collier, 2009; Hegre et al., 2001; Jarstad and Sisk, 2008b; Mansfield and Snyder, 1995a; Mansfield and Snyder, 2002a; O'Donnell and Schmitter, 1986). Peacebuilding is a long-term process that involves a multitude of external actors, both military and civilian. All in all, the distinction between conflict prevention, peacekeeping, institutional reconstruction, and development cooperation has become blurred.

Over the past twenty years, the number of UN blue helmets in peace missions has increased tenfold: In every month of the year 2010, almost 100,000 troops, police, and military experts were deployed in 15 United Nations peace missions worldwide.³ This figure does not even include the more than 130,000 NATO troops in the UN-mandated operation in Afghanistan, the NATO force in Kosovo of just under 10,000, or other troop contingents provided by the African Union (AU), the European Union (EU), and others.⁴ In the last five years alone, the number of civilian staff in UN missions has doubled from around 1,000 to more than 2,000.⁵ Presently, the UN alone spends almost 8 billion US\$ annually⁶ on its peace missions; the budgets of the other organizations together are considerably larger.

This trend of a mounting engagement of external actors in post-conflict situations can be explained by a number of factors, including the altered nature of the conflicts from interstate to predominantly intrastate conflicts, the erosion of state sovereignty, and a 'responsibility to protect' by the international community together with an increased cooperation with and within the UN Security Council (Caplan, 2005). The renewed activism of the UN after the Cold War – in a phase when the number of active conflicts has actually decreased – is reflected in a number of documents on peacekeeping and peacebuilding published by the organization, including the Agenda for Peace, the Brahimi Report, or the World Summit Outcome Document. These documents critically assess the shortcomings of these undertakings and suggest new challenges and strategies.

In a second step, the study will take a close look at the modern peace missions since the end of the Cold War. It will present an innovative measure for mission intrusiveness. Despite its negative undertone, it is a value-neutral concept that depicts the extent of the involvement of

² To identify how the international community can mobilize and organize specific civilian capacities to assist post-conflict countries, the UN Secretary-General has established the Senior Advisory Group for the Review of International Civilian Capacities chaired by Jean-Marie Guéhenno in 2010.

³ <http://www.un.org/en/peacekeeping/contributors/>

⁴ For an overview on military deployments by various organizations, see the figure on Military Deployments in Global Peace Operations from 1998 to 2008 on p.3 in the Annual Review of Global Peace Operations 2009 (CIC, 2009).

⁵ See part III.1.2.4.

⁶ See part III.1.2.5. In the fiscal year 2010 to 2011 the budget for peace mission was projected at US\$ 7.26 billion (A/C.5/64/19).

international actors in a post-conflict environment. Although data on mission scale size in terms of duration, manpower, and expenditures have been collected by other scholars (e.g. CIC, 2009, 2010a), these have not yet been combined into a single index and have also not been analyzed for their effects on the outcomes of peace missions. Also, mission size is only one aspect of intrusiveness: More important than the ‘visibility’ of the peacebuilders is the range of functions that they are mandated to take on. This work presents an original operationalization of the range of external decision-making authorities, termed mission scope. The more a peace mission has features of an international interim administration, the higher the level of external commitment in the post-conflict state. The indices of mission scale and scope are combined into a single index for mission intrusiveness. This is an expression of the weight and authority of the international community to act as a credible guarantor for those local actors who endorse the peacebuilding agenda and as an enforcer for those rejecting it. It will be shown that there has indeed been a trend of increasing intrusiveness levels in the 1990s – but the trend has been halted after the missions in Bosnia, Kosovo, and Afghanistan have not produced the desired results of a sustainable, democratic peace.

The study builds on previous work by Zuercher (2006) who is skeptical of the ability of highly intrusive peace missions to establish security and (democratic) statehood. So far, efforts to empirically examine the effect of mission scale and scope on peacebuilding outcomes have been rare. A notable exception is the study by Doyle and Sambanis (2000; 2006) who find that, *ceteris paribus*, intrusive multidimensional peacekeeping operations, operationalized by the broadness of their mandates, were positively and significantly associated with peacebuilding success compared to traditional peacekeeping. One must note, however, that the results of their study suffer from some methodological flaws (see literature review).

One of the reasons that there are not more quantitative studies on peacebuilding might be the lack of appropriate research and analysis methods. Since the number of UN peace missions is relatively small with a total of 64 since 1948, most standard regression analyses cannot be performed. A more promising, yet widely underestimated approach is the Qualitative Comparative Analysis (QCA) that draws on Boolean logic. This study will present a statistical two-step fuzzy set QCA analysis of 22 modern peace missions. It uses the measures of mission scale and scope to detect their effects on peacebuilding success, conceptualized as security and statehood. The advantage of QCA over other statistical methods is that it combines the virtues of qualitative and quantitative research. QCA works with the notions of necessity and sufficiency and allows for the existence of ‘multiple causality’, i.e. a certain outcome can be produced by alternative, non-exclusionary paths. Thereby, it unravels complexity and detects intricate relationships between several causal factors and a specific outcome.

A major drawback of contemporary research on peacebuilding – both quantitative and qualitative research – is that it entirely ignores the context into which peace missions are deployed.⁷ As UN Secretary-General Ban Ki-moon said, “institutional change should not be approached as a technical exercise. Rather, it should be viewed and pursued within the broader context of a country’s political processes, development and social change.”⁸ Although policy makers seem to have learned from past experiences that the informed and demand-driven use of resources is more constructive than an unreasonable increase in mission size and

⁷ Doyle and Sambanis (2000; 2006) include local capacities and the level of hostility in their analysis.

⁸ http://www.un.org/apps/news/infocus/sgspeeches/statments_full.asp?statID=1048

intrusiveness, social science research does not offer any systematic evaluation of how the context matters.

The presumption in this study is that friendly takeover missions may lead to a successful outcome in some contexts but not in others. The same goes for light footprint missions that might be the right policy choice in some contexts but not in others. It is not per se a certain level of mission intrusiveness that leads to peacebuilding success in terms of security and statehood – but it is the design of the peace mission as an adequate response to the situation on the ground. When devising peace missions, it is crucial to match the intrusiveness of the peace mission with the respective context. Context refers to the intensity of the previous conflict, the demand of local actors for peace and peacebuilding, and the socio-economic development of the post-conflict state. All these factors were identified in the literature as having an effect on the termination of the conflict and the duration of peace, but so far they have rarely been analytically linked to peacebuilding strategies.

Mission intrusiveness is not a stand-alone concept. The new index also indirectly depicts the antagonism of mission intrusiveness and ‘local ownership.’ The concept of local participation and ownership originated in the development assistance community (OECD DAC, 1996) and has been adapted to peacebuilding. Many scholars argue that there is a principal tension between the promotion of autonomy, self-government, and democracy by means of outside control and oversight (e.g. Chesterman, 2004; Gutteri and Piombo, 2007; Paris and Sisk, 2007; Wilde, 2001). They claim that domestic actors must have the responsibility for both the process and the outcome of peacebuilding. The reasoning is that structures will not be effective and sustainable when they are imposed from the outside and do not correspond to the needs and values of the people in the host country. Peacebuilding can only be successful if local ownership is both the means and the goal of an intervention. At the same time, if local actors had the capacities and the will to rebuild their state themselves, there would not be the need for external assistance in the first place. Hence, the challenge in peacebuilding is to reconcile the needs for an intervention with the objective of fostering sovereignty and local ownership.

In order to qualitatively test the results of the fs/QCA analysis and to detect the effects of agency, two detailed case studies in the third part investigate the causalities of the relationship between the context, mission intrusiveness and local ownership, and peacebuilding outcomes. UNMIK in Kosovo was a transitional administration during which all government functions were taken on by international actors and were only gradually transferred to national institutions. UNMIL in Liberia, by contrast, was merely mandated to assist the Liberian government which formally had exclusive ownership of the peace and reform process. The two case studies examine the interaction process between external and domestic actors to identify societal follow-up conflicts that emerge during an intervention but that are not linked to the previous armed conflict (Bonacker et al., 2010). In the interplay between mission intrusiveness and local ownership, mutual perceptions of the asymmetric roles of international and national actors can make the difference between peacebuilding success and failure.

The overall results indicate that peacebuilding missions can establish security and statehood if the context conditions are favorable. In these cases, it does not even require a massive deployment of international troops but rather civilian reconstruction assistance. A large military presence and unwanted civilian interference can even work against security and statehood in cases of poor structural conditions. Domestic demand, both by the local elites in a post-conflict state and by the population, is necessary for peacebuilding success. When a

peace mission supports this demand with appropriate means and allows local actors to control the peace process and to develop their own political responsibilities, the prospects for sustainable peace are good.

II. LITERATURE REVIEW

This study makes an important contribution to the literature by relating the design of peace missions to the case-specific context in which they are deployed. So far, the two branches of research on peacebuilding and mission intrusiveness and on the context factors that shape the war end and the post-conflict environment have been kept more or less separate.

One branch of the literature focuses on the nature of peace missions. The scholarly literature has only relatively recently begun to thoroughly investigate the question of what peace missions can achieve. During the Cold War, when traditional peacekeeping missions were primarily deployed to interstate conflicts, the literature was mainly descriptive, provided historical overviews, and limited itself to detailed case studies (Burns and Heathcote, 1963; Harbottle, 1971; Higgins, 1969-1981; Rikhye, 1984; Traynor, 1988; Wainhouse, 1966, 1973).⁹ Following the revitalization of the UN and a renewed interest in peace missions in the early 1990s, the literature presented a number of comparative case studies in order to identify factors that contribute to success and failure (Baranyi and North, 1992; Barrata, 1989; Durch, 1994, 2006; Fleitz, 2002; Jett, 1999; Thakur and Thayer, 1995). During this period, the literature focused on new perspectives for UN peacekeeping (Biermann, 1994; Boulden, 1991; Clements and Wilson, 1994; Daniel and Hayes, 1995; Diehl, 1993; McDermott, 1994; Ratner, 1995; Renner, 1993; Rikhye and Skjelsbaek, 1990; Snider and Schwartzstein, 1995) and inspected other tools for conflict resolution that the international community has at its disposal, including peacemaking and humanitarian intervention (Bercovitch, 2002; Crocker et al., 2001; Finnemore, 2003; Holzgrefe and Keohane, 2003; Malanczuk, 1993; Sisk, 2001; Wheeler, 2000; Zartman and Rasmussen, 1997).

A ‘third wave’ of peacekeeping literature since the 2000s applies qualitative and quantitative methods to test the effectiveness of peace missions (see Fortna and Howard, 2008). This empirical research arrives at the broad consensus that international peace missions have a mixed record of ending civil wars but that they are indeed successful at maintaining peace and security once these have been established (Collier et al., 2004; Doyle and Sambanis, 2000; Fortna, 2004, 2008a; Gilligan and Sergenti, 2008; Greig and Diehl, 2005; Hartzell et al., 2001; Walter, 2002). Several studies have shown that the success rates of UN-led and non-UN-led missions are similar but that the UN was overall more likely to engage in more difficult conflicts (Haas, 1986; Heldt and Wallensteen, 2004; Howard, 2008).¹⁰

As one of a small number of studies, Dobbins et al. (2005; 2003) explore the question of whether the level of mission intrusiveness affects the outcome of post-conflict nation-building. Based on 15 in-depth case studies, the project compares the outcomes of UN-led and US-led nation-building missions. As a measure of external commitment and input to the nation-building efforts, the authors use the duration and manpower of the mission and per capita financial assistance during the mission. Overall, they find that the UN has a higher

⁹ An extensive list of English monographs, working papers, and reports on UN peacekeeping published between 1945 and 2002 is found at <http://www.un.org/depts/dhl/pkeep.htm#N>.

¹⁰ In contrast, Regan (2002) finds that interventions by individual states in intrastate conflicts from 1944 to 1999 tended to extend expected durations of the conflicts rather than shorten them. Also, Dobbins et al. (2005: 249ff) argue that “U.S.-led operations have taken place in more-demanding circumstances” than UN-led nation-building operations.

success rate in terms of peace and democracy despite their shorter deployment durations, smaller contingents, and their comparatively low cost structure compared to US-led peace missions. This means that more assistance does not lead to better outcomes, rather quite the opposite. In contrast, Zuercher (2006) finds no link at all between the level of intrusiveness and peacebuilding success in his quantitative study of 17 recent major UN-led peacebuilding missions.

The few quantitative studies on peacebuilding are complemented by a substantial number of case studies on specific highly intrusive peacebuilding missions where UN peacebuilders have temporarily taken over some state functions or have even installed full international transitional administrations.¹¹ These cases are Bosnia (Barria and Roper, 2007; Bose, 2002; Chandler, 2000, 2006; Evenson, 2009; Gromes, 2007; Ignatieff, 2003; Solioz, 2007; Zaum, 2007); Kosovo (Ignatieff, 2003; King and Mason, 2006; Kramer and Dzihic, 2006; Narten, 2008; Roszbacher, 2004); East-Timor (Chopra, 2000, 2002; Myrntinen, 2009); and Afghanistan¹² (Cramer and Goodhand, 2002; Ignatieff, 2003; Nixon and Whitty, 2008; Sedra and Middlebrook, 2004; Suhrke, 2006). Most authors are skeptical of the effectiveness of these highly intrusive missions in establishing peace, statehood, and democracy. Indeed, none of them argues that the large footprint of any of the missions has produced a flawless democracy with well-functioning institutions.

Based on these case studies, a large body of literature since the 2000s discusses the difficulties and dilemmas involved in the ambitious effort of rebuilding states after conflict (Benard et al., 2008; Bertram, 1995; Bonacker et al., 2010; Chandler, 2006; de Zeeuw, 2001; Hill, 2002; Jones et al., 2005; Manwaring and Joes, 2000; Ottaway, 2002a, 2002b; Paris and Sisk, 2009; Pouligny, 2006; Reychler, 1999; Reychler and Pfaffenholz, 2001; Rittberger and Fischer, 2008; Stromseth et al., 2006). Call and Wyeth (2008) and others (Call and Cousens, 2008; Covey et al., 2005) argue that there is an inherent logical tension between the ambition of building a state and ensuring that violent conflict will not recur because institutional reforms are difficult to accomplish even in peaceful societies. Deep social divisions and the influence of spoilers (Stedman, 1997) make the process of institutional transformation after civil war an intricate undertaking.

Many scholars are very skeptical of the idea that external actors can build states and impose peace and democracy at all, regardless of their capacities (Bliesemann de Guevara and Kuehn, 2010). It is also argued that the process of institution building, which is in almost all cases tantamount to democratization, is itself inherently conflict-laden, and even more so in countries which have just overcome internal war (Collier, 2009; Hegre et al., 2001; Jarstad and Sisk, 2008b; Mansfield and Snyder, 1995a; Mansfield and Snyder, 2002a; O'Donnell and Schmitter, 1986). These authors suggest that post-conflict states usually lack strong institutional mechanisms to contain violence that might erupt in the course of electoral competition. Also, societies emerging from civil war are often highly polarized and divided, which risks turning elections, as one of the major elements of democracy, into a winner-takes-all contest and a competition for the ownership of the state (Kumar, 1997; Noel, 2005; Roeder and Rothchild, 2005; Sisk and Reynolds, 1998a; Snyder, 2000). When weighing between security and stability on the one hand and Western liberal democracy and free market economy on the other, external actors should opt for the former, many authors state (Ottaway,

¹¹ On international transitional administrations, see e.g. Caplan (2005), Tansey (2009), Wilde (2001; 2004), and Zaum (2007).

¹² For an overview of publications on peacebuilding in Afghanistan, see <http://www.cmi.no/afghanistan/?id=11&Publications>.

2002a; Paris, 2004). De Zeeuw (2001) has also issued warnings for peacebuilders to be more modest and to focus on readily achievable objectives of conflict management instead of provoking frustration and failure by aiming at wide-ranging democratic and socio-economic transition.

The analytical literature is divided on the level of external engagement that is conducive to successful statebuilding. Some authors bluntly advise to “let states fail” (Herbst and also Weinstein in Paris and Sisk, 2009: 12). Others argue strongly for a more active and intrusive role of the international community (Fearon and Laitin, 2004). Krasner (2005) even recommends that “shared sovereignty” arrangements might be a permanent option. In response to such demands, authors bring up two important points of caution. From a theoretical perspective, the complete take-over of state functions by external actors raises the question of the legitimacy of transitional administrations because the ends ostensibly collide with the means (Caplan, 2002, 2004; Chesterman, 2004; Guttieri and Piombo, 2007; Lemay-Hébert, 2009; Morphet, 2002). From a more practical perspective, the ‘statebuilding paradox’ points to the fact that highly intrusive missions negate their own ultimate goal of fostering self-government and independence by creating an environment of prolonged dependency (Nixon, 2007; Paris and Sisk, 2007: 11). The longer the post-conflict society is dependent on external assistance in the form of massive influx of international resources and technical expertise, the more difficulties it will have to build up its own governance structures. Based on these considerations, the above named authors imply that careful, less intrusive post-conflict peacebuilding is advisable.

In the last few years, the literature on peacebuilding has methodologically shifted somewhat from structure-based towards actor-based explanatory models. It became evident that quantitative studies, which treated the actions of international actors as independent variables and the outcome of the intervention as dependent variables, neglected the ‘intervened’ and the social system that is being created during an intervention. In a first strand of literature on peacebuilding from within a society, Lederach (1997), Pouligny (Pouligny, 2006; Pouligny et al., 2007) and others have turned the scholarly attention to the intervened societies and to the roles played by local interlocutors. The intention was to reveal how they can interact with the peacebuilders and how contributions from both must be coordinated. In a second strand of literature on the effects of peacebuilding on a society, Bonacker et al. (2010) argue that the intervention itself is de-linked from its original cause – the conflict – and creates its own dynamics and follow-up conflicts. Zuercher and his colleagues (Barnett and Zuercher, 2009; Zuercher, 2010; Zuercher and Narten, 2009) have developed a sophisticated model of the interaction processes between the peacebuilders and the local elites, where they find that the most likely outcome of peacebuilding is “compromised peacebuilding”. In this scenario, the peacebuilders provide resources and international legitimacy for state elites in exchange for stability. Reform will only be possible in a way that the interests of the local elites are protected. The optimal solution, Zuercher and his colleagues say, can only be achieved “if and only if peacebuilders come in with tremendous resources and a strong commitment to liberalization” (Barnett and Zuercher, 2009: 36).

The second branch of research concentrates on the effect of context factors on the termination of wars and the durability of peace without external involvement. There is a sizeable body of literature that examines context variables, such as war duration, the intensity of the war in terms of casualties and refugees, the type of war, the number of parties to the conflict, the circumstances of the termination of the war, its settlement characteristics, and socio-economic development. A number of quantitative studies have found that intense wars of long duration

and with high levels of hostility are more difficult to settle (Collier et al., 2004; Cunningham, 2006; Doyle and Sambanis, 2000, 2006; Fearon, 2004; Fortna, 2004; Hartzell et al., 2001; Mason and Fett, 1996; Mattes and Savun, 2009; Oye, 1985; Regan, 2002; Regan and Aysegul, 2006; Walter, 2004), that the war is more durable when the conflict parties signed a peace agreement (Doyle and Sambanis, 2000, 2006), and that countries typically recover from war more easily when they have local capacities in terms of high socio-economic development (Collier, 1999; Collier and Hoeffler, 2004b; Doyle and Sambanis, 2000, 2006).¹³

Only very few authors have looked at both post-conflict contexts and the nature of peace missions. In their pioneering study, Doyle and Sambanis (2000; 2006) investigate 124 civil war cases between 1944 and 1997 to identify both domestic and international factors that are conducive to stability and democracy. They look at the peacebuilding context in terms of level of hostility and local capacities. The residual level of hostility after the war is proxied by the number of deaths and displacements, the type of conflict, the number of hostile factions, the level of ethnic division, and the outcomes of the war. Local capacities are proxied by a set of socioeconomic measures of development, including GDP, energy consumption, and natural resource dependence. The measure for international capacities is an index of the mandate of peace operations and the amount of economic assistance.

The results of the study indicate that peace missions can foster peace by substituting for limited local capacities and mitigating factors that produce deep hostility. All else equal, traditional peacekeeping and peace enforcement can end violence but they do not significantly enhance the prospect for durable peace and democracy. Intrusive multidimensional peacekeeping operations with a multitude of civilian functions, by contrast, have a significant positive effect on peacebuilding success, once the violence has ended. Intractable conflicts will necessitate both military enforcement and civilian peacebuilding.

One must note, however, that these results suffer from some debatable methodological choices. First, the authors' measure of intrusiveness is a rather crude one as it merely distinguishes between four types of UN peace missions: monitoring or observer missions, traditional peacekeeping, multidimensional peacekeeping, and peace enforcement. This classification does not take into account the de facto intrusiveness of the missions on the ground but only assesses their broadness according to the competencies of the UN laid down in the mandate and assumes that peace enforcement is the highest level of intrusion, while it can in fact happen be a simultaneous supplement to other peacebuilding tasks. Also, the authors have chosen very low thresholds for defining peacebuilding success: in the lenient version, the binary outcome variable 'success' only denotes the absence of violence, while in the strict version, peacebuilding success also requires a minimum standard of democracy. Yet, the democracy threshold is chosen so low on the Polity III scale that even cases, which are treated as successful outcomes, have explicit autocratic features.

Doyle and Sambanis conclude from their analysis that an international peace mission "improves the prospects for peace, but only if the peace operation is appropriately designed" (Doyle and Sambanis, 2000: 795). This statement is daring since the kind of analysis conducted by the authors does not allow for conclusions on the interaction of causal factors. Multivariate regression analysis computes the effect of each single independent variable on the outcome independently of the other independent variables. It suggests that each factor on its own has an impact on the outcome, regardless of the presence or absence of other factors.

¹³ For a detailed discussion of these context factors in the literature, see part III.2.4.

This study will circumvent this problem by using the fuzzy set method to analyze both context and mission-specific factors. Thereby it intends to bridge a gap and aims at making an important contribution to the existing literature. The shortage of quantitative studies on the relationship between context and mission design might not so much result from a lack of interest but supposedly rather from a lack of awareness of appropriate analytical tools and from gaps between different sub-disciplines in political science. The results of this analysis may negate or contradict the findings from the present literature that looks at context factors and peace mission design separately. In addition to the fs/QCA study, it will also offer two detailed cases studies to detect the mechanisms of the causal relationship and disclose problems of intervention societies. From the results of both analyses, policy recommendations can be deducted for decision-makers and practitioners.

III. THE CONCEPTUAL FRAMEWORK

1. Trends in Peace Missions

Not long ago, any interference in the internal affairs of a state was in essence deemed illegal behavior according to international standards. Although this imperative of non-intervention still applies today and is one of the guiding principles of international law and interstate conduct, it has lost its rigor in view of states in conflict, and especially when taking into account the plight of peoples affected by internal war. Today, external intervention in conflict situations is regarded as standard procedure in international politics and even as an obligation to protect people from the disastrous effects of war.

1.1. The Evolution of Interventions

The following outline is intended to map the historical evolution of external engagements in states to show that intrusiveness of interventions has followed certain trends. Although each intervention and each conflict case is unique and it is a cumbersome task to classify external engagements into rigid categories, this overview of terms and concepts serves as a useful guideline for the progression of debates and issues and gives a good impression of how intervention strategies have changed over time. The evolution¹⁴ of terms mirrors the historical circumstances at the time and gives an idea of the theoretical foundations of intrusiveness and the principle of non-intervention into the internal affairs of a state. The different forms of interventions are arranged chronologically and, for the sake of giving a complete account of external interventions and the question of intrusiveness, are not necessarily confined to post-conflict situations.¹⁵

1.1.1. Military Occupation and Colonial Rule

On a continuum representing the degree of external authority and intrusion, military occupation, and its subclass of colonial rule, is found at the one extreme with maximum intrusiveness. Military occupation entails the occupation of sovereign territory by a state or group of states acting jointly and without the authorization of the United Nations or a similar body (Caplan, 2005: 3). This means that external actors intrude for any discretionary time period into another state without the consent of this state and without legal backing by an internationally legitimized authority. Historic examples include the numerous cases of African and Asian colonial occupation and the Allied occupation of Germany and Japan after World War II.

In regards to their level of influence, today's interventions resemble in many aspects historic cases of colonial administration and military occupation but they tend to take on a very different form. Military occupation¹⁶ and colonial rule were instruments to maximize the profits of only the intruders: resource extraction, exploitation of labor, the creation of new

¹⁴ Chesterman (2004: 48) uses the term 'evolution' intentionally as it should suggest "a process of natural selection inspired by essential unpredictable events."

¹⁵ For a graphical overview of typologies of peace operations used by different researchers see Durch (2006: 7).

¹⁶ excluding cases of post-war occupation like Germany and Japan

markets or the annexation of territory were the main objectives. The people in the occupied territory and their interests were completely neglected and mistreated, and many people lost their lives due to the horrors of colonial oppression.¹⁷

Although colonialism is today condemned as an international crime specifically for these objectives, present-day international transitional administration “is sometimes criticized for being colonial in character. [And] such criticism is often accurate” (Chesterman, 2004: 12).

1.1.2. Mandates and Trusteeships

In the aftermath of World War I, the notion of self-determination gained increasing appreciation in international relations. The newly established League of Nations provided a suitable framework for administering and supervising territories which had before the war been controlled by the defeated powers, namely German and Ottoman colonies. Although these former colonies were not administered by the League of Nations directly but by individual member states which were nominated by the League¹⁸, this framework guaranteed that the administering powers were legally obligated to comply with certain standards regarding the right to self-determination of the inhabitants in the mandated territory. The League of Nations decided on the maximum level of authority to be exercised by the administering power for each individual case. Still, the League of Nations mandates were in effect colonies of the victorious WWI powers whose sole obligation was to issue annual reports on the status of the territory. The territories under the League of Nations mandates were thus assigned to one of three categories (A to C) according to their level of development and their chances for independence.

The United Nations trusteeship system was established in 1945 as a successor to the League of Nations mandates system. At the time, the number of people in the territories categorized as non-self-governing amounted to approximately 750 million people (Chesterman, 2004: 37). That included the former mandated territories and the so-called non-self-governing territories which were administered by United Nations member states under Chapter XI of the Charter. All but one territory (South-West Africa) were transferred from League of Nations supervision to the newly-founded UN trusteeship system whose prime responsibility was to oversee non-self-governing territories and to do so in the best interests of the inhabitants.¹⁹

The rules of procedure and the objectives of the two systems differed substantially: First, the Trusteeship Council had greater competencies than the League of Nations to oversee and control the administering authorities. It could send missions to the trust territories, for example to monitor plebiscites or elections (Chesterman, 2004: 40). Second, while the League of Nations sought only to give independence to the best developed territories under Class A mandates, Chapter XII of the UN Charter expressly states that “[t]he basic objectives of the trusteeship system [...] shall be: [the] progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned [...]” (UN Charter, Chapter XII, Art. 76b). These objectives were achieved when Palau as the last non-self-governing territory was released into independence in 1994. For a second group of non-independent states under the auspices of the United Nations, the so-called non-self-governing territories

¹⁷ For a useful discussion of the legal framework for the law of occupation see Roberts (1984).

¹⁸ “[A]dvanced nations who by reason of their resources, their experience or their geographical position can best undertake this responsibility” (Article 22 of the Covenant of the League of Nations, 28 June 1919).

¹⁹ “[T]he interests of the inhabitants of these territories are paramount” (UN Charter, Chapter XI, Art. 73).

which were administered by member states of the United Nations, however, such a course towards self-determination was not envisaged in the Charter. The administering powers were merely obliged to “accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories” (UN Charter, Chapter XI, Art. 73).

Although there was increasing disapproval of colonialism and military occupation during the decades of the Cold War, the practice of the trusteeship system and even more so the practical management of the non-self-governing territories through the United Nations in effect resembled the manners of colonial rule regarding the level of external influence. The promotion of self-determination of non-sovereign peoples and a restraint on external authority were generally appreciated as noble causes but political constraints hampered the full realization of these concepts. The differentiation between territories under the trusteeship system and non-self-governing territories was mainly an accommodation to the colonial interests of the British Empire (Chesterman, 2004: 45). The people in the territories of both groupings were given only very limited opportunities to raise their voices and to take part in the political processes of their societies.

1.1.3. Traditional Peacekeeping

Unlike the mandates and trusteeship systems, the UN’s peacekeeping actions are based on consent and cooperation between the interveners and the intervened. The increase in the number of peacekeeping missions in concordance with more non-self-governing countries being released into independence denoted a beginning trend toward less intrusive and more consent-based interventions in states.

Until the 1990s, peacekeeping was the United Nation’s customary instrument for dealing with threats to international peace and security. During the Cold War, when wars were predominantly fought between states, the United Nation deployed UN military observers, lightly armed military and/or police personnel and additional small numbers of civilian support staff in conflict settings in order to “help control and resolve armed conflicts” (Goulding, 1993: 452). UN peacekeepers were typically deployed when a peace agreement had already been concluded between the belligerents – when there was a peace to keep. Thus, the objective of these traditional peacekeeping missions was primarily to oversee a settlement agreement. Peacekeepers’ tasks were mainly restricted to monitoring ceasefires or setting up and controlling buffer zones between former combatants. Peacekeeping was therefore not applied to actively solve the roots of a conflict but only to separate the conflict parties and to contain the threat of a conflict (Bellamy et al., 2010; Connaughton, 2001; Hill and Malik, 1996; Rikhye, 1984; Thakur, 2001).

The legal basis for UN peacekeeping is found in Chapter VII of the UN Charter which deals with “Action with respect to threats to the peace, breaches of the peace, and acts of aggression” (UN Charter, Chapter VII). It states that all discretion regarding peacekeeping operations rests with the UN Security Council. The guiding principle for the Security Council in its decision to take coercive action is the maintenance or restoration of international peace and security. Only if no other non-violent measures (UN Charter, Chapter VII, Art. 41, 42) are sufficient to give effect to its decisions can the Security Council mandate the use of military force and any other action it deems necessary in order to maintain or restore international peace and security (UN Charter, Chapter VII, Art. 42).

According to Goulding (1993: 453-454), traditional UN peacekeeping efforts are characterized by five distinct features: First, peacekeeping operations are run within a United Nations framework. This means that they are “established by one of the legislative organs of the United Nations; they [are] under the command and control of the Secretary-General, who acted with authority delegated to him by the Security Council and reported regularly to the Council; and their costs [are] met collectively by the member states as 'expenses of the Organization' under Article 17 of the Charter.” Second, peacekeeping operations require the consent of all parties to the conflict in question. This usually implies that the conflict parties have already negotiated a peace agreement and in most cases address the United Nations for assistance in overseeing the implementation of these accords. Third, the guiding principle for all peacekeeping operations is impartiality, which means that peacekeepers must not take any action or even give the impression to favor the interests of one party over those of the other(s). Fourth, as the United Nations does not maintain a standing army, it has to rely on member states' contingents of national armed forces for peacekeeping staff. Under the Charter, member states are not obliged to provide troops to the organization which often makes the planning and implementation of peacekeeping operations a tedious effort and creates considerable constraints on the realization of ambitious peacekeeping objectives. The fifth and most prominent principle of UN traditional peacekeeping is the minimum use of force. Peacekeepers are bound to use force only to the minimum extent necessary, which was commonly interpreted as to be constrained to acts of self-defense. However, the notion of self-defense has been subject to flexible interpretation. Peacekeepers can act in self-defense and accordingly open fire in situations when they are prevented by armed persons to fulfill their mandate.

Due to the principles of impartiality, consent and minimum use of force and due to the fact that they were only deployed after peace has officially been established, UN peacekeepers were mostly welcomed by the former adversaries and the populations in the conflict states. The level of intrusiveness of traditional peacekeeping operations was moderate.

1.1.4. Multidimensional Peacebuilding

The traditional concept of peacekeeping proved to be insufficient for dealing with new types of wars that emerged after the end of the Cold War (Hoffman, 2006; Kaldor, 1999; Muenkler, 2002). Since the early 1990s, wars have predominantly been fought within states instead of between states with insurgent groups challenging the government and the state with violent means. This changing context confronted the United Nations with the need to rethink its peace strategies and concentrate on actively assisting countries to make the transition from war to sustainable peace.

This new generation of peacekeeping is often referred to as multidimensional peacebuilding. Led by practical demands rather than guided by theoretical considerations, the UN in the 1990s took on the task of actively implementing increasingly comprehensive and multi-faceted peace agreements instead of just overseeing their implementation by the parties to the conflict. Generally, peacebuilding mandates include the monitoring and/or administration of post-conflict elections, the demobilization and reintegration of former combatants, the resettlement of refugees and internally displaced persons, human rights investigations, security sector reform and, ultimately, economic, political and social reform (Paris and Sisk, 2007: 2).

In tackling these tasks, the UN was required to divert its focus from the predominantly military orientation of traditional peacekeeping, where the peacekeepers' core function was to separate the conflict parties, to more consensus-oriented activities where the UN brings together the conflict parties on their own territory to end the conflict amicably and to manage the consequences of the conflict through joint efforts. This strong civilian component is no longer just a complement to traditional peacekeeping activities – like humanitarian assistance was – but an important activity field of its own with specifically trained personnel (Drews, 2001).

The term 'peacebuilding' was coined by Boutros-Ghali in his 1992 "Agenda for Peace".²⁰ As outlined in paragraph 55 of the document, the overarching aim of all peacebuilding efforts is "to identify and support structures which will tend to consolidate peace and advance a sense of confidence and well-being among people" (Boutros-Ghali, 1992: para. 55). Creating such structures entails a commitment not only to reverse the effects of war but to (re)establish political arrangements "for the institutionalization of peace" (Boutros-Ghali, 1995: para. 49), provide economic security, and foster human development. These increasing demands by post-conflict societies to receive assistance in the reconstruction of state and society structures have not only created practical challenges to the United Nations regarding the conduct of such missions but have also fueled a scholarly debate about the legitimacy of peacebuilding missions and the legal foundations of interference in the domestic affairs of a sovereign state.

If the government of a state requests the assistance of the United Nations and gives its consent to post-conflict peacebuilding activities, there are no legal or moral predicaments. But in a post-conflict setting, it may be unclear which conflict group must be addressed as the government to request authorization for the deployment of a peace mission. The former government was most often involved in the fighting as one of the factions when the conflict itself was a contest for governmental power. Thus, in the face of major humanitarian crises and large-scale human suffering, the international community has resorted to broadening the reading of Chapter VII of the UN Charter and interpret internal armed conflicts and even humanitarian crises and cases of internal turmoil, such as Haiti, and the subsequent collapse of state institutions as threats to international peace and security which warrants coercive military action without the consent of the host state (Caplan, 2005: 6; Chesterman, 2004: 2). The moral grounds for this extended interpretation of the Charter and the so-called 'new interventionism' (Chesterman, 2004: 2; Doyle and Sambanis, 2006: 5ff) is the "Responsibility to Protect". The report of an independent commission led by Evans and Sahnoun states that the international community has the obligation to protect a people and guarantee human rights standards and adherence to humanitarian law if the government of a state fails to do so (Evans et al., 2001).²¹

To take this argument a step further means to extend the responsibility to protect to a responsibility to rebuild. The assumption is that withdrawing the troops that halted the fighting without further engagement would put at risk the consolidation of the peace. The responsibility to rebuild entails a sincere commitment by the external actors to establish conditions in which security can be guaranteed in the long run. As state structures are usually at a breakdown at the end of an internal war, the genuine commitment, therefore,

²⁰ For an overview of related concepts and terms see Call and Cousens (2008: 4).

²¹ The recommendations of the commission were incorporated into the UN reform process and endorsed in the reports of the High-level Panel on Threats, Challenges and Change (A/59/565 of 2004) and Kofi Annan's report *In Larger Freedom: Towards Development, Security and Human Rights for All* (A/59/2005 of 2005).

encompasses nothing less but the (re)creation of state structures, the promotion of good governance and sustainable development (Evans et al., 2001: 39ff) in order to build durable peace and guarantee long-term protection. Chesterman says that “a post-intervention strategy is both an operational necessity and an ethical imperative” (Chesterman, 2004: 246).

With the beginning of the new millennium, the legitimacy of humanitarian intervention and long-term post-conflict engagement has thus replaced the principle of non-interference (Finnemore, 2003; Holzgrefe and Keohane, 2003; Malanczuk, 1993; Wheeler, 2000). The willingness to intervene on humanitarian grounds also signaled a renewed willingness to use force if needed. Robust peacekeeping that has the legal provisions under Chapter VII of the UN Charter to respond to violence in order to fulfill its mandate of political and civilian peacebuilding has become a legitimate tool of the UN. While impartiality and the use of minimum force remain basic principles of humanitarian intervention, the consent of the conflict parties has been waived as an unconditional prerequisite for the deployment of a peace mission (Brahimi et al., 2000: 9). Yet, it is intended that “peacekeepers will never lose sight of the objective of sustaining or restoring consent in the interests of the long-term demands of peacebuilding” (Hansen et al., 2004: 7).

The UN responded to the changed demands on the ground with some alterations to its organizational proceedings. First, a number of peacebuilding missions have been administered by the UN’s Department of Political Affairs (DPA) rather than by the Department of Peacekeeping Operations (DPKO). DPA was originally concerned with political analysis and policy planning, whereas DPKO carried out the peace missions in all their practical aspects. In his 1997 report on UN reform, UN Secretary-General Kofi Annan designated DPA to be the focal point for post-conflict peacebuilding and statebuilding and thereby manifested an organizational as well as an ideological adjustment (Annan, 1997: para. 121). Although DPA cooperates closely with DPKO, the Department of Humanitarian Affairs (DHA) and other UN bodies, peacebuilding and statebuilding have become core functions of DPA. The department also performs a variety of related tasks, including electoral assistance, the cooperation with regional and other international organizations, policy planning and policy coordination, and even gender mainstreaming.

Second, two of the UN’s missions since 1991 were mandated by the General Assembly and not by the Security Council. The operations in Guatemala and Haiti²² entailed genuine peacebuilding elements like human rights monitoring and institution building. Since the General Assembly does not, according to the UN Charter, have any discretion regarding peacekeeping operations, these operations did not have a military component nor were they designed to be combined with any of the traditional peacekeeping tasks (Drews, 2001: 186).

Third, in order to formalize and streamline the UN’s peacebuilding efforts, the General Assembly and the Security Council jointly established the Peacebuilding Commission in 2005. Its main purposes are the following (S/RES/1645 (2005) and A/RES/60/180):

- To bring together all relevant actors to marshal resources and to advise and propose integrated strategies for post-conflict peacebuilding and recovery;

²² MICIVIH, the International Civilian Mission in Haiti, was established through GA Resolution 47/20 on 20 April 1993 at the request of President Aristide and was mandated to observe the human rights situation in Haiti; MINUGUA, the United Nations Verification Mission in Guatemala, was established through GA Resolution 48/267 on 19 September 1994 to verify the peace agreement between the government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca.

- To focus attention on the reconstruction and institution-building efforts necessary for recovery from conflict and to support the development of integrated strategies in order to lay the foundation for sustainable development;
- To provide recommendations and information to improve the coordination of all relevant actors within and outside the United Nations, to develop best practices, to help to ensure predictable financing for early recovery activities to extend the period of attention given by the international community to post-conflict recovery.

The idea was to fill an institutional gap. Peacebuilding is neither specifically included in the UN Charter nor was it officially embedded in the UN's institutional proceedings. However, owing to the dispute regarding its establishment and especially regarding the controversial question of membership to the Organizational Committee, the Peacebuilding Commission has yet to prove to be an efficient tool for attending to the long-term requirements of post-conflict countries. At the time of writing, only four post-conflict countries were on the agenda of the Peacebuilding Commission (Burundi, Sierra Leone, Guinea-Bissau, and the Central African Republic).²³ Intended to tie capacities, experiences, and resources of various actors and agencies, the main accomplishment of the Peacebuilding Commission has so far been to bring international attention to the issue of peacebuilding and to the challenges and tasks associated with it. Together with the Peacebuilding Commission, the General Assembly, and the Security Council created the Peacebuilding Fund and the Peacebuilding Support Office. Countries which are not on the agenda of the Peacebuilding Commission may receive funding for specific projects through the Peacebuilding Fund. As of February 2010, more than a hundred projects in 15 countries were supported with a total of project allocations of nearly 200 million US\$.²⁴

Fourth, in response to the challenge of having operational objectives that are no longer limited to enforcing or overseeing peace accords but that entail a range of development activities, the UN has designed its latest peace missions as so-called "integrated missions". The concept was introduced by Eide et al. (2005) who conducted an independent study for the UN Office for the Coordination of Humanitarian Affairs (OCHA). The idea of integrated missions is to "[subsume] various actors and approaches within an overall political-strategic crisis management framework" (Eide et al., 2005: 14). In order to use the comparative advantages of the UN system, the UN's various specialized agencies and other donors²⁵ are integrated into the overall mission structure under the common leadership of the Special Representative of the Secretary-General (SRSG). By pooling resources and increasing the level of coordination, this structure is intended to improve mission efficiency and effectiveness. In addition, UN missions coordinate closely with other international, intergovernmental and regional organizations. Organizations like the European Union, the OSCE and ECOWAS regularly contribute personnel, resources and expertise to UN-led peacebuilding missions.

²³ Countries can only be included on the agenda of the Peacebuilding Commission if their governments express an interest to do so; there cannot be referrals against the wish of the respective government.

²⁴ The 15 supported countries are Burundi, Central African Republic, Comoros, Côte d'Ivoire, Guinea, Guinea Bissau, Haiti, Kenya, Liberia, Sierra Leone, Somalia, Sri Lanka, Sudan, Timor Leste, and the Democratic Republic of Congo. <http://www.unpbf.org/index.shtml>

²⁵ The largest UN agency in integrated missions is the United Nations Development Programme (UNDP); others are United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the United Nations Development Fund for Women (UNIFEM), the Food and Agriculture Organization of the United Nations (FAO), the International Labour Organization (ILO) etc.

1.1.5. Statebuilding and Nation-building

The peacebuilding missions deployed in the early 1990s were generally considered successful. It soon became apparent, however, that these operations had been “too brief, too limited, and too focused on speedy political and economic reforms” (Paris and Sisk, 2007: 2) to be applicable as a blueprint to more protracted post-conflict scenarios requiring external assistance in the mid and late 1990s. Paris and Sisk (2007: 3) identify second-generation peacebuilding efforts which have even broader mandates and longer-term perspectives. Yet, apart from an increase in scale and scope and a shift from military to civilian duties, this new generation of peacebuilding is characterized by an ever-increasing ambition: The main objective of these missions is statebuilding, i.e. the creation or reconstruction of state institutions basically from scratch.

Starting from the premise that group conflicts are an elementary characteristic of any society, the outbreak of violence in a state is a symptom of underlying societal conflicts that cannot be resolved peacefully through appropriate political institutions. When the citizens of a state cannot turn to effective state institutions to settle their differences and claim the protection of their rights and interests, they ultimately resort to violence to do so. Statebuilding, therefore, seeks to prevent violent insurrection through the construction of legitimate and effective governmental institutions (Paris and Sisk, 2007). The overall objective is to generate a ‘positive peace’ that is sustainable (Galtung, 1969). This well-established concept states that peace must be more than the mere absence of physical violence (negative peace); it must also include the attendance to social justice, respect for human rights, and even ecological balance.

The scope of statebuilding lies well beyond that of traditional peacekeeping and peacebuilding mandates. In contrast to the UN’s other means of dealing with conflict, statebuilding does not mean to create or to enforce peace (i.e. peacemaking or peace enforcement), nor to keep or control peace once it has been established (i.e. peacekeeping). Statebuilding can be regarded as one element of multidimensional peacebuilding, but if so, it is the most demanding element. It aims at nothing less but the complete make-over of state institutions in order to build peace by building a state.

According to Dobbins (2007: summary xxiii), statebuilding tasks should hierarchically and chronologically build upon the peacebuilding tasks of providing humanitarian relief and security, disarmament, demobilization, and reintegration of ex-combatants (DDR) and the administration of post-conflict elections. Statebuilding should include the following.

- Governance: resuming public services and restoring public administration
- Economic stabilization: establishing a stable currency and providing a legal and regulatory framework in which local and international commerce can resume
- Democratization: building political parties, free press, civil society, and a legal and constitutional framework for elections
- Development: fostering economic growth, poverty reduction, and infrastructure improvements.

Statebuilding is in essence a civilian task. Nonetheless, the post-conflict statebuilding initiatives since the late 1990s have seen a revitalization of military engagement (see part IV. 1.2.2.2.). Since the military is usually the first on the ground after the cessation of violence, it is required to take on a range of civilian tasks before the peacebuilding and statebuilding mission is fully operational. Once the civilian components of a peace mission are set up, the

military returns to fulfill the vital role of securing the progress in statebuilding against domestic spoilers. The military also becomes engaged in statebuilding itself when it manages security sector reform and is in charge of executive policing. There are reservations about whether the military is appropriately equipped and trained to perform these tasks.

More controversial than the role of the military in statebuilding is the question of how far-reaching statebuilding measures should be. Some authors argue that for being peaceful in the long run, societies need to be prosperous and democratic (e.g. Forman and Steward, 2000; Kumar, 1997; Manwaring and Joes, 2000). According to Collier et al. (2003), the reasons that societies are caught in a so-called conflict trap are specifically poverty and authoritarianism and that for countries to escape from these traps the only durable solution is to overcome poverty and authoritarianism. Dobbins et al. (2007: xxiii), in contrast, argue that “the prime objective of any nation-building operation is to make violent societies peaceful, not to make poor ones prosperous, or authoritarian ones democratic.” Warnings to be more modest and to focus on readily achievable objectives of conflict management instead of provoking frustration and failure by aiming at wide-ranging democratic and socio-economic transition are also brought forward by Cousens et al. (2001: 13ff) and de Zeeuw (2001: 16-18).

A heated debate among scholars centers on the question whether liberal democracy should be the overall objective of all statebuilding endeavors. In Western states, democratic institutions and fair and open political competition are evidently effective mechanisms for the peaceful management of societal conflicts and a safeguard against violent conflict. A number of authors conclude that the same institutional mechanisms would work in post-conflict states and that the development of democratic institutions is the key to maintaining stability (Goldstone and Ulfelder, 2005; Reychler, 1999). Other scholars vigorously reject the idea of post-conflict democratization because the process of democratization would itself be inherently conflictual (Collier, 2009; Hegre et al., 2001; Mansfield and Snyder, 1995b, 1996; Mansfield and Snyder, 2002b). Since stability and democracy are often conflicting goals, imposed democratization risks a renewed outbreak of violent conflict (Jarstad and Sisk, 2008a; Sisk and Reynolds, 1998b). The opening of the domestic political space in the early stages of a democratic transition intensifies the competition between incumbent elites and challengers at a time when robust institutional mechanisms are not yet in place to prevent electoral competition from turning into violent competition. Rather than rapidly introducing liberal democracy and free market economy, external actors should therefore prioritize security and stability over democracy to avert danger of renewed fighting, authors like Paris (2004) or Ottaway (2002a) have prominently argued. In the long run, external actors should “try to identify those relationships, processes, mechanisms and institutions that hold the greatest promise for ongoing conflict resolution, which may not always look like those in Western states” (Cousens et al., 2001: 16)

While there are strong arguments in the literature that a Western liberal democracy may not necessarily be the desired outcome, democratization has undeniably become an integral part of modern peace missions. Specific tasks include building political parties, supporting a free press and a critical civil society, and establishing a legal and constitutional framework for elections (Dobbins et al., 2007: xxiii; Drews, 2001: 59). These measures are intended to reinforce democracy from without – while it must still be built from within, as Durch (2006: 20) states.

Statebuilding is generally seen as a sub-component of peacebuilding (Paris and Sisk, 2009: 14).²⁶ It is, however, only marginally linked to the previous conflict and must therefore be seen as a process that is distinct from the original motive of conflict resolution and peacebuilding (Bonacker et al., 2010: 9). Call and Wyeth (2008: 3) even argue that there is an inherent logical tension between the ambition of building a state and of ensuring that violent conflict will not recur. That is because institutional reforms are difficult to accomplish even in peaceful societies. In a post-conflict situation, the different factions competing for influence and control in the institution-building phase and for power in the system to be established have not long ago tried to kill each other. Deep social divisions and the influence of spoilers (Stedman, 1997) make the process of institutional transformation an intricate undertaking. Statebuilding, therefore, can spark or facilitate renewed armed conflict if the emergent state is endowed with too many powers too quickly, says Call. At the same time, he suggests that international peacebuilding undermines statebuilding when it bypasses state institutions. International actors who perform state functions inevitably cultivate dependency, distort democratic processes, and create negative incentives for cooperative conflict resolution (Call, 2008: 63-64). Call concludes that peacebuilding and statebuilding are at odds with each other. A unilateral focus on statebuilding can “foster human rights abuses, political exclusion, state de-legitimization, and even war [...] if done without attention to inclusiveness, accountability, and political processes” (Call, 2008: 65). Likewise, peacebuilding without statebuilding that appeases spoilers in the interest of peace can strengthen repressive or authoritarian state rulers, thereby putting at risk the sustainability of both the state and peace (Call, 2008: 66).

In this regard, Covey et al. (2005) suggest that the process of conflict transformation must be completed before institutional reconstruction can begin. The authors identify a crucial point of ‘viable peace’ in the statebuilding process when the motivations and means to resolve conflicts peacefully triumph over the power of the obstructionist forces. Ideally, the point of viable peace has been established by peacebuilding efforts before further statebuilding tasks are initiated but in reality these steps mostly go hand in hand.

Although statebuilding and nation-building are often used interchangeably, one can detect a fine distinction between the two terms: Statebuilding refers to the construction of institutions of governance in a territory and is a relatively self-contained, medium-term process. It is also often denoted as ‘political engineering’. Nation-building, in contrast, means the creation of a state with a people who share an identity and are connected to the nation state through “common customs, origins, history, and frequently language” (Chesterman, 2004: 4). Similarly, Dobbins et al. (2007: xvii) interpret nation-building as a “[broad] effort to promote political and economic reforms with the objective of transforming a society emerging from conflict into one at peace with itself and its neighbors.” The complete transformation of a society from bellicose to peaceful in all aspects, both practical and ideological, requires enormous efforts both by the external actors and by all parts of the local population. This process can take decades. The role of external actors in this regard is to initiate the process. The ultimate responsibility for successful nation-building, however, will rest with the elites and, perhaps even more importantly, with the population of the state emerging from conflict.

²⁶ The OECD understands peacebuilding and statebuilding as sub-concepts of each other: For one thing, “peacebuilding is primarily associated with post-conflict environments, and state building is likely to be a central element of it” (OECD DAC, 2008a: 13). Then again, “peacebuilding, understood as activities by international or national actors to prevent violent conflict and institutionalise peace, is often an important part of the state-building dynamic [...]” (OECD DAC, 2008b: 4).

1.1.6. International Transitional Administration

International transitional administration means the legitimate temporary take-over of government functions and administrative control over a territory by international organizations (Wilde, 2001, 2004).²⁷ Transitional rule in general is the highest form of intrusiveness of external actors in another state. It can be limited, i.e. being restricted to specific government functions, or plenary, that is when international organizations are given exclusive administrative authority (Wilde, 2001: 585).

A transitional administration is established when the domestic institutions of a state are not willing or capable of effectively governing a territory and its people. There can be two reasons for this. First, when more than one local group claims sovereignty and administrative control over the territory, an international actor acts as the governing power that takes on effective internal sovereignty until a legitimate government is instituted through free, fair and uncontested elections. This is usually the case in countries just emerging from civil war. Second, transitional administration is established as a response to a ‘governance problem’ (Wilde, 2001: 583, 592). That is when domestic institutions are either practically incapable of carrying out any government functions or when these are carried out in unintended ways, i.e. in cases of bad governance.

Although international territorial administration is not confined to post-conflict situations, the modern cases of transitional administration, starting with the UN’s engagement in Namibia in 1989, have all taken place in post-conflict settings where domestic government structures have broken down due to internal war. The main objective was to attend to the consequences of armed conflict, to rebuild state institutions and to do so by temporarily filling the governmental vacuum. In its plenary form, international transitional administration represents the heavy footprint of the international community and its most powerful tool in the quest for peace and security.

The term ‘transitional’ denotes the ultimate goal of all international interim governments: governmental and administrative control over the territory has to be transferred back to domestic actors. The transitional period ends when a local government has been established that holds the monopoly on the legitimate use of force and is capable and willing to carry out all necessary governance functions, most importantly law and order functions. One vital aspect of a successful transfer of power is that this monopoly extends across the whole territory, which means that the new government must have complete internal sovereignty.

Considering that transitional administration temporarily suspends a state’s sovereignty by assuming government functions, one can make out an obvious contradiction between the means and the ends of the efforts: International interim governments aim at constructing a new, sovereign state precisely by suspending its current sovereignty temporarily and taking on some or all of the powers of that state (Chesterman, 2004; Guttieri and Piombo, 2007: 4). It is argued that the local population cannot, under these circumstances, ‘own’ the

²⁷ The terms transitional administration or interim government imply the same concept but ITA refers specifically to international organizations as the intervening actors. Guttieri and Piombo (Figure 1.1 page 16) speak of international interim governments as one of four distinct forms of interim governments. They distinguish further between administrative authority, executive authority and supervisory authority which are aligned along an increasing level of authority. The term transitional administration is also common (Chesterman 2004).

peacebuilding and statebuilding process and is impeded from developing political responsibilities (Chesterman, 2004: 126ff). Many scholars, and also many practitioners, criticize the UN's efforts in East Timor and Kosovo for that. The missions have received widespread scholarly attention as the organization's most ambitious peacebuilding and statebuilding undertakings so far and were assessed critically for trying to establish peace and security – and ultimately democracy – by means of “benevolent autocracy” (Chesterman, 2004: 75; Chesterman et al., 2005: 339). Some even speak of transitional administrations as a new form of imperialism: “ITA is protection – and colonialism – in a new guise” (Wilde, 2001: 602). Less radical critics point out the dilemma of fostering a culture of dependency in the host country when the objective is independence and sustainable self-government (Whitty and Nixon, 2009: 198).

This tension between the ends and the means of transitional administration is widely discussed by Chesterman who comes to the conclusion that transitional administration is generally not carried out with the consent and ownership of the local population and is ultimately a form of military occupation. But he also says that, unlike in colonial rule, local ownership is the very objective of any such endeavors and that resemblance between occupation and transitional administration is therefore deceptive (Chesterman, 2004: 153). Stromseth et al. (2006: 18ff) outline the distinct differences between legitimate intervention and imperialism. They point out that today's interventions are costly and dangerous to the intervening states or organizations: these have to obtain domestic support and need to justify their behavior in a democratic process and they risk losing global credibility if the intervention fails or does not live up to the expectations of various actors, local and international.

1.1.7. Quo Vadis?

In modern peace missions, the distinction between peacekeeping, peacebuilding, statebuilding, and development assistance is increasingly blurry. It usually happens all at the same time. As the example of MONUC in the DR Congo illustrates, a single mission can evolve from classical peacekeeping to multidimensional and robust peacekeeping to specific statebuilding activities – in this case security sector reform, the strengthening of electoral processes and assistance in drafting legislation – with additional elements of humanitarian aid and development assistance provided by a number of national and international donors.

Not all of these activities are directly targeted at resolving the armed conflict. In fact, one can observe a growing de-linkage of conflict resolution and statebuilding activities. Western states and organizations are increasingly alarmed by the emergence of weak, failing, or failed states, like Somalia, Chad, or Sudan, where governance is not only bad but virtually non-existent (OECD DAC, 2008a).²⁸ Failed states are a breeding ground for violent conflict and they impede development. What is more critical for Western states is that they expect failed states to be safe havens for terrorism, organized crime, and piracy (Rotberg, 2002). Research has shown, however, that the connection between state weakness and transnational terrorism is tenuous because much of the terrorism that occurs in weak states is self-contained and affects the populations of these states. Also, radical Islamic terrorism may emanate as much from the

²⁸ According to the Fund for Peace, the ten countries most affected by state failure in 2010 are Somalia, Chad, Sudan, Zimbabwe, DR Congo, Afghanistan, Iraq, Central African Republic, Guinea, and Pakistan (in descending order). See http://www.fundforpeace.org/web/index.php?option=com_content&task=view&id=99&Itemid=140

banlieues of Paris or student dorms in Hamburg as from weak states in the Middle East and Northern Africa (Patrick, 2007: 653). Still, the fear of international terrorism spreading from failed states has prompted Western governments to engage in statebuilding. Since 9/11, the interests of the big powers have somewhat moved from building peace to building statehood.

The shift away from classical peacekeeping is also reflected in the growing number of purely civilian missions deployed by the UN and other international organizations, like the OSCE and the EU, in areas of (impending) armed violence. The Center on International Cooperation (CIC, 2010b) has identified over 50 missions active in 2010 that have a focus on dealing with conflicts by engaging governments, parties, and civil society in the peace process. The origins, the means, and the goals of these missions are political (CIC, 2010b: 3). The authors refer to them as political missions; the UN calls them “Special Political Missions” (SPMs), e.g. UNMIN in Nepal.

UNMIL in Liberia, established in 2003, has been the latest peace mission at the time of writing that contained a significant military component and a multidimensional peacebuilding component. Possibly, the concept of endowing peace missions with ever-increasing capacities and authorities is already outdated and has been replaced by more careful, more political engagements. The large missions in Kosovo and East Timor, where external actors temporarily took on all government functions and constructed new state apparatuses basically from scratch, may have been the apex of this trend.

1.2. Descriptive Analysis of UN Peace Missions

The evolution of UN peace missions described above can be illustrated in numbers. Over the past decades, the frequency of international intervention has steadily increased. Since its foundation in 1945 until the end of the Cold War, the UN has carried out a mere 18 peace missions of moderate scale. After that, there was a sharp rise in the number of operations with 35 being initiated in the 1990s alone and an additional ten since the year 2000.²⁹ This can be explained by the high number of conflicts in the 1990s and the renewed motivation and capacity of the UN, respectively its member states and particularly the five permanent members of the Security Council, to attend to these. According to the Uppsala Conflict Data Program (UCDP), the worldwide trend of an inexorable increase in violent conflicts reached its peak in 1992 with 54 active conflicts.³⁰ Since then, the number of ongoing violent conflicts has declined considerably to 29 conflicts in 2003. The curve has increased again only marginally over the last six years (Figure 1). Other sources find similar patterns (HSC, 2005; Mack, 2008).³¹

²⁹ <http://www.un.org/Depts/dpko/dpko/timeline/>

³⁰ This figure encompasses all types of conflicts: extrastate, interstate, intrastate and internationalized conflicts. For definitions see http://www.pcr.uu.se/research/UCDP/data_and_publications/definitions_all.htm#c.

³¹ The Heidelberg Institute for International Conflict Research (HIIC) finds that the number of global conflicts of low, medium, and high intensity has continuously increased. See http://hiik.de/de/downloads/data/maps/graph_LongTermInt.jpg.

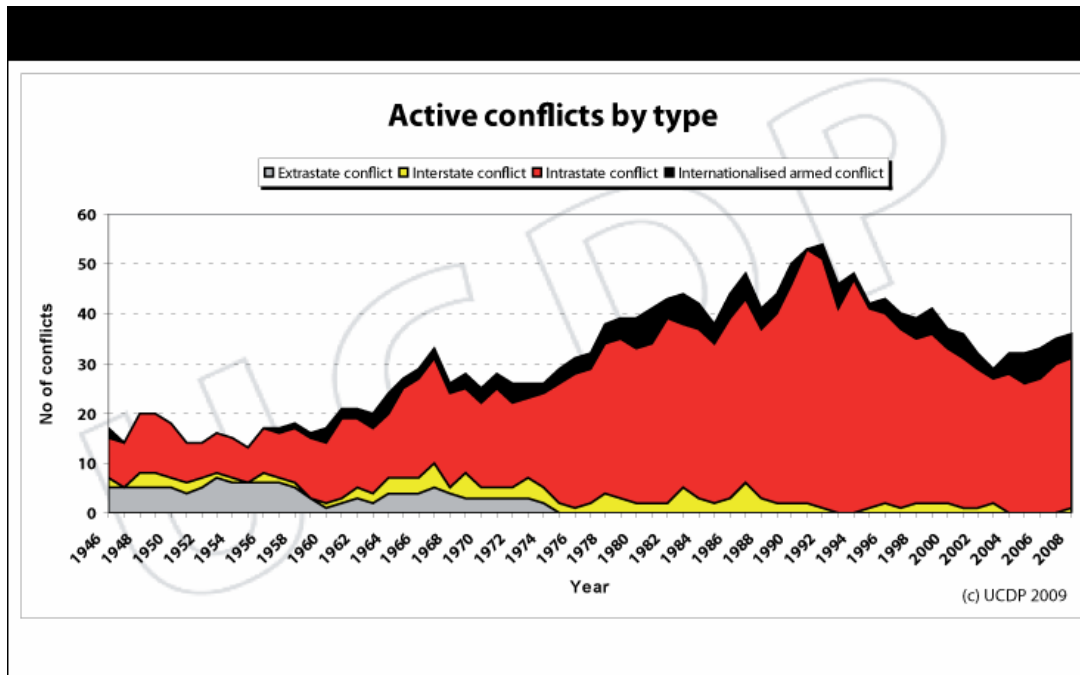


Figure 1: Violent Conflicts since 1946³²

The Human Security Report (HSC, 2005) argues that the best explanation for the decline in the number of conflicts after the peak in the early 1990s is the unprecedented “explosion of international activism [after the end of the Cold War] directed toward stopping ongoing wars and preventing wars that had ended from starting up again” (HSC, 2005: 148). Figure 1 and Figure 2 suggest that there is in any case a correlation between the number of conflicts and the number of UN peace missions. The question is whether the deployment of more peace missions has resulted in fewer and less severe conflicts or whether these developments took place independently of one another and there is a decreased demand for peace missions but an augmented international awareness, capacity and willingness to supply peacekeeping and peacebuilding missions for relatively few conflict cases.

1.2.1. Number of UN Peace Missions

Until today, the UN has established a total of 64 peace missions. The first UN blue helmets – although they were only unarmed military observers – were deployed in May 1948 to monitor the Armistice Agreements between Israel and its Arab neighbors.³³

The number of ongoing missions in any given year remained relatively stable until 1989, oscillating around five missions. In the year 1989, the number increased to 10, peaked at 20 in 1995 and 1999 and has leveled off between 18 and 14 yearly missions since then (Figure 2). In January 2011, there were 15 ongoing missions. Some of the ‘old’ missions include the observer mission UNMOGIP to supervise the ceasefire agreed between India and Pakistan or the UNFICYP peacekeeping force in Cyprus to oversee the ceasefire lines and prevent further

³² Source: UCDP. http://www.pcr.uu.se/research/UCDP/graphs/charts_and_graphs.htm

³³ <http://www.un.org/events/peacekeeping60/60years.shtml>

fighting between the Greek Cypriot and Turkish Cypriot communities on the island. More recently-established missions are the hybrid mission UNAMID of the UN and the African Union in Sudan that supervises the implementation of the Darfur Peace Agreement or the multidimensional peacebuilding mission MINURCAT in Chad and the Central African Republic.³⁴



Figure 2: Number of UN Peace Missions 1948-2009³⁵

Although the UN is still the most important actor that engages in international interventions today, it is no longer the only one. The number of international, regional or intergovernmental organizations engaged in post-conflict states, not even considering the countless non-governmental organizations (NGOs), has gone up significantly in recent times. Many of them have established wide-ranging competencies or specialized expertise in the reconstruction of war-torn states. In Kosovo, for example, four organizations carry out specific functions in a joint mission: the OSCE, the European Union, NATO and the UN with its numerous specialized agencies. Other missions are explicitly designed as hybrid missions, in which two international organizations act as equal partners, such as the UN and the AU in Darfur.

A breakdown of the figures on individual missions by continent yields a pessimistic yet widely known insight: More than 40% of all peacekeeping missions were deployed in Africa while the remaining missions were allocated rather evenly to the other continents.³⁶ Yet,

³⁴ <http://www.un.org/en/peacekeeping/>

³⁵ Note: own calculation based on www.un.org/dpko/; partly overlapping when a mission ended in one year and a follow-up mission was started in the same year, these are counted as two distinct missions although they were deployed after one another in one country.

³⁶ Data and figures available from the author.

except for the UN Operation in the Congo (ONUC) from 1960 to 1964, all African missions were established after the end of the Cold War, starting with UNAVEM I in Angola in 1989. The reason for this is that the Cold War contained many simmering conflicts. The superpower rivalry created a form of power balance by which every African country was ‘protected’ by one of the superpowers which in many instances supported and shielded dubious dictators and thereby suppressed any internal conflict.

1.2.2. Duration

Regarding the duration of peacekeeping missions, one cannot observe a clear trend over time (Figure 3). If only completed peacekeeping missions are considered, the average duration is 35.09 months. The shortest of all completed missions was a two-month observer mission in the Aouzou Strip in Libya (UNASOG), the longest was the UNIKOM mission at the border between Iraq and Kuwait that was deployed in April 1991 and withdrew only in October 2003.

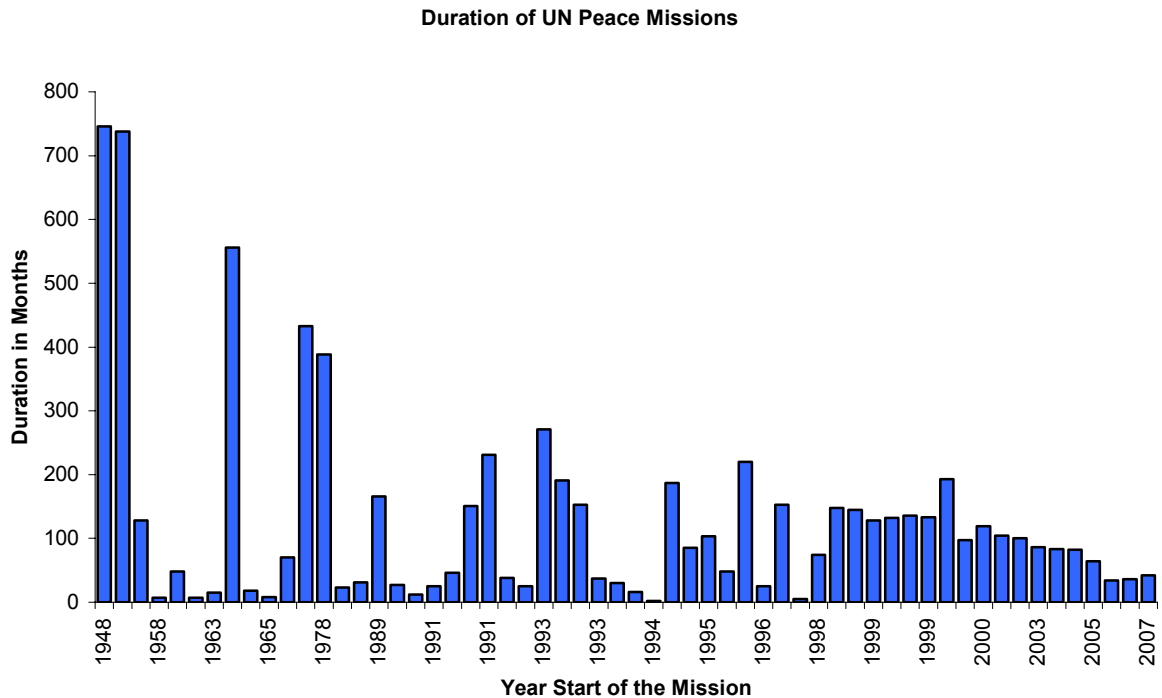


Figure 3: Duration of UN Peace Missions³⁷

Since one cannot predict when the 15 currently ongoing missions will be terminated, it is difficult to assess whether peace missions have become longer with time. Nonetheless, it seems that the notion of ‘mission creep’ applies only to a certain group of peacekeeping missions. For those missions that have been completed as of 2010, one cannot observe a trend of missions to become longer (Figure 4). Of the 15 missions lasting longer than 100 months,

³⁷ Note: including political missions and UN offices.

ten are ongoing missions. This suggests that if a peacekeeping mission does not have a clearly formulated exit strategy from the beginning and is therefore not terminated after a fixed time span, it drags on for decades and becomes institutionalized. The seven longest of all UN missions are still ongoing.³⁸

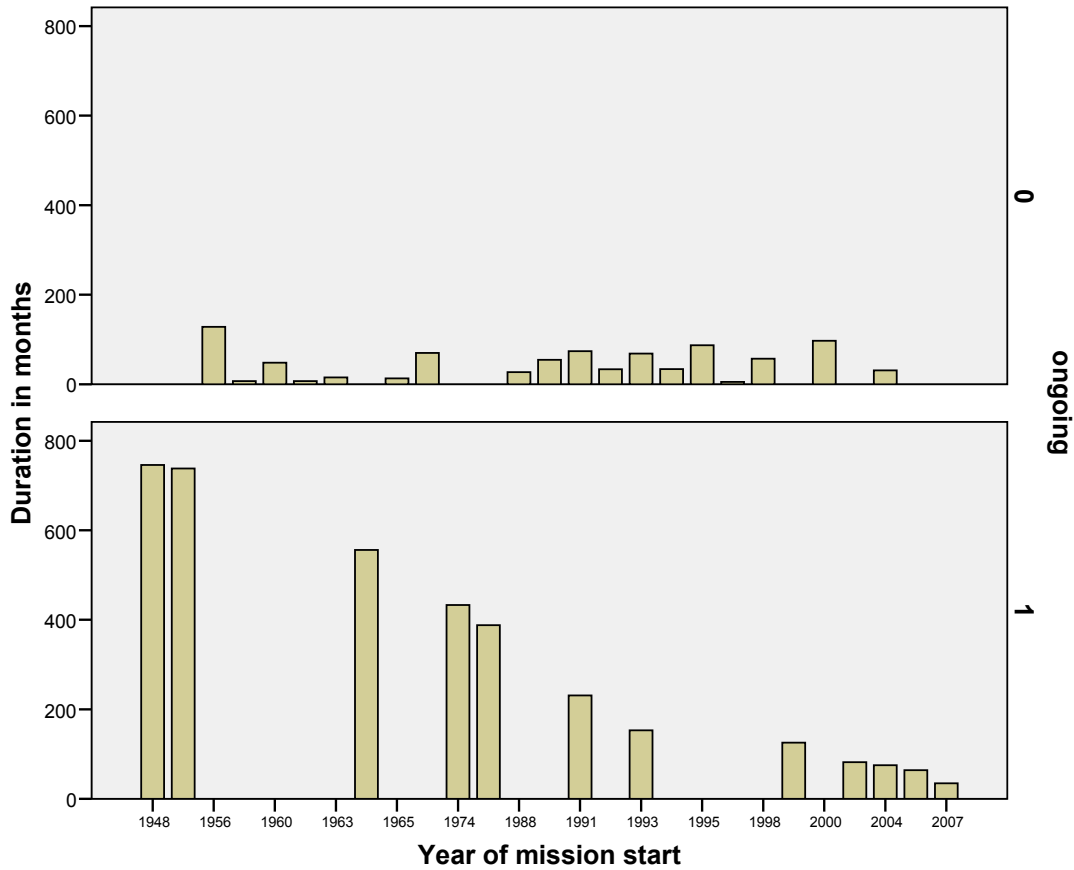


Figure 4: Duration of UN Peace Missions, Completed and Ongoing

1.2.3. Manpower

Over the past 60 years, several hundred thousand troops and tens of thousands of UN police and civilians from more than 120 countries have participated in UN operations.³⁹ More than 2,400 soldiers have lost their lives while serving in a UN peace operation since 1948.⁴⁰

³⁸ UNOMIG in Georgia, MINURSO in Western Sahara, UNIFIL in Lebanon, UNDOF in Israel / Syria, UNFICYP in Cyprus, UNMOGIP in India and Pakistan, and UNTSO in the Middle East (Jerusalem).

³⁹ <http://www.un.org/events/peacekeeping60/60years.shtml>

⁴⁰ <http://www.un.org/events/peacekeeping60/60years.shtml>.

The trend of increased demands on peace missions regarding their objectives and mandates is reflected in the staff figures of the missions. Overall, the number of uniformed personnel has been consistent around 10,000 troops per year for many decades, except for a short upsurge in the early 1960s due to the operation in the Congo. The figure swelled in the early 1990s.

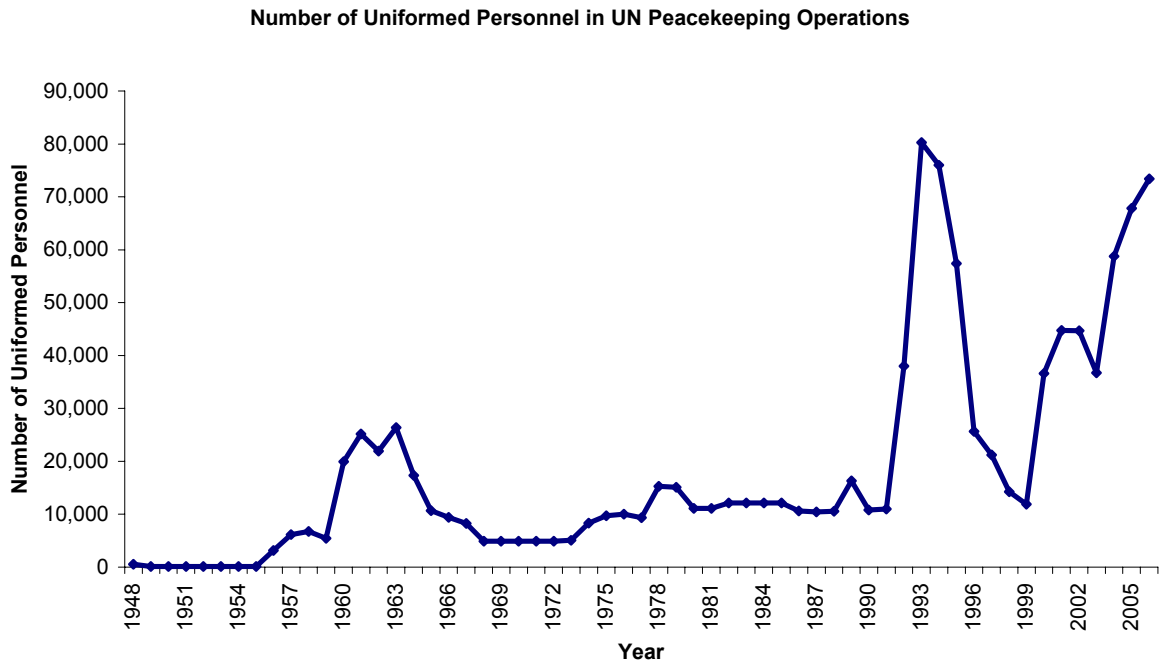


Figure 5: Uniformed Personnel in UN Peace Missions 1948-2009⁴¹

Figure 5 includes all uniformed personnel deployed within the framework of UN peace missions and excludes those that are not directly under UN command but led by other organizations like NATO, as in Kosovo and Bosnia, which explains the plunge in the late 1990s. More detailed monthly data provided by the UN on the number of peacekeepers show a similar trend (Figure 6). As of December 2010, there were 98,311 UN uniformed personnel deployed to 15 UN peacekeeping missions, including 81,792 troops, 14,318 police, and 2,201 military observers.⁴²

⁴¹ Graph based on data by the Stimson Center. Figures include UN peacekeeping operations with armed troop units, unarmed UN mission with military observers and/or civilian police and peacekeeping/stability operation authorized by Security Council but not led by UN.

⁴² <http://www.un.org/en/peacekeeping/bnote.htm>

Number of Uniformed Personnel in UN Peacekeeping Operations

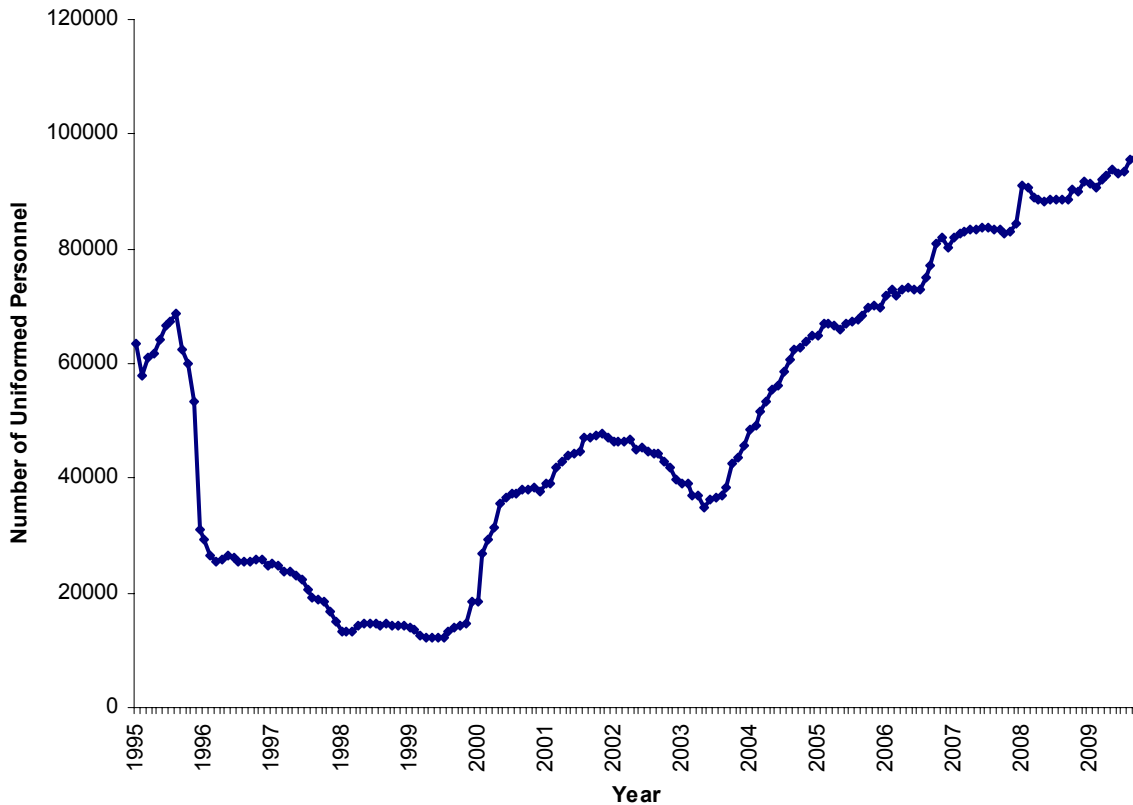


Figure 6: Uniformed Personnel in UN Peace Missions 1995-2009⁴³

Yet, the UN blue helmets made up only 48% of all troops to international peacekeeping operations in 2008 (Figure 7; CIC, 2009: 3). According to the Center on International Cooperation, 40% of all troops were provided by NATO and another 12% by other organizations (CIC, 2009: 3). By the end of 2008, there were altogether nearly 200,000 peacekeepers deployed across over forty UN and non-UN missions, which represented a record high for global peace operations. By 2010, deployments of military personnel again surpassed these record highs, having risen by another 9% over 2009 (CIC, 2010a: 2).

⁴³ Monthly data provided by UN DPKO: <http://www.un.org/en/peacekeeping/contributors/>

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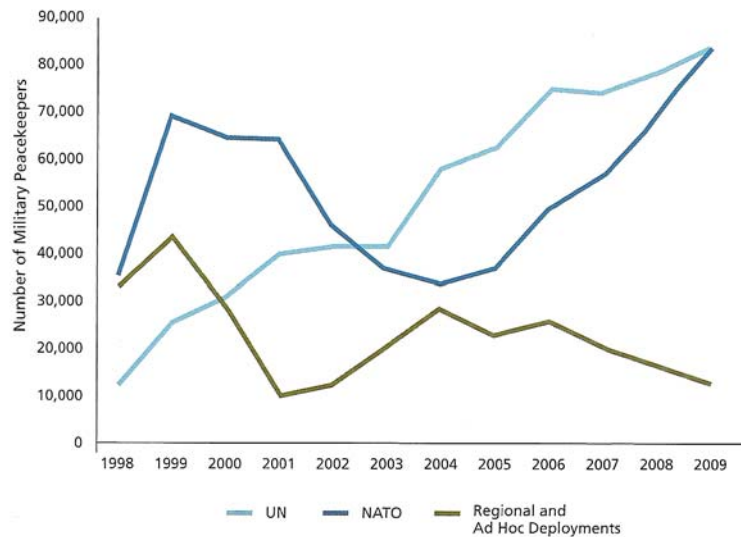


Figure 7: Deployment of Military Peacekeepers 1998-2009⁴⁴

In UN-led missions, the number of civilian staff is almost a quarter of the number of uniformed personnel, standing at 22,516 in December 2010.⁴⁵ Unfortunately, data have only been published since 2004. For that time period, Figure 8 shows a steady increase in the total number of civilian staff across the different categories of civilian staff, namely international and local civilian staff, and UN Volunteers. It is worth noting that the number of local civilian staff is consistently about twice that of international civilian staff. This might indicate that an effort is made to include capacity building measures within the missions. Yet, considering that local staff is often appointed to positions for which it is overqualified and/or underpaid, the means do not always correspond with the intentions.

⁴⁴ Source: CIC (2010a: 2).

⁴⁵ Data from UN DPKO Background Notes: <http://www.un.org/en/peacekeeping/bnote.htm>

UN Peacebuilding
 – Light Footprint or Friendly Takeover?

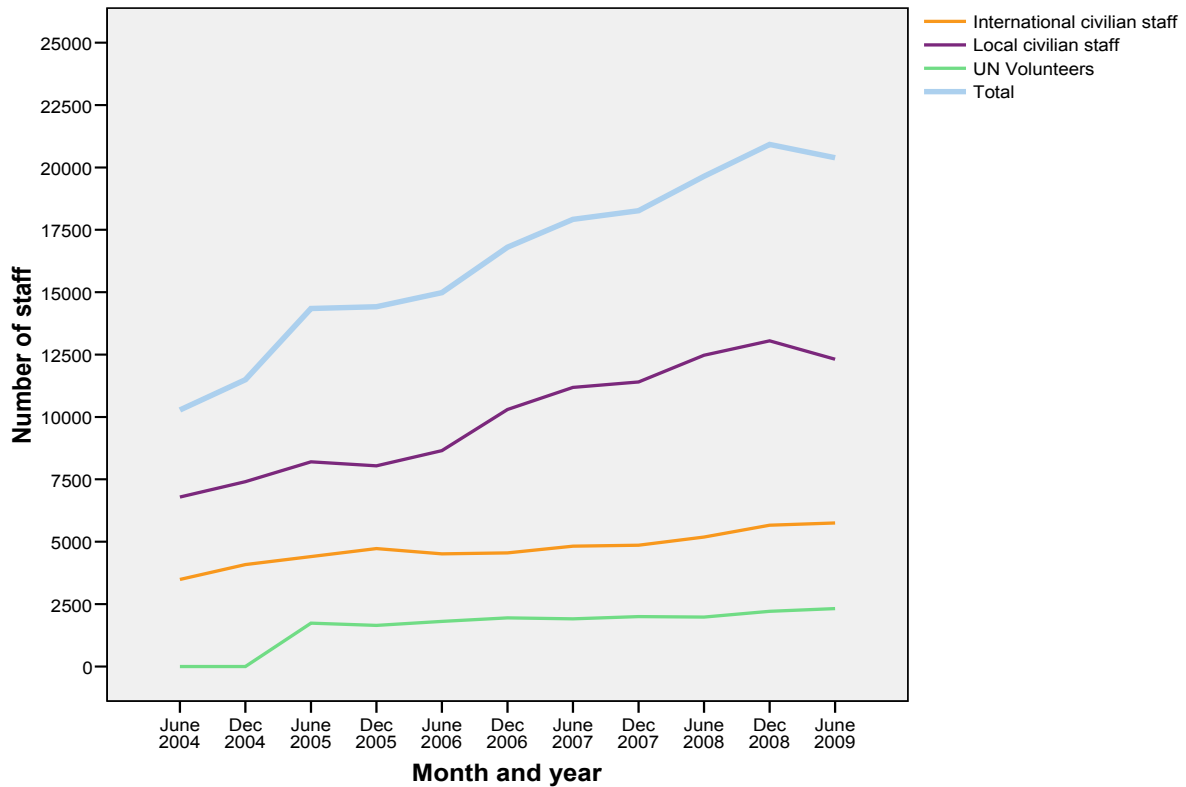


Figure 8: Civilian Staff in UN Peace Missions ⁴⁶

1.2.4. Resources

Intervening in conflicts and engaging in post-conflict reconstruction is costly. The UN estimates the total costs of its peacekeeping operations from 1948 to mid-2003 at about 28.72 billion US\$. Yearly approved resources for UN peacekeeping operations have gone up almost linearly since 2003, peaking at 7.75 billion US\$ for the financial year 2009/2010 (Figure 9). The top five providers of contributions to United Nations peacekeeping operations were the United States, Japan, Germany, the United Kingdom, and France.⁴⁷

⁴⁶ Graph based on data collected from UN DPKO Archive of UN Peacekeeping Operations Background Notes at <http://www.un.org/en/peacekeeping/archive.shtml>.

⁴⁷ <http://www.un.org/en/peacekeeping/contributors/financing.shtml>

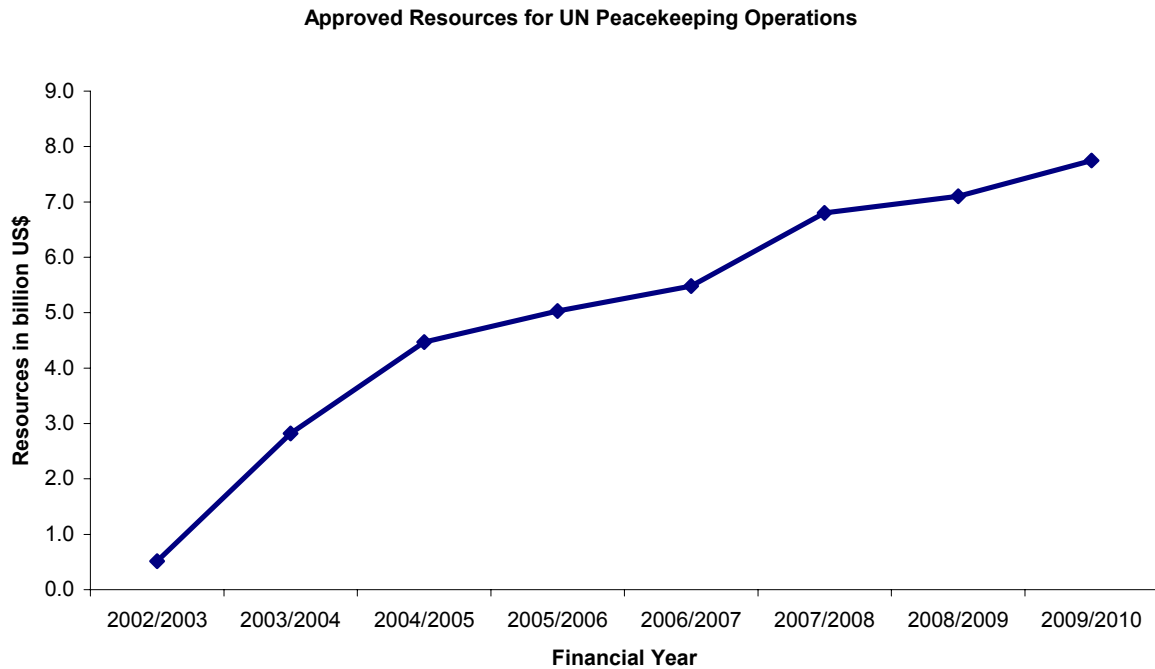


Figure 9: Approved Resources for UN Peace Missions⁴⁸

The figure above does not include the unpublished amounts of funds made available for the NATO missions in Kosovo, Bosnia, and Afghanistan, which were not UN-led but were authorized or at least recognized by the UN. It is estimated that costs of the ISAF mission in Afghanistan amounted to 80 billion US\$ in the first five years alone.⁴⁹

Collier and Hoeffler (2004a) and Collier et al. (2008) have provided a comprehensive cost-benefit analysis of UN peacekeeping missions. Both studies found that that post-conflict military intervention by the UN is the most cost-effective instrument for reducing the risk of conflict reversion. The optimal scale of peacekeeping forces is estimated at around 850 million US\$ annually over the course of ten years (Collier et al., 2008: 48). At an estimated average direct cost of a civil war of 250 billion US\$ (Collier et al., 2008: 12), this ‘optimal’ level of investment in UN peacekeeping reduces the risk of relapse into civil war by 30 percentage points to only 7.3% (Collier et al., 2008: 48, 51f.).

Carnahan et al. (2006) estimate that less than 10 percent of mission spending goes directly into the local economy of the country hosting the mission, the rest is so-called “external spending”, i.e. direct payments and reimbursements to troop contributing countries for military contingents, salaries paid to international civilian staff, and procurement of goods and

⁴⁸ Graph based on data collected from UN DPKO: Selected General Assembly documents relating to peacekeeping financing at <http://www.un.org/en/peacekeeping/contributors/financing.shtml> and Archive of UN Peacekeeping Operations Background Notes at <http://www.un.org/en/peacekeeping/archive.shtml>. Earlier data are not available.

⁴⁹ Estimates of the costs of ISAF are taken from: <http://www.stern.de/politik/ausland/einsatzkosten-afghanistan-dingos-drohnen-und-auslandszulagen-600026.html> and Whitty and Nixon (2009).

services by headquarters on the missions' behalf. Missions channel money into the local economy through staff allowances, locally procured goods and services, and salaries paid to national staff (Carnahan et al., 2006: 13ff). The authors of the study identified a number of specific unintended impacts of UN missions on the economies in which they operate. These include first, the undermining of the host government's revenue administration; second, unrealistic expectations for both professional working environments and personal living standards that cannot be affordably sustained by a developing country; third, the fact that peace missions make policy decisions without understanding the broader impact on the local economy; fourth, inefficient capital investment choices and increased costs for the host government after the mission leaves due to too short planning horizons; and fifth, an uneven distribution of economic impact by geographic area and ethnic group (Carnahan et al., 2006: 39ff). Despite these negative consequences, the study found that, overall, peace missions provide a stimulus to the local economy in two aspects: first, through the large amounts of resources they bring into the host country and, second, through the restoration of basic security that allows for an immediate upsurge in economic activity, which is one of the pillars of sustainable peace (Carnahan et al., 2006: 1).

1.2.5. Peacekeeping and Peacebuilding

The outline of the evolution of UN peace missions has shown that a changing political landscape and the altered nature of conflicts have created 'modern' types of international interventions. Post-conflict peacebuilding which encompasses a variety of complex civilian tasks has complemented and sometimes even replaced military peacekeeping undertakings.

UN peacebuilding and political missions are set up in three different environments where they serve different purposes. First, peacebuilding offices operating under DPA supervision are a means to continue the UN's engagement in a post-conflict setting and to consolidate peace when the security situation has been stabilized and the blue helmets have left. A strategy of 'fading out' is pursued in order to avoid a sudden disruption of the international presence. In an effort to institutionalize peace, the offices also coordinate the various peacebuilding activities of other UN agencies, such as UNDP or UNICEF. The first United Nations post-conflict peace-building support office was set up in Liberia (UNOL) in November 1997 after the completion of UNOMIL's mandate. Other examples for peacebuilding and political missions after the termination of a UN peace mission are Angola, the Central African Republic, or Sierra Leone.

A second type of UN peacebuilding missions are those that are established as a supplement either simultaneously to or following upon a military intervention by other actors. Examples are the UNMOT and the CIS Peacekeeping Forces in Tajikistan and UNAMA and the ISAF troops under NATO command in Afghanistan. Finally, the so-called 'special political missions' (SPMs), like UNMIN in Nepal, are established without a prior or complementary military mission. Their focus is exclusively on peacebuilding activities after the cessation of violence which has been achieved without a preceding external military intervention.

Although the UN's annual lists of peacebuilding and political missions are inconsistent and nontransparent, Figure 10 gives an overview. The number of UN political or peacebuilding missions has gradually increased since 1995 and makes up almost half of all UN missions as of 2009. In the same time period, the number of traditional peacekeeping missions has slightly decreased.

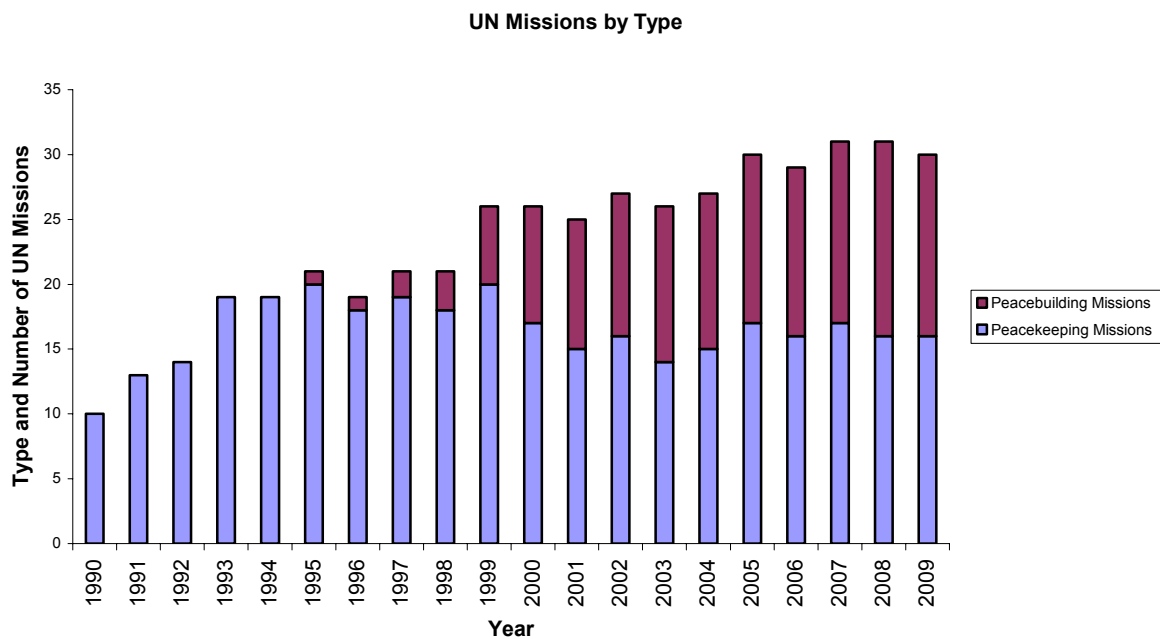


Figure 10: Type of UN Peace Missions 1990-2009

In practice, the differentiation between peacebuilding missions and political missions or between peacebuilding offices and liaison offices is indistinct. Although the UN categorizes them all as political and peacebuilding missions, most of them are in effect comparatively small offices that coordinate the work of the UN agencies in the country or the region. Some of these offices are headed by an SRSG, which is normally the position of the head of a mandated UN mission, whereas others are headed by so-called Personal Representatives, Executive Representatives, or Special Coordinators of the Secretary-General. Other UN high-level appointments to countries and regions can be Envoys or Special Advisers and although their roles are similar to those of the above, they are not heads of designated peacebuilding and political missions.

The delineation of what are considered political and peacebuilding missions and what distinguishes them from peacekeeping missions is unclear. The personnel serving in peacebuilding missions usually do not wear military uniforms and do not carry weapons. Yet, as with any peacebuilding mission, their tasks include military elements, such as arms control, mine clearance, or training of security agencies. As of 2008, there were 344 uniformed personnel serving as military observers, military advisers or police in UN political and peacebuilding missions.⁵⁰ As indicated above, DPA usually administers the peacebuilding and political missions.

The type of mandate might serve as a distinguishing criterion for peacebuilding missions: All peacekeeping missions require a mandate in the form of a Security Council resolution. While

⁵⁰ United Nations Peace Operations Year in Review 2008:
<http://www.un.org/en/peacekeeping/publications/yir/yir2008.pdf>

only some peacebuilding missions are based on a Security Council resolution, others are mandated by the General Assembly.

2. The Research Question

As was shown above, the UN and other international actors have over the last twenty years substantially expanded their roles in governing post-conflict societies and in rebuilding states structures. The degree of interference in the domestic affairs of a host state has increased gradually until the beginning of the new millennium with external actors taking on a variety of government functions and in some cases acting as quasi-governments for a certain period.

The question must be raised whether the outcomes of these missions justify a continuation of this trend. Was the trend of increasingly large missions with far-reaching authorities accompanied by the emergence of a growing number of stable and peaceful post-conflict societies? Is it justified to continue investing massive resources and efforts in peacebuilding? Or is it rather the case that the UN's most recent engagements in Liberia and possibly also Afghanistan are a correction to this trend because there are strong arguments for reducing the scale and scope of peace missions? What are the causal mechanisms at work in each scenario?

Apparently, if local actors were capable and willing to rebuild their country themselves, there would not be the need for external assistance in the first place. In the aftermath of armed conflict – which may have seen severe atrocities, ethnic cleansing, or even genocide –, societies are not able to immediately get back on their feet, even if there is a genuine commitment to the peace process by all conflict parties. The immediate causes of the conflict and the means to settle them are usually addressed in a peace agreement but the post-conflict societies typically lack the institutions and local experts for implementing them. Although some authors claim that external assistance is not necessarily needed for states to recover from civil war, the prevailing position taken by academics and practitioners is that not to engage is not an option and that modern peacebuilding missions have overall done more good than harm (Collier et al., 2003; Paris and Sisk, 2009: 11). External assistance is needed, and often demanded, by the conflict society to prevent the recurrence of violence and to rebuild the country.

By default, the presence of external actors entails a certain degree of intrusion into the affairs of the host state. The questions are just how much assistance is required, for how long, which sectors need assistance, and where assistance should end. Despite some warnings for restraint, the common policy assumption is still that peacebuilding missions have to be big in scale and scope and that a high level of commitment will lead to successful outcomes. At the same time, based on the concept of 'local ownership' that originated in development cooperation, engaging local actors in the process has become the policy guideline in peacebuilding and statebuilding. Analytically, one can distinguish two scenarios: the "friendly takeover" and the "light footprint" approach. These concepts are the two extremes of a continuum and must be understood as incompatible ideal types rather than as realistic scenarios. In the following, they will be outlined with their positive and negative aspects.

2.1. Friendly Takeover

Highly intrusive missions were the response of the international community, specifically of the United Nations, to the perceived requirements of ever more protracted and increasingly bloody – mostly internal – conflicts in the mid to late 1990s. The argument goes that especially in the very early phases of an intervention, a very hostile situation on the ground mandates strong peace enforcement capacities of external actors. In cases where the factions of the conflict still have the potential to spoil a peace process by continuing the fighting, the need for robust military assistance to stabilize the security situation is evident (Guttieri and Piombo, 2007: 14). The ending of violence and stabilization are not only imperative tasks of the interveners but also the justification of an external intervention in the first place. As Dobbins (2007: xxxvii) states: “Security is key”. It is a fundamental precondition for all other external reconstruction tasks (Chesterman, 2004: 99; de Zeeuw, 2001; Guttieri and Piombo, 2007: 319). A fragile security situation would not only cause renewed human suffering but it would also mean that more ambitious undertakings, like institution building, economic reform and democratization, cannot be adequately implemented. This could also jeopardize the legitimacy and credibility that the external actors need to build up with the local population to be able to implement their agenda.

Assertive external engagement is also vital in the disarmament and demobilization phase of the peace process. At this stage, the warring parties will have serious security concerns and are very sensitive to potential violations of the disarmament agreement by the other faction(s). They do not have their own mechanisms for verifying the commitment of the rival faction(s) and for sanctioning defective behavior. External actors serve as a security guarantee in this situation. They monitor all parties’ activities and ensure adherence to the agreement. However, they can only effectively serve as credible security guarantors if they possess sufficient enforcement capacities in terms of troops and equipment (Doyle and Sambanis, 2000: 780; Rothchild and Stedman, 1996: 27; Walter, 2004).

In the later stages of a peace mission, wide-ranging external engagement in the conflict state may be necessary to reconstruct statehood in the absence of effective local capacities, both of human and of structural capacities. As a result of the conflict, qualified personnel for the reconstruction of governance are rare. Especially when a conflict has been going on for many years and has been very intense, schooling and education have been ceased and many of the well-educated people have emigrated before or during the conflict. In the post-conflict state, this vacuum of human resources is filled with external expertise and experience before the diaspora returns and before efforts of educational reform take root. The degree of intrusiveness is largely dependent on the level of destruction of statehood as a result of the conflict and the locally available human resources and institutional capacities.

There is not only a lack of qualified national personnel in a post-conflict situation but also a shortage of legitimate local actors. Every person was involved in the conflict in one way or another. It is therefore difficult to recruit local experts who have no affiliations to either of the conflict parties, who are not potential spoilers to the peace process and who are acknowledged and respected as legitimate representatives of the newly emerging state by large parts of the population. In most cases of internal conflict, no single domestic actor emerges naturally as the ‘owner’ of the peace process and of the state. Massive external engagement with wide-ranging competencies serves a dual purpose at this point: First, external state-builders are less prone to being influenced by conflict-related interests and therefore ideally take a neutral and outcome-oriented stance in performing state functions. Second, by filling the vacuum of

domestic authority, external actors control potential spoilers by diminishing the space for parties or leaders who seek to undermine the peace process in order to safeguard or expand their power and influence. Externals take on a role as “international custodians” in this case. Only when they succeed in “creat[ing] and implement[ing] coherent, effective strategies for protecting peace and managing spoilers”, the peacebuilding process can be successful (Stedman, 1997: 6).

The main justification for international transitional administrations is that this intrusion is inevitable due to the lack of effective local institutions. Large-scale conflict results in the partial or total collapse of state structures and institutions. These are needed to implement the peace agreement, to reconstruct governance and statehood and, most immediately, to run the country on a day-to-day basis. External actors can provide the necessary framework for such demanding tasks, including all sorts of infrastructure, communication channels, and large monetary resources. Once these structures have been established with maximum external engagement, the argument goes, the new elites in the post-conflict state only need to adopt the new structures. In the ideal scenario, there would be a smooth hand-over of competencies from the external actors to local actors, possibly with a phase of a ‘dual desk’ arrangement. According to the concept of path dependency, this ‘jump start’ not only reduces the risk of relapsing into old structures and into conflict but it also lays the institutional foundation for long-term peace, governance and possibly democracy.

Despite these compelling arguments for high intrusive peacebuilding missions, the dangers and pitfalls are numerous. For one thing, there is the paradox of trying to establish stability, statehood, and sovereignty through ‘benevolent autocracy’ (Chesterman, 2004: 3, 126ff; Guttieri and Piombo, 2007: 4), which renders the whole undertaking implausible and deprives the peacebuilders of their credibility and legitimacy. This is the prime source of harsh criticism of highly intrusive peace missions in general: international interim governments aim at constructing a new, sovereign state precisely by temporarily annulling that sovereignty. International interventions undertaken within the ‘Responsibility to Protect’ framework are widely considered legitimate and even obligatory in the face of large-scale violence and human suffering (Guttieri and Piombo, 2007: 20). When it comes to rebuilding and reconstructing governance structures, however, the guidelines are not (yet) manifested as the ‘Responsibility to Protect’ strategy was in the outcome document of the 2005 UN World Summit. Although all UN peacebuilding missions are mandated by the organization, the point must be made explicitly that international transitional administrations serve as temporary governments – sometimes for more than a decade – although they were not democratically elected by the constituency of the host state and therefore lack input legitimacy. In most cases, no democratically elected domestic government has been installed before the deployment of the mission which could have indirectly endorsed the external engagement within the forum of the United Nations. Transitional administration in post-conflict situations grew out of practical demands rather than theoretical considerations and needs further legal authority and a clear normative foundation (Chesterman, 2005: 11). Critics claim that the polity which emerges from external statebuilding efforts of limited legitimacy will subsequently lack domestic legitimacy in the long run. Bertram (1995: 392) broadens this argument by saying that the sovereignty dilemma creates serious problems on the ground beyond questions of policy and principle. The capability of UN peacebuilders to carry out their missions and their credibility are inevitably undermined when domestic groups, both partners and spoilers, claim infringement of state sovereignty and withdraw their cooperation.

In the course of the intervention, the partial or complete take-over of state functions by external actors predictably leads to frustrations among domestic actors when they feel patronized and put under tutelage. This may provoke resistance against highly intrusive peace missions, both among the domestic elites and among the people. This is especially true for cases where the peacebuilding mission was established after a war for independence. Here, the newly-independent country is initially grateful for the external assistance it received on the way toward independence and complies with the requirements and standards of the peace mission. As soon as this objective is achieved, however, the mood changes and high mission intrusiveness is perceived as an impediment to autonomy, sovereignty, and local ownership. The frustrations may find their expression in the actual use or threats to use violence against the peacebuilders or against rival groups in the country. Peacebuilders have to understand that despite their coercive capacities and wide-ranging executive authorities, they are in the end powerless in the face of domestic opposition against the peace mission itself.

Intrusive and long-lasting peace missions may actually counteract institutional reconstruction and reform when domestic actors realize that time is on their side. Peace missions with over-ambitious statebuilding and democratization mandates often stay on the ground much longer than originally foreseen because their mandates are often vague and the objectives are of a political nature (Roehner, 2009: 5). Without a clear focus on the reconstruction of core state functions, there is the danger of ‘mission creep’. State structures are erected as a façade that is sustained by external actors but not filled with substance by responsible local actors. This may lead to frustrations and fatigue with everybody involved. Domestic actors are well aware that even protracted peace missions eventually have to leave and choose their strategies accordingly. Those actors who prefer the status quo are usually in an advantage because they just have to ‘sit it out’, while reform-oriented actors have to consider that even in the most intrusive missions, external actors will withdraw their commitment at some point and all the gains might be lost. This can create renewed tensions between these two groups and even renewed violence.

In the course of the mission, state-builders are also faced with the so-called ‘statebuilding paradox’ that calls into question a heavy footprint strategy of state reconstruction (Paris and Sisk, 2007: 6). The large-scale influx of international resources and expertise may foster a situation of prolonged dependency and thereby undermines the own efforts of the post-conflict state for long-term development and sustainability. Parallel structures that are created on the basis of an external budget compromise the state’s sovereignty and ability to formulate and carry out policy (Nixon, 2007). Of course, without any external financing, governance would not be possible in the first place. The problem is that the discretion that rests with the external actors on how the funds are used. The newly-created state institutions have very limited capacity to make use of the funds made available to them which impedes self-initiative and also weakens the ability of the local elites to bargain with the powerful donors. Even if aid money is channeled through the national budget, as is increasingly done to avoid the statebuilding paradox and strengthen local institutions⁵¹, external actors retain a great degree of indirect influence on how this money is used. This dilemma of creating dependence when the objective is independent self-government is related to the problem of the duration of peacebuilding missions. The longer the post-conflict society is dependent on external assistance, the more difficulties it has to develop its own governance structures.

⁵¹ In the Paris Declaration on Aid Effectiveness of 2005 (Article 39), international donors committed to “avoid activities that undermine national institution building, such as bypassing national budget processes [...]” in fragile states (Paris Declaration on Aid Effectiveness Article 39).

In complex peace missions, a multitude of external actors is on the ground, ranging from the UN troops to the civilian component of the peace mission to international aid agencies to non-governmental organizations. This makes the coordination of these organizations and their agendas and programs very difficult. Schneckener (2008: 200) has identified four interdependent levels of interaction in a peace mission: First, the interaction between local actors, specifically between former parties to the prior conflict; second, between local and external actors; third, the interaction among the different external actors; and fourth, the internal structure of one particular external actor. All these relationships have their own rules, inherent logics, and patterns of interaction. They take place at different levels and work according to different timetables.

Finally, a very practical argument against the massive presence of internationals in a post-conflict situation concerns the effects on the local labor and housing markets. Peace missions themselves create a ‘mission economy’ when they recruit young well-educated English-speaking local staff and thereby deprive the local economy of these valuable human resources. Local professionals, such as teachers, doctors, engineers or government officials, leave their positions to take on short-term international jobs often far below their educational background (Narten, 2006: 13, 27). The artificial job market with its exorbitant wages compared to local standards collapses when the externals leave. This not only creates frustrations with the international presence but also severely impedes the nascent economy. In addition, the sudden influx of wealthy foreigners also affects the housing market. Although many locals profit from renting out houses to wealthy internationals, this means at the same time that affordable living space becomes scarce for the local population (Chesterman, 2002: 9).

From all the above arguments against high intrusiveness, some authors conclude that post-conflict statebuilding led by Western states is an “illusion” and doomed to fail (Bliesemann de Guevara and Kuehn, 2010). This criticism is reflected in the appeal for the light footprint approach.

2.2. Light Footprint

The overall aim of any intervention by international actors in a conflict state is ultimately the (re)construction of peaceful and durable state structures that are carried by local actors. From the beginning, interventions are conceptualized as temporary undertakings whose success is judged by the proper transfer of skills and hand-over of control to local actors. The idea of promoting local control over self-sustaining state structures is not simply an expression of the noble intentions of the international interveners. Rather, self-determination is the legitimate right of any people or society and is guaranteed to any nation by international law. Failure to establish conditions conducive for the exercise of this right is ultimately a failure of the overall statebuilding effort and will either result in an incessant quasi-colonial rule by external actors or in another ‘failed state’ given up by the international community (Narten, 2006: 2). Both prospects are not promising. The successful conclusion of any statebuilding mission, therefore, depends on the extent to which local actors enjoy autonomy in performing governance functions without uninvited interference from outside.

The concept of local ownership originated in the development assistance community. Until the 1970s, the classical approach of development aid that aid was delivered by foreign experts

who controlled the entire process from the planning stage to implementation and evaluation. There was hardly any direct exchange between the donors and the recipients of aid. When it became evident in the mid-1980s that this expert hegemony did not produce sustainable results, there has been a shift towards more participatory methods. Donors realized that the recipients of aid should know best what they want because they have ‘indigenous knowledge’ (e.g. Agrawal, 1995; Thrupp, 1989) and that the mere transfer of Western ideals is an impasse.⁵² There have been lively debates in the development community about the right measure of local participation: It may include only information and consultation, it can mean codetermination, joint responsibility and partnership, and may ultimately mean complete self-determination. The term ‘local ownership’ was formally acknowledged as a key concept for development cooperation in 1996 by the OECD-DAC.⁵³ Since then, it has continuously been on the agenda of donors. The Paris Declaration on Aid Effectiveness of 2005 explicitly lists ‘ownership’ as the prime guiding principle of development cooperation.⁵⁴

Before long, the postulation in the development literature that the impetus for change has to come from below has been transferred to the peacebuilding debate. It was argued that those affected from war should not only participate in the rebuilding of their state and society but that they should in fact be empowered to own all aspects of decision-making because they have to live with these decisions. The commitment of the domestic parties to rebuild the country will also be much higher when they own the process than when structures are imposed from the outside. When domestic actors feel excluded or sense that their needs are not attended to, they will rarely cooperate with the external forces. They may not overtly reject decisions, but their behavior will spoil the relationship in subtle and covert ways. Peacebuilders depend on the cooperation of domestic actors for a smooth and stable implementation of the many peacebuilding projects and also for the security of the international personnel. Also, under external patronage, both the domestic elites and the people are impeded from developing political responsibilities (Chesterman, 2004: 143). The input legitimacy that they obtain from participating in or leading the reform process will decisively contribute to the sustainability of the newly introduced structures. It is desirable for the post-conflict state as well as for the international community to build states and institutions in a way that they can be sustained without or with limited international assistance after the peace mission is terminated (Zuern and Herrhausen, 2008: 274).

The main argument for local ownership – one that was derived from the development assistance community – is that local actors know best what they need. In a peace process oriented toward local ownership, they can contribute their ‘indigenous knowledge’ and regional expertise and thereby shape the institutions for the peaceful settlement of societal conflicts according to their own agenda, needs, and values. Massive external interference that does not incorporate local practices and expectations into the peacebuilding programs due to the lack of local knowledge might also change local power structures. Democracy-oriented forces may be disproportionately favored and pushed by the international actors, so that the

⁵² To find out about the needs of the poor, the World Bank has completed a very ambitious project that collected the experiences of over 60,000 women and men with poverty (Narayan, 2000; Narayan et al., 2001; Narayan and Patesch, 2002).

⁵³ “We commit ourselves to do the utmost to help [...] by improving the co-ordination of assistance in support of locally-owned development strategies [...]” (OECD - DAC, 1996: 2).

⁵⁴ In the Paris Declaration, the principle of ownership means that “partner countries exercise effective leadership over their development policies, and strategies and co-ordinate development actions.” For documentation related to the Paris Declaration and the 2008 Accra Agenda for Action see http://www.oecd.org/document/19/0,3746,en_2649_3236398_43554003_1_1_1_1,00.html

resulting composition of the post-conflict government might not reflect the underlying power base. This can result in public protests and renewed violence (Schneckener, 2008).

Ownership is thus not only the objective of any statebuilding intervention but it is also the means for successful peacebuilding (Chesterman, 2002; Chopra, 2000, 2002; Suhrke, 2006). As (Reychler, 1999: 52) determinedly notes: “To recognize and include the owners and the major stakeholders in the conflict transformation process makes the difference between successful and unsuccessful intervention.”

For all the above reasons, the promotion of local ownership has become the doctrine in modern peacebuilding. Some critics say that the term ‘local ownership’ is not yet clearly defined and that it is used and interpreted in many ways by different actors. It is unclear where local ownership should start, how far it should go and who exactly the owners are supposed to be. The fact that the term local ownership has a range of different possible meanings makes it more a buzzword than a well-defined concept (Chesterman, 2007: 10).

In its realization one must also acknowledge the risks of yielding control and decision-making powers to local actors. Schneckener (2008: 203) points to the trade-off situation between input and output legitimacy by saying that the objective of local ownership over decision-making may obstruct the effective and efficient implementation of policy measures and may therefore lead to suboptimal outcomes. This is because, as argued above, post-conflict societies typically lack the capacities to lead and own the peacebuilding process.

The critical question in peacebuilding processes always is who the owners of the peace process and of the state should be. The promotion of local ownership can be risky because of the above-mentioned argument that post-conflict societies often see a shortage of legitimate local actors. There is never a complete power vacuum after a conflict, and when state institutions are dysfunctional, the contest for power among rival local actors is often carried out with informal means and methods. Promoters of local ownership may therefore not only reinforce the status quo by further empowering those domestic actors who are already powerful but they might also unintentionally strengthen undemocratic elements. On the one hand, this concern is validated given the fact that leaders of rebel factions or guerrilla organizations have to transform swiftly into political parties after the end of the war, and that their military leaders who become the leaders of the newly-emerging state generally lack political experience, expertise, and responsibility. On the other hand, however, peacebuilders are unlikely to accept a situation where they might become the sponsor of a government that is made up of warlords and former rebels who might dictate their own conditions of the peace and the reform process (Barnett and Zuercher, 2009: 33). The fear to give authority to the wrong people has in some cases prompted peacebuilders not to delegate authorities at all, which prevented local ownership from taking root in the first place (Zuern and Herrhausen, 2008: 278).

One argument that does not speak in favor of either the friendly takeover or the light footprint approach is the costs of the missions. No conclusive assessment has been brought forward on the long-term costs of each approach. Of course, highly intrusive peace missions are costly – but is the promotion of local ownership and the training of local actors even more costly in the long run? Some critics say that the level of intrusiveness has decreased mainly because there is a limited willingness on the part of the external actors to make long-term financial commitments. Others argue that promoting local ownership by tutoring local actors in policy

making and governance is far more costly for external actors than “doing things themselves” (Zuern and Herrhausen, 2008).

2.3. Reconciling the Two Approaches

This theoretical analysis of the “friendly takeover” and the “light footprint” scenarios does not correspond to real-life interventions. In modern peace missions, the two approaches are interwoven and the positive and negative aspects of the two scenarios unfold consecutively and/or simultaneously. Hansen (2005: 10ff) illustrates a model of interventions in which high intrusiveness and local ownership are mutually exclusive (Figure 11). Taking the x-axis as an implicit time line, the diagram below shows the ideal situation of the gradual handover process of responsibilities from the international to the local actors. At any point during the intervention, the overall responsibility is divided between local and international actors. The transition to local ownership takes place at the point marked ‘reform’ where the responsibilities taken on by the local actors outweigh those of the international actors. Hansen’s model refers to the context of post-conflict security sector reform, but the idea applies to all other peacebuilding sectors as well.

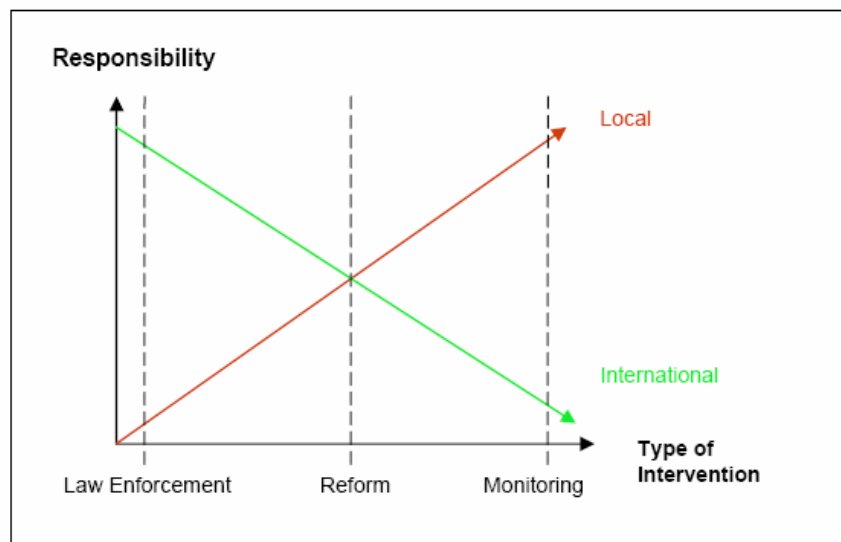


Figure 11: Degrees of Intervention⁵⁵

In contrast to Hansen (2005), Chopra and Hohe (2004) demand that externally-led social engineering must be simultaneously reconciled with the promotion of local ownership in what they call ‘participatory interventions.’ The authors stress that, ideally, peacebuilders provide the space and time for a post-conflict transition that is led by local actors. Local voices must be heard and communities directly involved in the formation of their own cultural or political institutions: “This means giving time for an indigenous paradigm to coexist with and gradually transform during the establishment of modern [Western-style] institutions” (Chopra and Hohe, 2004: 2).

⁵⁵ Hansen (2005: 10)

The simultaneous reconciliation of external assistance in statebuilding with the promotion of local ownership creates several problems and tensions. Paris and Sisk (2007; 2009) say that the outcome of statebuilding is not simply dependent on the level of intrusiveness and a smooth transfer process but on the ability of the peacebuilders to manage the contradictions inherent in any post-conflict statebuilding effort, no matter how low the level of intrusiveness. Statebuilding, they argue, is a tightrope walk. The authors have analytically extracted five fundamental contradictions and dilemmas of statebuilding. First, there is a principal tension between the promotion of autonomy and self-government by means of outside intervention and oversight. Even when international statebuilders enter with the best intentions of creating conditions for self-government, their mere presence is necessarily intrusive. Second, some degree of outside intervention is inevitably required to implement the principle of local ownership. Above all, this includes the need for statebuilders to identify legitimate local partners and leaders of the peace process. The contradiction is that when international actors participate in choosing appropriate local ‘owners’, their involvement defies the principle of local ownership which potentially damages the legitimacy and sustainability of the peacebuilding effort as a whole. Third, the intention of peacebuilders to introduce universal values, like human rights standards and democratic norms, to the post-conflict state might contradict the values, traditions, and expectations of the host society. Fourth, statebuilding simultaneously requires a clean break with the past and a reaffirmation of the host country’s history. And finally, short-term and long-term objectives often collide. Short-term imperatives, like upholding the ceasefire and spoiler management, might necessitate certain decisions and bargains with local actors which can work against the long-term goals of establishing sustainable peace and effective state institutions.⁵⁶

2.4. Context Matters

In the literature on peacebuilding, the context is generally disregarded. The novelty of this work is that it puts mission intrusiveness into perspective. The argument is that peace missions are not established in a vacuum – they are deployed in countries emerging from violent conflict. Although these countries have in common that they have a history of war, they differ considerably on a range of characteristics, both war-related and not. This context must not be neglected in the analysis of how the level of mission intrusiveness affects the outcome of a peacebuilding effort. The scale and scope of a peace mission may produce a certain outcome in a given context, but not in another. Strong enforcement capacities and the take-over of state functions may contribute to security and statehood in a specific post-conflict environment of one country but they may have adverse effects in a different context of another country.

This study argues that the level of intrusiveness depends to great extent on the nature of the previous conflict and on the structural conditions in the conflict state. For policy making, this means that when peace missions are designed, the scale and scope of an external intervention cannot be treated as givens but need to be demand-driven. The success of a peacebuilding mission is a function of the best response – in terms of mission intrusiveness – to the situation on the ground. The objective of this work is to identify the conditions which necessitate

⁵⁶ From these deep-rooted contradictions, Paris and Sisk (2009: 306ff) derive five concrete policy dilemmas: The footprint dilemma, the duration dilemma, the participation dilemma, the dependency dilemma, and the coherence dilemma.

higher levels of intrusiveness and the conditions and scenarios in which it is better to pursue to the ‘light footprint’ approach.

Conceptually, the level of intrusiveness of a peace mission is an agency-based variable. The scale and scope of a mission mandate are determined in the negotiations between representatives of the host state, the UN Security Council, and the UN Department of Peacekeeping Operations. In contrast, the conditions and the context, in which the intrusiveness of the mission unfolds, are structure-based variables. In the two-step fuzzy set QCA (fs/QCA) analysis below, these two sets of variables are labeled ‘proximate’ and ‘remote’ factors. Guided by theory, a number of hypotheses are formulated on how remote factors may lead to peacebuilding success. Then, another set of hypotheses is drawn up on how the proximate factors, i.e. the level of intrusiveness, produce peacebuilding success.

From the peace and conflict literature, three different factors were chosen which shape the context for peacebuilding: the legacy of the previous war, the demand by domestic actors for peace and for a peacebuilding mission, and the socio-economic development of the host state. These three context factors interact with the effects of mission intrusiveness in generating the outcome.

In the literature, the legacy of the war is reflected in a number of key variables, including war duration, the intensity of the war, the type of war, and the number of parties to the conflict. On the effect of war duration, the literature is divided between those who find that longer wars tend to facilitate more durable peace settlements (Collier et al., 2004; Doyle and Sambanis, 2006; Fearon, 2004; Hartzell et al., 2001; Mason and Fett, 1996) and those who observe that countries suffering from longer wars are more likely to return to war (Regan, 2002; Walter, 2004). The first group of scholars provides support for the war weariness theory. Doyle and Sambanis (2000: 787) found that “war weariness may influence the political reform process rather than the decision to stop fighting.” The second group suggests that longer wars result in greater mistrust between the conflict parties, which makes a peaceful settlement more unlikely. Additionally, the longer the war, the higher the sunk costs in warfare, hence the lower the incentives to continue the war. The exclusive effect of war duration on peacebuilding is difficult to establish without ambiguity because it is closely related to other war-related factors, such as intensity and the polarization between warring factions. All else equal, longer wars should hinder successful peacebuilding.

On the intensity of war and the level of hostility, there is a general consensus in the literature that high intensity wars are less likely to be followed by lasting peace (Doyle and Sambanis, 2000, 2006; Hartzell et al., 2001). The evidence suggests that the higher the human costs in terms of deaths and displacements, the lower the prospects for successful peacekeeping. This is because the remaining social and human capital in the country is low and because the socio-psychological barriers to peacebuilding are high (Doyle and Sambanis, 2000: 785).

Regarding the type of war, there is considerable evidence that identity wars, i.e. wars that center around ethnic or religious incompatibilities, are more difficult to solve and last longer than other wars because “the ease of ethnic identification makes it harder to reconcile differences among combatants after civil war” (Doyle and Sambanis, 2000: 783; also Regan and Aysegul, 2006). In support of this argument, Hartzell et al. (2001: 328) and Kreutz (2010) discovered that the risk of a resumption of war is more than four times greater in cases of ethnic war than in other wars. Fortna (2004) and Mattes and Savun (2009), by contrast, find that the evidence is mixed on the question whether identity wars are harder to resolve.

The fourth aspect of the legacy of the war, the number of fighting factions that were involved in the war, is said to have a negative effect on the likelihood of successful peacebuilding (Doyle and Sambanis, 2000, 2006). That is because every faction can take on a veto player position in the negotiations for peace (Cunningham, 2006). A great number of hostile factions with diverging preferences make the search for a “cooperative equilibrium” more difficult (Doyle and Sambanis, 2000: 785; Oye, 1985).

High local demand for peacebuilding is the second context factor. Bertram finds that only those peacebuilding operations will be successful where the parties alter their basic objectives and a logic of compromise replaces the logic of conflict (Bertram, 1995: 405). Hence, without a minimum level of local demand for peace and for the peacebuilding effort, any peacebuilding mission is doomed to fail or remains in a state of uncertainty. In order to be effective, peacebuilders need the cooperation of their local partners for the security of international staff and the implementation of programs and projects. That does not mean that the presence of spoilers or veto players renders the whole undertaking impossible. In any peacebuilding effort, there will inevitably be spoilers who pursue their own interests, and spoiler management is an important element of peacebuilding. But for peacebuilding to be successful, the majority of local partners have to support the peace process and the peacebuilding effort.

Local demand for external support will be generally high when the war was fought for independence. In these cases, the elites and the population (at least initially) welcome an external intervention in their struggle for independence because this gives them international clout and legitimization. International troops are seen as a security guarantee against potential violent attacks by the former protector state.

Local demand will also be high when the war has ended with a peace treaty (Doyle and Sambanis, 2000: 789, 2006). Conflict parties who sign a peace deal after having engaged in dialogue and negotiations are typically more committed to ending violence and installing peace. While the great majority of wars before 1990 have ended in military victory of either side, the signing of peace agreements has become the standard procedure since the end of the Cold War.⁵⁷ As the settlements are often brokered by external actors, the treaties in many cases foresee international involvement in the implementation, so that the international presence has been officially approved of by local actors from the beginning which indicates a high demand for peacebuilding. It is important, however, to also take into account the number of peace treaties that collapse. A long list of violated and ever renewed ceasefire and peace agreements is a good indicator of low local demand for peace and peacebuilding, as for example in Liberia, Sierra Leone, Angola, or Columbia.

The third relevant context factor for successful peacebuilding is the socio-economic development of a state or territory hosting a peace mission. Doyle and Sambanis (2000: 789; 2006) found that the probability of strict peacebuilding success, i.e. the termination of violence and a minimum standard of democratization, is higher with higher per-capita income and overall level of economic development in the country.⁵⁸ Socio-economic development is an expression of local capacities. In countries with lower levels of poverty and a certain level

⁵⁷ The Uppsala Conflict Data project (UCDP) finds that more than a third of civil wars between (1945 and 2006) ended in military victory, compared to just 13.5% settled through negotiated agreement.

⁵⁸ The authors reject the hypothesis for lenient peacebuilding success, i.e. for ending violence without improvement on political openness (2000: 789; 2006).

of industrialization, people have opportunities for generating income. This economic safety compensates for war-generated hostility, reduces the motivation for renewed conflict and thereby contributes to reconciliation (Collier, 1999; Collier and Hoeffler, 2004b). War economies become less relevant as an incentive to continue the war. Also, relatively strong pre-war economies and institutions should be better able to recover after the war has ended because absorption capacities for aid are higher and institutions can more easily resume administrative proceedings.

The hypotheses on the remote and proximate factors of peacebuilding success are reformulated in fuzzy set hypotheses below (Figure 12).

Remote Factors for Peacebuilding Success

The more a country or territory hosting a peace mission belongs to the set of countries ...

- that have experienced a severe war prior to the establishment of the peacebuilding mission
- where there is a high demand among local actors for external assistance in peacebuilding
- with high socio-economic development

... the more likely it is to belong more fully to the set of successful peacebuilding cases.

Proximate Factors for Peacebuilding Success

The more a country or territory belongs to the set of countries hosting ...

- a peacebuilding mission of high scale
- a peacebuilding mission of high scope

... the more likely it is to belong more fully to the set of successful peacebuilding cases.

Figure 12: Fuzzy set Hypotheses on Remote and Proximate Factors for Peacebuilding Success

In Figure 12, the causal conditions are presented in a way which suggests that each factor on its own has an impact on the outcome. This simplifying reduction of causality is one of the main criticisms on quantitative research and is avoided in fs/QCA (Schneider, 2003: 6). The fs/QCA analysis will reveal how the interplay of the remote context factors and the proximate mission factors produces certain outcomes. The result of the analysis may negate or contradict the findings from the present literature that looks at these factors separately. It is expected that the context conditions affect the link between the level of intrusiveness and the peacebuilding outcome in ways that were not examined hitherto. They may either magnify or mitigate both the positive and the negative aspects of ‘friendly takeover’ and ‘light footprint’. Figure 13 below illustrates the relationship between the two causal factors and the outcome.



Figure 13: Model of the Relationship between the Causal Factors Context and Mission Intrusiveness and the Outcome

IV. THE ANALYSIS

1. Concept Specification

1.1. Definition of Peacebuilding and Case Selection

Peacebuilding is a blend of highly complex, interwoven and case-specific processes. Although there is a common understanding of which cases are considered peacebuilding interventions, the formulation of a clear definition that distinguishes peacebuilding from classical peacekeeping missions on the one hand and from long-term development assistance on the other hand is not straightforward.

Here, peacebuilding interventions are defined as a markedly higher than usual engagement of external actors in the domestic affairs of a post-conflict state with the aim of creating conditions in which violence will not recur (derived from Paris and Sisk, 2009: 14; Zuercher et al., 2009a, 2009b). From this definition, one can extract a number of criteria to select cases for the following fs/QCA analysis.

First, the “markedly higher than usual engagement of external actors” refers to any intervention that exceeds the ‘usual’ engagement of external actors in the form of bilateral or multilateral development assistance, high-level political consulting, the deployment of foreign technical specialists, or good offices. Since international law forbids the massive interference into the domestic affairs of a state, only cases in which the external efforts were specifically mandated or at least “welcomed, authorized, endorsed, commended or approved” by the UN (Heldt and Wallenstein, 2004: 13) will be included in the analysis.⁵⁹ In order to exclude short-term arrangements, only missions with a minimum duration of 12 months are considered.

Second, the analysis only considers peacebuilding missions that were established in a single country. This criterion might be blurry in theory, considering that a number of peace missions were deployed in newly-independent countries after the cessation of violent conflict between the separatist region and the ‘mother country’ (such as Namibia and East Timor). However, in practice, reconciliation, peacebuilding and statebuilding efforts are limited to one clearly defined territory and are therefore domestic, even if the territory is not (yet) internationally recognized, such as Kosovo.

Third, the intervention takes place in a post-conflict environment. This means that the peace mission was preceded by an intrastate war (unlike, for example, Haiti which experienced internal turmoil and violent uprisings but not a full-scale civil war) and that the war has been formally terminated by a ceasefire agreement, a peace process agreement, or a partial or full peace agreement⁶⁰. Although it is unpredictable at the time of the installation of the mission whether such an agreement will hold, it still serves as the formal basis of the peace process, so that peacekeepers are not deployed in ongoing conflict where there is no peace to keep. This criterion excludes all cases of peace enforcement (such as the US-led mission UNITAF in

⁵⁹ Of all non-UN-led missions, only those that are listed in as Non-UN-led Peacekeeping Operations 1948–2004 by (Heldt and Wallenstein, 2004)

⁶⁰ For definitions see Codebook of UCDP Peace Agreement Dataset:
http://www.pcr.uu.se/publications/UCDP_pub/Codebook%20conflict%20termination%202.1.pdf.

Somalia) or foreign invasions (such as the US-led invasion in Iraq in March 2003). Missions with a contingent of military troops that were deployed in the phase leading up to the signing of a ceasefire or peace agreement and that remained on the ground with a significant presence to oversee the implementation of that agreement are included (such as *Opération Licorne* in Côte d’Ivoire).

Fourth, since the overall objective is to “create conditions in which violence will not recur,” the peace missions under study must contain both a peacekeeping component and certain peacebuilding elements. These can be disjointed in terms of leadership, organization and duration. Routinely, troops or military observers are deployed as an instant security guarantee to prevent a relapse into war and to deter spoilers of the peace process. Peacebuilding elements, including disarmament, demobilization and reintegration (DDR), security sector reform (SSR), election monitoring, and institution building, are long-term efforts to stabilize and reconstruct the war-torn state. The missing peacebuilding element led to the exclusion of the ECOMOG and UNOMIL missions in the first Liberian war (August 1990 to December 1998) from the sample because these were solely peacekeeping missions. Even if the peacebuilding mandate is relatively narrow and the number of civilian personnel as well as uniformed observers is small (as in Guatemala, where there were only about 250 human rights monitors and 145 military observers), such a UN mandate itself can carry a lot of weight and brings so much international attention to the peace process that it outweighs the mere number of international staff. The military contingent does not have to be provided by the UN but can be a supplement to a UN civilian mission led by other international organizations – such as NATO, the African Union, or ECOWAS, or individual states, such as Russia in Tajikistan or Australia in East Timor providing that the operation is formally mandated or endorsed by the UN.

Also, the observation period for the analysis is restricted to the time after end of the Cold War. This is justified by the tremendous change that took place in the international system in 1989. In the post-Cold War international order, the UN is able to pursue its goals of conflict resolution and prevention without yielding to ideological interests. Even though most of the conflicts that the UN became engaged in between 1990 and 2000 have their roots in the Cold War, the means for conflict resolution and reconstruction of stability and statehood follow principles and motivations of the globalized world. Therefore, the earliest cases included in the analysis are Angola and Namibia. In order to be able to collect data on the outcome five years after the start of the mission, only cases that received a mandated mission (or the first of a series of missions) before June 2005 are included, the latest one being Liberia.

Based on this strict list of criteria, 22 cases of UN-mandated peacebuilding were selected (Table 1). One country or region may have hosted a number of parallel or subsequent peace missions of different character, but as the intention is to capture the overall response of the international community to a single conflict case, they are treated as one observation. In some instances, the renaming of a mission was more an attempt to camouflage the inadequacy and insufficiency of the precedent mission and to indicate a change in direction. Yet, the underlying reasons and motivations for becoming engaged frame the overall engagement.

	Country Case	Start of Missions	End of Missions	Individual Missions
1	Afghanistan	December 2001	Present	ISAF; UNAMA
2	Angola	December 1988	February 2003	UNAVEM I-III; MONUA; UNMA
3	Bosnia	December 1995	Present	UNMIBH; OSCE; IFOR; OHR; SFOR; EUPM; EUFOR
4	Burundi	April 2003	December 2009	AMIB; ONUB; BINUB
5	Cambodia	October 1991	September 1993	UNAMIC; UNTAC
6	Central African Republic	February 1997	Present	MISAB; MINURCA; BONUCA; CEMAC
7	Côte d'Ivoire	September 2002	Present	Opération Licorne; ECOMICI; MINUCI; UNOCI
8	Croatia	January 1996	October 2000	UNTAES; UNPSG; OSCE
9	DR Congo	September 1999	Present	OAU Observer Mission; MONUC; EU ARTEMIS
10	East Timor	June 1999	Present	UNAMET; INTERFET; UNTAET; UNMISSET; UNOTIL; UNMIT; ISF
11	El Salvador	July 1991	April 1995	ONUSAL
12	Georgia	July 1993	Present	South Ossetia Joint Force; UNOMIG; OSCE; CISP/KF / CPKF, EUMM
13	Guatemala	September 1994	August 2004	MINUGUA
14	Kosovo	June 1999	Present	UNMIK; KFOR
15	Liberia	August 2003	Present	ECOMIL; UNMIL
16	Mozambique	December 1992	December 1994	ONUMOZ
17	Namibia	April 1989	March 1990	UNTAG
18	Rwanda	April 1991	March 1996	MOT; NMOG I-II; UNAMIR I-II; Operation Turquoise
19	Sierra Leone	October 1997	September 2009	ECOMOG; UNOMSIL; UNAMSIL; UNIOSIL; UNIPSIL
20	Somalia	March 1993	Present	UNOSOM II; UNPOS
21	Sudan	April 2002	Present	JJM/JMC; AMIS; UNMIS
22	Tajikistan	March 1993	Present	CIS/PKF; UNMOT; UNTOP

Table 1: List of Selected Cases

1.2. Operationalization and Descriptive Data

The next part will give a detailed account of the operationalization of the outcome variables and the causal factors scale and scope of peace missions and will present a number of descriptive statistics.

1.2.1. Defining the Outcome

The fact that the literature offers a variety of determinants of peacebuilding success and failure indicates how difficult it is both analytically and methodologically to evaluate the outcome of peace missions (Call and Cousens, 2008: 4ff; Diehl and Druckman, 2010). Most scholars who present descriptive analyses of peace missions give a crude assessment of the

overall outcome without resorting to specific indicators or justifying their rating in detail. Others who use quantitative indicators usually do so in single-case studies and compare the outcome indicators to the situation prior to the intervention. Plus, the conceptualization of peacebuilding success varies among different studies: Some studies examine the mere absence of violence as the outcome of peace missions (Heldt and Wallensteen, 2004: 33ff.), others examine mandate implementation (Howard, 2008) or institutions and democracy (Dobbins et al., 2005; Dobbins et al., 2003; Doyle and Sambanis, 2000, 2006; Roehner, 2009; Zuercher, 2006; Zuercher et al., 2009a, 2009b). These ambiguities in the operationalization of success and failure account for great variation in the results of the studies and compromise the comparability and reliability of results.⁶¹

One can generally distinguish between endogenous and exogenous criteria of peacebuilding success. The endogenous criterion refers to mandate implementation. It examines the standards which are set by the intervening organization itself and which are specified in the mandate. Mandate implementation is politically a very relevant criterion since decisions of the UN Security Council about ongoing peacekeeping missions take into account the extent to which their mandates are being implemented (Tull, 2009: 219). Analytically, however, the endogenous criterion is not useful because comparability across cases is difficult. The very objective of this work is to examine which outcomes are produced by different mandates. If mandate implementation is chosen as the criterion for measuring success, all other effects of a peace mission that were not included as targets in the mandate, will be missed. As an example, the mission in Guatemala, MINUGUA, was mandated to achieve the “observation of a formal cessation of hostilities, the separation of forces, and the demobilization of URNG combatants in assembly points specifically prepared for this purpose.”⁶² The assumption is, however, that the realization of these relatively narrow targets creates a peaceful environment in which other aspects of stability, peace, and statehood can unfold. To test this assumption, it is viable to compare the outcomes of all peace missions in the sample independent of their respective mandates. In addition, mission mandates are often revised and amended in the course of the mission to adapt to the demands on the ground so that the criterion of mandate implementation is not a consistent one for each case.

For a quantitative comparative analysis, exogenous criteria of success are more practicable because they are comparable across cases. By assembling data from publicly available datasets, one can ensure that data from a particular dataset are based on the same underlying definitions, coding rules, and methods of data collection. Plus, when data are drawn from a number of independent sources and are averaged for each case, this yields more accurate information for each case than a case-specific evaluation. For 22 intervention cases, the assignment of outcome values based only on the researcher’s substantive and theoretical knowledge, as advocated by Ragin (2008a: 184) for the fs/QCA analysis, would require enormous research efforts and would necessarily be arbitrary to some degree.

Yet, some general problems occur when using publicly available data instead of collecting own data through field research. The main problem is the lack of data: some interesting datasets cover only certain groups of cases or years. Quite a number of ambitious data projects have emerged in recent years but data are mostly not backdated prior to the starting year of the project. This makes it difficult to collect data on how certain indicators have changed over time within a specific country. But even if datasets cover many decades, data

⁶¹ For overviews of these criteria see Howard (2008: 6-8), Durch and Berkman (2006: 15-16), and Fortna (2004).

⁶² <http://www.un.org/en/peacekeeping/missions/past/minuguanmandate.html>

might not be available for certain cases, either because some countries have only been created quite recently (e.g. in the course of the break-up of Yugoslavia or after an independence war) or because an ongoing conflict makes data collection impossible. Especially when the units of analysis in a specific dataset are both conflict and non-conflict cases and the topic of interest is not specifically conflict-related (e.g. governance or state failure), these datasets will mostly not have any information on states in conflict.

The success of external peacebuilding will be measured on two distinct dimensions: a short-term and a medium-term outcome – security and statehood. The short-term outcome refers to the termination of violence and the provision of public security; the medium-term outcome assesses the level of statehood by considering aspects of governance. Both together constitute a ‘sustainable peace’ (Reychler, 1999: 23, 72; Reychler and Pfaffenholz, 2001)⁶³.

1.2.1.1. Security

For an intervention to be considered successful, conflict violence – both battle-related and civilian-targeted – must have ceased significantly and there should generally be a certain level of public order in the post-conflict state. Therefore, the security situation in a post-conflict state will be operationalized on two dimensions: First, the level of residual violence resulting from the previous conflict and, second, the general level of public security in the state. Data are collected at two years after the start of the mission.

As up to 90% of the casualties in an internal war are non-combatants (Hill, 2002: ix), the ending of violence and the protection of civilians is the prime responsibility of the interveners (Holt et al., 2009). An environment of public order and security and the realization of the most basic human needs is also the basis of all other peacebuilding tasks (Chesterman, 2004: 99; de Zeeuw, 2001; Dobbins et al., 2007: xxxvii; Guttieri and Piombo, 2007: 319). If more ambitious undertakings, like institution building, security sector reform, or democratization, cannot be adequately implemented due to a fragile security situation on the ground, this would not only waste considerable resources but it could also jeopardize the legitimacy that the externals need to build up with the host government and the local population.

Three institutions provide measures for the level of residual conflict intensity: the Heidelberg Institute for International Conflict Research (HIIK)⁶⁴, the Uppsala Conflict Data Program (UCDP)⁶⁵, and the Political Risk Services Group (PRS)⁶⁶. The Conflict Barometers of HIIK provide yearly data beginning in 1992 on the intensity of internal conflicts and cover both violent and non-violent conflicts. On a scale from 0 to 5, higher values indicate more severe conflicts.⁶⁷ The conflict intensity level of UCDP is only coded in three categories and follows very stringent coding rules: (1) no conflict with no battle-related deaths; (2) minor conflict with at least 25 but less than 1 000 battle-related deaths in a given year; and (3) war with at

⁶³ According to Reychler (1999: 23, 72), sustainable peace is characterized by (1) the absence of physical violence, (2) the elimination of unacceptable political, economic and cultural forms of discrimination, (3) self-sustainability, (4) a high level of internal and external legitimacy or approval, and (5) a propensity to enhance the constructive transformation of conflicts.

⁶⁴ <http://www.hiik.de/en/konfliktbarometer/index.html>

⁶⁵ http://www.pcr.uu.se/research/UCDP/data_and_publications/datasets.htm

⁶⁶ <http://www.prsgroup.com/ICRG.aspx>

⁶⁷ On methodology see http://www.hiik.de/en/methodik/methodik_ab_2003.html

least 1000 battle-related deaths in a year.⁶⁸ The International Country Risk Guide (ICRG) by the Political Risk Services Group presents data for risk forecasting on political, financial, and economic risks. The political risk rating includes an indicator on internal conflict and political violence in a country. The highest rating of 12 is assigned when there is no armed or civil opposition to the government and the government does not indulge in arbitrary violence, direct or indirect, against its own people. The lowest rating of 0 is given to a country with ongoing civil war.⁶⁹

Another three indicators are used to depict the general security situation in the country two years after the start of the mission. These indicators are not conflict-related and measure violence committed by the state against the people and violence against the state.

The first indicator is “Political Stability and Absence of Violence” by the World Bank. The World Bank Governance Indicators report data on six dimensions of governance for 212 countries and territories over the period 1996–2008 (Kaufmann et al., 2009). The indicator Political Stability and Absence of Violence/Terrorism “measures the perceptions of the likelihood that the government will be destabilized or overthrown by unconstitutional or violent means, including domestic violence and terrorism.”⁷⁰ The scores are based on surveys of firms and individuals, as well as the assessments of commercial risk-rating agencies, nongovernmental organizations and think tanks, and multilateral aid agencies. They range from -2.5 (indicating bad governance) to 2.5 (indicating good governance).

The second indicator of general violence, the Political Terror Scale, measures levels of political violence and “state terror” in a particular year. State terror is defined as “violations of physical or personal integrity rights carried out by a state (or its agents)” and includes abuses such as extrajudicial killings, torture or similar physical abuse, disappearances, and political imprisonment (Wood and Gibney, 2010: 369). Political terror is measured on five levels ranging from Level 5 (“Terror has expanded to the whole population. The leaders of these societies place no limits on the means or thoroughness with which they pursue personal or ideological goals.”) to Level 1 (“Countries under a secure rule of law, people are not imprisoned for their views, and torture is rare or exceptional. Political murders are extremely rare.”).⁷¹ Data are drawn from two different sources: the yearly country reports of Amnesty International and the U.S. State Department Country Reports on Human Rights Practices.⁷² The combined scores of both sources are used here.

The third indicator is a score of religious and ethnic tensions within a state. Religious⁷³ and ethnic⁷⁴ tensions are two of the 12 components of the political risk assessment provided by

⁶⁸ http://www.pcr.uu.se/research/UCDP/data_and_publications/definitions_all.htm#i

⁶⁹ http://www.prsgroup.com/ICRG_Methodology.aspx

⁷⁰ <http://info.worldbank.org/governance/wgi/faq.htm>

⁷¹ <http://www.politicalterror scale.org/about.php>

⁷² <http://www.politicalterror scale.org/about.php>

⁷³ “Religious tensions may stem from the domination of society and/or governance by a single religious group that seeks to replace civil law by religious law and to exclude other religions from the political and/or social process; the desire of a single religious group to dominate governance; the suppression of religious freedom; the desire of a religious group to express its own identity, separate from the country as a whole. The risk involved in these situations range from inexperienced people imposing inappropriate policies through civil dissent to civil war.” See http://www.prsgroup.com/ICRG_Methodology.aspx.

⁷⁴ “This component is an assessment of the degree of tension within a country attributable to racial, nationality, or language divisions. Lower ratings are given to countries where racial and nationality tensions are high because

the Political Risk Services Group in their International Country Risk Guides (ICRG). The combined, unweighted tensions score ranges from 0 (indicating a very high risk of political instability due to religious and ethnic tensions) to 6 (indicating a very low risk). Since these tension assessments are partly conflict-related, the ratings will be lower for countries that have just overcome religious or ethnic conflict although they may be well on the way to solving underlying hostilities.

Table 2 gives the individual raw scores of all six security indicators for each country case two years after the start of the intervention. All these scores were then transformed into fuzzy set membership scores (see part IV.2.3.). All transformed values were averaged to indicate membership in the set ‘countries with high security’ (last column in Table 2).

Country Case	t2	HIK Conflict Intensity	UCDP Conflict Intensity	ICRG Internal Conflict	WB Political Stability and Absence of Violence	Political Terror Scale	ICRG Combined Tension Score	Set Membership Score, Cases of High Security'
Afghanistan	2003	4	1	~	-2.00	4.0	~	0.19
Angola	1990	5	2	3.00	~	4.0	3.50	0.26
Bosnia	1997	3	0	~	-0.50	3.5	~	0.60
Burundi	2005	4	1	~	-1.41	4.5	~	0.26
Cambodia	1993	0	1	~	~	4.0	~	0.47
Central African Republic	1999	1	0	~	-1.25	3.0	~	0.72
Côte d'Ivoire	2004	4	1	7.63	-2.19	4.5	2.00	0.30
Croatia	1998	1	0	~	0.04	3.0	~	0.79
DR Congo	2001	5	1	7.21	-2.65	4.5	2.00	0.26
East Timor	2001	3	0	~	-0.15	2.0	~	0.74
El Salvador	1993	0	0	8.50	~	3.5	5.00	0.81
Georgia	1995	4	0	~	~	3.0	~	0.53
Guatemala	1996	3	0	10.00	-1.38	4.0	4.00	0.64
Kosovo	2001	3	0	~	~	~	~	0.65
Liberia	2005	2	0	8.08	-1.41	3.0	3.00	0.69
Mozambique	1994	5	0	5.67	~	3.0	3.33	0.57
Namibia	1991	0	0	4.00	~	2.0	1.83	0.68
Rwanda	1993	5	1	~	~	4.0	~	0.17
Sierra Leone	1999	5	2	5.67	-2.15	5.0	2.00	0.20
Somalia	1995	5	1	2.00	~	4.5	1.58	0.16
Sudan	2004	5	2	7.67	-1.84	5.0	1.96	0.26
Tajikistan	1995	5	1	~	~	2.5	~	0.33

Table 2: Security Indicators and Overall Degrees of Membership in the Set ‘Cases of High Security’

opposing groups are intolerant and unwilling to compromise. Higher ratings are given to countries where tensions are minimal, even though such differences may still exist.”

See http://www.prsgroup.com/ICRG_Methodology.aspx.

1.2.1.2. Statehood

In addition to the creation of an environment of immediate safety and security for the population, peacebuilders aim at building long-term local capacities and institutions for the non-violent resolution of societal conflicts. An assessment of the outcome of peace missions must therefore not only evaluate how safe people are in their country but also to what extent the (reconstructed) state can effectively guarantee that safety and security in the long run, whether it protects the civil and human rights of its citizens, and how well it performs its various functions. The concept statehood measures not primarily the existence of certain state institutions or the ‘state design’ but rather their quality or institutional capacity in a Weberian sense.⁷⁵ There are a number of publicly available datasets that capture various aspects and features of statehood, including the institutional set-up, the quality of state institutions, rule of law, human rights and civil liberties, democracy levels, or state failure.

Since all data are collected at five years after the start of the mission, datasets that cover only selected years (like the Bertelsmann Transformation Index⁷⁶) or datasets on concepts that are relatively new in political science research and that do not go back in time (like the Failed States Index⁷⁷) cannot be used. Even more problematic than in the security datasets is the large number of missings for countries in or emerging from conflict. State structures have often collapsed during internal conflict and/or it is not possible to collect reliable data. This problem is tackled here by using a multitude of indicators, so that a meaningful averaged statehood score can be determined even with some missings.

Also due to lack of data, it is merely possible to take a snapshot of the outcome instead of comparing pre-war levels of statehood with the levels of statehood five years after mission start. This practice has one critical disadvantage: It does not allow for measuring improvement or deterioration in terms of statehood due to the war and the peace mission. It is therefore not feasible to measure the concept ‘recovery’ or ‘re-construction of statehood’, although this would be the intention. But assuming that in many cases of conflict state structures have collapsed completely, the levels of statehood five years after the start of the mission still serve as a useful indicator of the degree to which the state is being rebuilt. Five years after the start of the mission, states with high levels of statehood before the war should find it easier to arrive back at similar levels, so that the effect of context is not lost. Using the five-year time frame, however, also creates the problem that in many cases in the sample the mission is still ongoing full-size. The indicators would therefore to some degree measure statehood that is provided by the external actors, which is an expression of the administrative effectiveness of the mission rather than of the post-conflict state. A longer time frame than five years would make it more difficult to capture the effects of the factors under study.

The concept of statehood will be operationalized on three dimensions: governance, democracy, and dependence on foreign aid. One aspect of governance is the effectiveness and autonomy of the government and the bureaucracy. The World Bank indicator of government effectiveness measures “the quality of public services, the quality of the civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government’s commitment to such policies.”⁷⁸ It

⁷⁵ For a discussion of the distinction between the two approaches see Call and Wyeth (2008: 8ff).

⁷⁶ See <http://www.bertelsmann-transformation-index.de/11.0.html>.

⁷⁷ See http://www.fundforpeace.org/web/index.php?option=com_content&task=view&id=99&Itemid=140.

⁷⁸ See <http://info.worldbank.org/governance/wgi/faq.htm>.

ranges from -2.5, indicating bad governance, to 2.5, indicating good governance. Similarly, the ICRG provides an indicator of bureaucratic quality with a maximum score of 4 “given to countries where the bureaucracy has the strength and expertise to govern without drastic changes in policy or interruptions in government services” and where “the bureaucracy tends to be somewhat autonomous from political pressure and to have an established mechanism for recruitment and training.”⁷⁹ Good governance also includes the prevalence of the rule of law. The World Bank indicator Rule of Law measures the “extent to which agents have confidence in and abide by the rules of society, in particular the quality of contract enforcement, the police, and the courts, as well as the likelihood of crime and violence.”⁸⁰ The ICRG assesses law and order separately, assigning a maximum of three points each: “The Law sub-component is an assessment of the strength and impartiality of the legal system, while the Order sub-component is an assessment of popular observance of the law.”⁸¹ As a third component of governance, the level of corruption in a post-conflict state is included. It is calculated as the average of the Corruption Perception Index provided by Transparency International⁸² and the ICRG corruption indicator. Corruption can occur in the form of “excessive patronage, nepotism, job reservations, 'favor-for-favors', secret party funding, and suspiciously close ties between politics and business.”⁸³

The level of democracy will be used as the second dimension of statehood. Although a number of authors have rightfully argued that the introduction of a flawless liberal democracy may neither be suitable nor feasible in countries of non-Western culture and traditions of government, certain elements of publicly available indicators of democracy are useful for measuring the functionality of state institutions. Therefore, democracy will be treated as only one of three dimensions of statehood. It combines the Polity index, the ICRG risk scores of Democratic Accountability, and the Freedom in the World scores. On a scale ranging from +10 (strongly democratic) to -10 (strongly autocratic)⁸⁴, the Polity2 score captures the competitiveness of political participation, the regulation of participation, the openness of executive recruitment, the competitiveness of executive recruitment, and constraints on the chief executive. The second measure for democracy, the ICRG score for Democratic Accountability, indicates how responsive the government of a state is to its people. A maximum of 6 points is awarded according to hierarchic types of governance.⁸⁵ Focusing more on the individual, the Freedom in the World Index as a third measure for democracy gives the political rights (PR) and civil liberties (CL)⁸⁶ of the people in a country on a scale from 1 (free) to 7 (not free).

⁷⁹ See http://www.prsgroup.com/ICRG_Methodology.aspx.

⁸⁰ See <http://info.worldbank.org/governance/wgi/faq.htm#2>.

⁸¹ See http://www.prsgroup.com/ICRG_Methodology.aspx.

⁸² See http://www.transparency.org/policy_research/surveys_indices/cpi/2009.

⁸³ See http://www.prsgroup.com/ICRG_Methodology.aspx.

⁸⁴ A Polity score of 0 is assigned to cases of “interregnum” or anarchy, or transitions following a year of independence. <http://www.systemicpeace.org/inscr/inscr.htm>

⁸⁵ The types are alternating democracy, dominated democracy, de-facto one-party state, de jure one-party state, autarchy (in descending order). See http://www.prsgroup.com/ICRG_Methodology.aspx.

⁸⁶ “Political rights enable people to participate freely in the political process, including the right to vote freely for distinct alternatives in legitimate elections, compete for public office, join political parties and organizations, and elect representatives who have a decisive impact on public policies and are accountable to the electorate. Civil liberties allow for the freedoms of expression and belief, associational and organizational rights, rule of law, and personal autonomy without interference from the state.”

See http://www.freedomhouse.org/template.cfm?page=351&ana_page=341&year=2008.

The third dimension of statehood is economic strength, which is operationalized as the amount of official development assistance (ODA) in percent of the gross national income.⁸⁷ Unlike GNI, GDP, or GDP per capita, this is a good indicator of a country's dependence on foreign assistance and, consequently, of its economic strength in terms of economic autonomy.

All raw scores are summarized in Table 3 below. The scores of each individual indicator were transformed into fuzzy set membership scores; their average is given in the last column as the overall membership of each case in the set 'countries with high statehood'.

⁸⁷ "Net official development assistance (ODA) consists of disbursements of loans made on concessional terms (net of repayments of principal) and grants by official agencies of the members of the Development Assistance Committee (DAC), by multilateral institutions, and by non-DAC countries to promote economic development and welfare in countries and territories in the DAC list of ODA recipients. It includes loans with a grant element of at least 25 percent (calculated at a rate of discount of 10 percent). Data are in current U.S. dollars." See <http://data.worldbank.org/indicator/DT.ODA.ODAT.GN.ZS/countries/latest?display=default>.

Country Case	t3	WB Government Effectiveness	ICRG Bureaucratic Quality	WB Rule of Law	ICRG Law and Order	TI Corruption Perception Index	ICRG Corruption	Polity2	Freedom in the World Combined Score PR and CL	ICRG Democratic Accountability	WB ODA as % of GNI	Set Membership Score ,Cases of High Statehood'
Afghanistan	2006	-1.37	~	-2.07	~	~	~	~	5.0	~	36.19	0.27
Angola	1993	~	1.00	~	1.00	~	3.00	-1	7.0	3.00	8.93	0.33
Bosnia	2000	-0.84	~	-0.63	~	~	~	~	4.5	~	12.43	0.60
Burundi	2008	-1.21	~	-1.07	~	1.9	~	6	4.5	~	43.89	0.49
Cambodia	1996	-1.02	~	-1.19	~	~	~	1	6.0	~	12.17	0.39
Central African Republic	2002	-1.59	~	-1.16	~	~	~	5	5.0	~	5.83	0.51
Cote d'Ivoire	2007	-1.36	0.00	-1.54	2.50	2.1	1.50	0	6.0	2.00	0.90	0.36
Croatia	2001	0.31	3.00	0.06	5.00	3.9	3.83	8	2.0	5.00	0.55	0.91
DR Congo	2004	-1.61	0.00	-1.82	1.00	2.3	1.00	3	6.0	1.00	29.09	0.23
East Timor	2004	-0.65	~	-0.83	~	~	~	6	3.0	~	35.80	0.65
El Salvador	1996	-0.19	1.00	-0.77	3.00	~	3.00	7	3.0	4.00	2.94	0.72
Georgia	1998	-0.65	~	-1.21	~	~	~	5	3.5	~	5.48	0.67
Guatemala	1999	-0.41	2.00	-0.87	2.00	3.2	4.00	8	3.5	4.00	1.62	0.74
Kosovo	2004	~	~	~	~	~	~	~	5.5	~	~	0.55 ⁸⁸
Liberia	2008	-1.36	0.00	-1.23	2.08	2.1	2.33	6	3.5	5.50	185.85	0.45
Mozambique	1997	-0.21	1.17	-0.96	3.00	~	4.00	6	3.5	3.42	26.51	0.61
Namibia	1994	~	3.50	~	5.00	~	5.00	6	2.5	4.00	4.15	0.86
Rwanda	1996	-1.23	~	-1.49	~	~	~	-6	6.5	~	34.00	0.21
Sierra Leone	2002	-1.54	0.00	-1.33	3.00	~	2.75	5	4.0	1.75	42.41	0.39
Somalia	1998	-2.06	0.00	-2.25	2.00	~	1.00	0	7.0	0.00	~	0.13
Sudan	2007	-1.15	1.00	-1.47	2.50	1.8	1.00	-4	7.0	2.00	5.07	0.34
Tajikistan	1998	-1.44	~	-1.53	~	~	~	-1	6.0	~	12.48	0.27

Table 3: Statehood Indicators and Overall Degrees of Membership in the Set ‘Cases of High Statehood’

1.2.2. Constructing a Measure of the Scale of Peace Missions

One of the objectives of this study is to present an innovative operationalization of the concept ‘mission intrusiveness’. It is composed of the two sub-concepts scale and scope. The scale of peace missions is an expression of its visibility or presence. The more visible a peace mission is to the parties of the conflict and to the people, the more it can bring in the weight and authority of the international community and therefore act as a credible guarantor for those endorsing the peacebuilding agenda and as an enforcer for those rejecting it. Scale is operationalized as an index of the duration, the manpower and the costs of a peace mission. In

⁸⁸ Because of Kosovo’s unclear status, the territory is not included in most datasets. Only Freedom House offers scorings on political rights and civil liberties, beginning in 1993. Hence, Kosovo is the only case in the sample for which the final set membership score is not based on publicly available indicators for statehood but on the researcher’s own assessment based on field research (see part V.1.).

order to distinguish missions in countries with a large population from missions in small countries, the score is weighted by the population size. Hence, the scale of a peace mission is calculated as⁸⁹:

$$\text{Scale} = \text{Duration} * (\text{Personnel} * \text{Resources} / \text{Population})$$

This section will present descriptive data on the cases in the sample and will show how the duration, the manpower, and the costs of peace missions have changed over the last 20 years.

1.2.2.1. Duration

Of the 22 missions in the sample that have been established since 1989 only ten have been completed yet (Figure 14). Hence, any concluding remarks on the duration of the missions in the sample are of limited value.

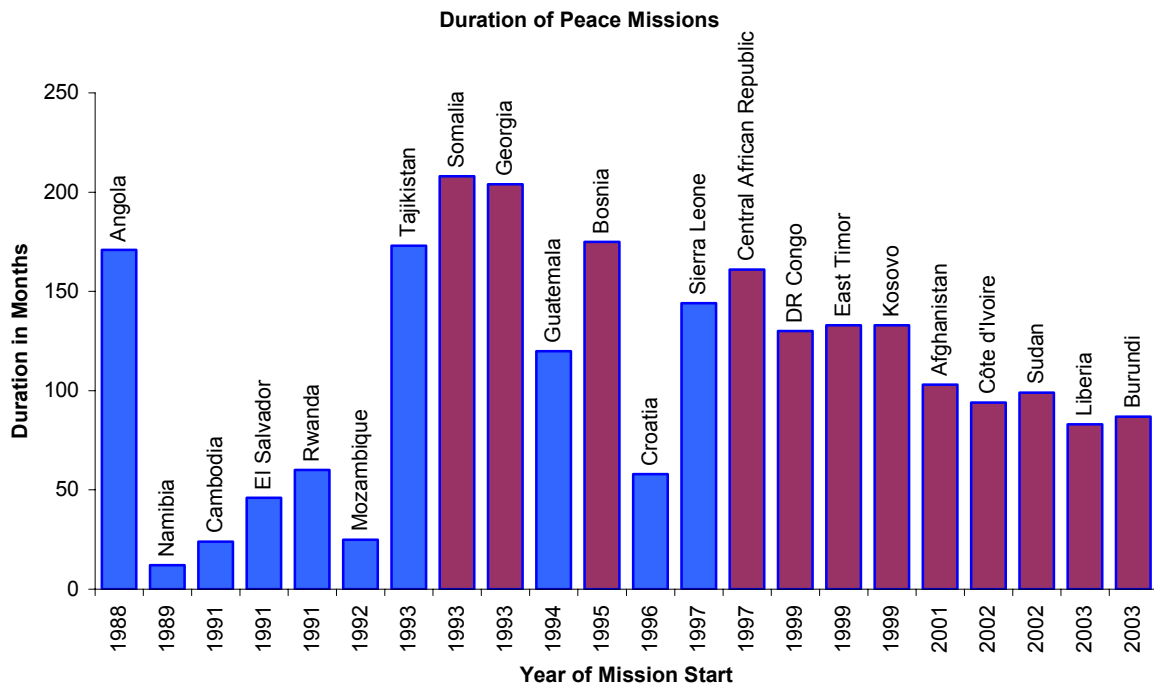


Figure 14: Duration of Peace Missions in the Sample⁹⁰

⁸⁹ For illustration, duration is excluded from the parentheses in the formula, since it does not make sense to calculate the duration per person. In form, it does not matter whether duration is included in the parentheses or not.

⁹⁰ Note: Blue bars represent terminated missions; red bars represent ongoing missions (as of June 2010).

The start of a peace mission is coded as the month of the deployment of the first personnel of either a mandated UN mission or a mission led by another external actor that was deployed ahead of the UN Mission but within its larger framework⁹¹. The end of a peace mission is coded as the month of the official withdrawal of the mission or of the last of a series of missions. In some cases, the end date is difficult to determine due to a gradual ‘fading out’ of a mission in terms of a continuous pull-out of staff. Often, a number of consecutive smaller missions are established, of which some consist only of field offices with a handful of civilian staff. For the purpose of stringency, the end date of a mission is coded as the month of the official termination of any mission that is listed by the UN as an official peacekeeping or peacebuilding or political mission. For all ongoing missions, the provisional end date is coded as the time of writing, June 2010.

The mission with the shortest duration in the sample is Namibia which was deployed for only 12 months and was terminated swiftly after successfully completing its mandate. The mission with the longest duration in the sample with a total of 208 months or more than 17 years – and ongoing – is Somalia. On average, all peace missions lasted 111.0 months or more than nine years. However, since the final duration of peace missions will only be known upon their finalization in the future, this figure will increase further. The average duration of the completed missions is 94.3 months or almost eight years. Collier and Hoeffler (2004a: 22) state that external peace enforcement within a UN framework is the most effective tool for reducing the incidence of civil war if it is maintained for at least a decade after the end of the war during which the risks of reversion to conflict are very high.

Although peace missions are not quick and easy undertakings, the temporary nature of peace missions is stressed by everybody involved. However, the data show that peace missions can become institutionalized themselves, especially in the absence of a functioning domestic government. When the ends and objectives are ill-defined, time frames and exit strategies are difficult to devise beforehand which has resulted in a number of open-ended peace missions that last for many years or even decades. The cases in our sample support the supposition that peace missions can be terminated after a fixed time-span when their objectives are clearly defined in the mandate and that they stay on the ground much longer than originally foreseen when their mandates are vague and when their objectives are ambitious and of a political nature rather than realistic and clear-cut peacekeeping or peacebuilding efforts.

In four particular cases in the sample, Namibia, El Salvador, Mozambique and Cambodia, the missions were able to depart swiftly upon successful completion of their mandates although some of these included broad peacebuilding tasks.

In Namibia, UNTAG had a clear and limited political mandate for election monitoring and achieved to withdraw nine days before the expiration of the one-year mandate after elections were held successfully (Hartmann: 22, 24). ONUSAL in El Salvador was given a more wide-ranging mandate than the mission in Namibia and has even experienced two subsequent enlargements to its mandate, which included the verification and monitoring of the implementation of the peace agreements, including demobilization, and election monitoring. Yet, ONUSAL completed its mandate according to schedule after almost four years of deployment and only a small group of UN civilian personnel remained in the country to provide good offices. ONUMOZ in Mozambique was designed as a similarly comprehensive

⁹¹ i.e. welcomed, authorized, endorsed, commended or approved by UN Security Council Resolutions

mission but the mandate clearly specified the mission's objectives consisting of four interrelated components: military, political, electoral and humanitarian. Although the mandate of ONUMOZ had to be revised and extended due to the postponement of the elections, it ended after 24 months, one month after the elections had been conducted (Manning: 34, 35).

The mission in Cambodia provides a good example of a very comprehensive mission that successfully completed its mandate within the short timeframe of about two years. UNTAC was the first mission since 1990 that was designed as an interim civil administration mission. In addition to its executive functions in five key sectors, it was tasked with a variety of peacebuilding activities. Yet, despite these wide-ranging competencies, UNTAC did not become institutionalized and its mandate ended with the promulgation of a new constitution and the formation of the new Cambodian government.

In contrast to those four 'success stories', the mission in Rwanda was of such short duration due to its inaptitude. The mandate of UNAMIR was revised when the mission woefully failed to fulfill its objectives of implementing the Arusha peace agreement which paved the way for the Rwandan genocide. A new, slimmer mission was created that was tasked merely with the provision of security to internally displaced people, refugees and civilians. UNAMIR was terminated after two years when the security situation was stable and the Rwandan government turned down requests for extension (Hayman, 2009: 33, 35).

Apart from the tragic case of Rwanda, these examples from the sample prove many critics of peace missions wrong who attribute failures in peace processes primarily to unrealistically short mission mandates. It may rather be the case that targeted, custom-made peace missions with straightforward mandates provide only additional assistance to peace and reconstruction processes that are otherwise in the hands of domestic institutions. They may even be perceived as incentives by domestic actors to become engaged in peacebuilding and institutional reconstruction themselves and not to rely on outside assistance for many years. Of course, the design of a peace mission depends very much on the context and on the situation on the ground, namely the capacities of the domestic actors. However, it is striking that none of the missions that were established since 1997 have been able to leave. Either, conflicts have become more severe and peacebuilding much more difficult, or external actors have become more willing to engage for longer and mission mandates have become more ambitious.

Examples of very ambitious mandates are Bosnia, Kosovo and Afghanistan, which are all ongoing missions. Their mandates encompass not only the task of securing peace and stability. Their objectives are essentially the construction of functioning multi-ethnic democracies. The problem is that these broad and vaguely formulated mandates (or the peace agreements on which they are based) provide neither explicit guidance on how these objectives can be achieved nor clear timeframes and exit strategies. In Bosnia, the objective was the establishment of a functioning and democratic multi-ethnic state (General Framework Agreement for Peace in Bosnia and Herzegovina). The UN interim administration UNMIK in Kosovo aimed at "establishing [...] the development of provisional democratic self-governing institutions to ensure conditions for a peaceful and normal life for all inhabitants of Kosovo" (UN Security Council Resolution 1244, Art. 10). In Afghanistan, the US prioritization of counter-terrorism was incorporated into larger democratization efforts under UN auspices, and neither the US nor the UN has an exit strategy (Nixon and Whitty: 49). In these three missions, the hand-over of competencies to domestic institutions becomes more difficult with time and the mission got 'trapped'. Analysts call this situation 'mission creep' when a mission

is prevented from leaving because it has become institutionalized while it is at the same time not able to complete its ambitious mandate.

1.2.2.2. Manpower

The trend of increased demands on peace missions regarding their aims and objectives is reflected in the staff figures of the missions in the sample. Overall, there is an observable increase in the total numbers of deployed personnel over time. Figures for the maximum total staff of the peace missions in the sample range from less than 500 in the case of Georgia and Guatemala to 121,000 in the case of Afghanistan⁹². This variation, of course, affects the visibility of the peace missions and is therefore the key factor of how intrusive a mission is perceived by the actors in the post-conflict state.

For analytical purposes, it is more useful to examine the total staff figures on a per capita basis than to focus on the absolute numbers. Figure 15 below shows that the more recent missions in Kosovo (30.51 staff per 1,000 inhabitants), Bosnia (14.14) and East Timor (12.57) rank highest on that indicator, while the missions in Rwanda, Croatia, Mozambique, Côte d'Ivoire, the Democratic Republic of Congo, the Central African Republic, Angola, Sudan, El Salvador, Georgia, and Guatemala all deployed less than one mission staff member per 1,000 inhabitants. The average number of mission staff in the sample is 4.47 per 1,000 inhabitants.

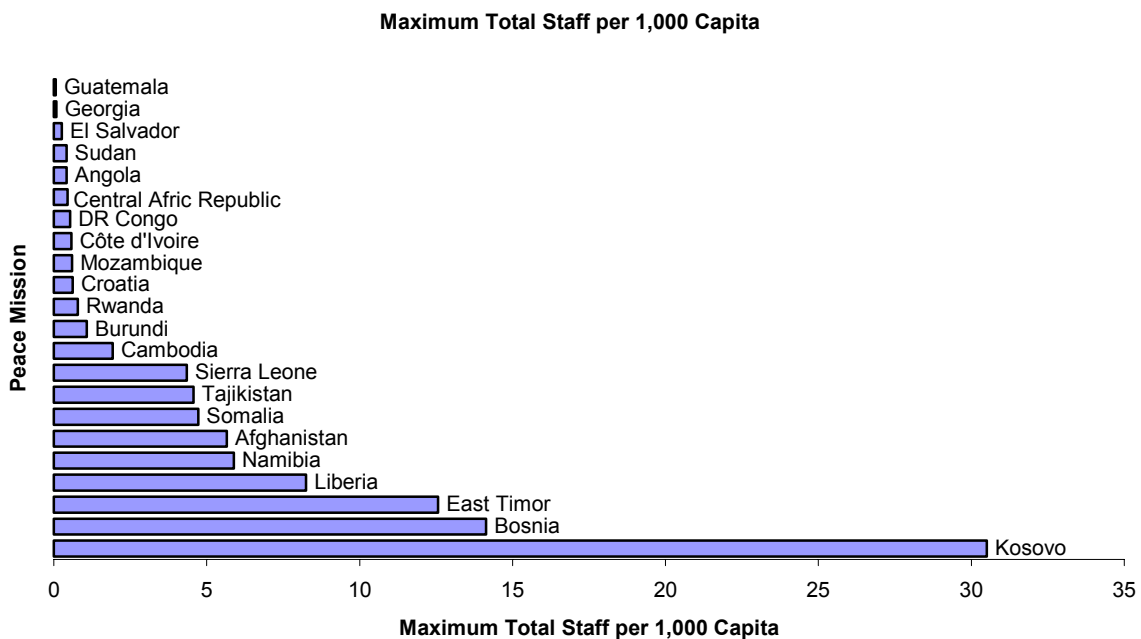


Figure 15: Maximum Total Staff per 1,000 Capita of Peace Missions in the Sample⁹³

⁹² as of June 2010

⁹³ The total staff includes armed personnel, military observers, civilian police, international civilian staff, local civilian staff, and UN volunteers but no election monitors. The figure adds the total maximum military and civilian personnel. The respective contingents might not have been deployed within the same year, but generally the peak staff figures vary by two years at most. Sources: for staff figures <http://www.un.org/en/peacekeeping>;

More appealing than the total staff figures is a break down of these figures into military and civilian personnel. As the UN adjusted its predominantly military orientation of traditional peacekeeping to more consensus-oriented peacebuilding activities, civil components of multidimensional peacebuilding missions have become an important activity field of its own. And they require specifically trained civilian personnel since the peacebuilding and statebuilding activities of these missions are not within the range of classical duties and competencies of UN blue helmets. Thus, one would expect to see a strict division of labor where military troops are in charge of establishing security on the ground, while civilian UN staff and a multitude of international and non-governmental organizations are engaged in various civilian statebuilding activities.

However, contrary to the presumption that the more recent multidimensional peacebuilding missions require large numbers of civilian staff to perform institution building and statebuilding tasks, the data do reveal that these missions are characterized by much higher troop contingents than the earlier missions in the sample, while there has not been an equivalent change in the number of civilian personnel (Figure 16).

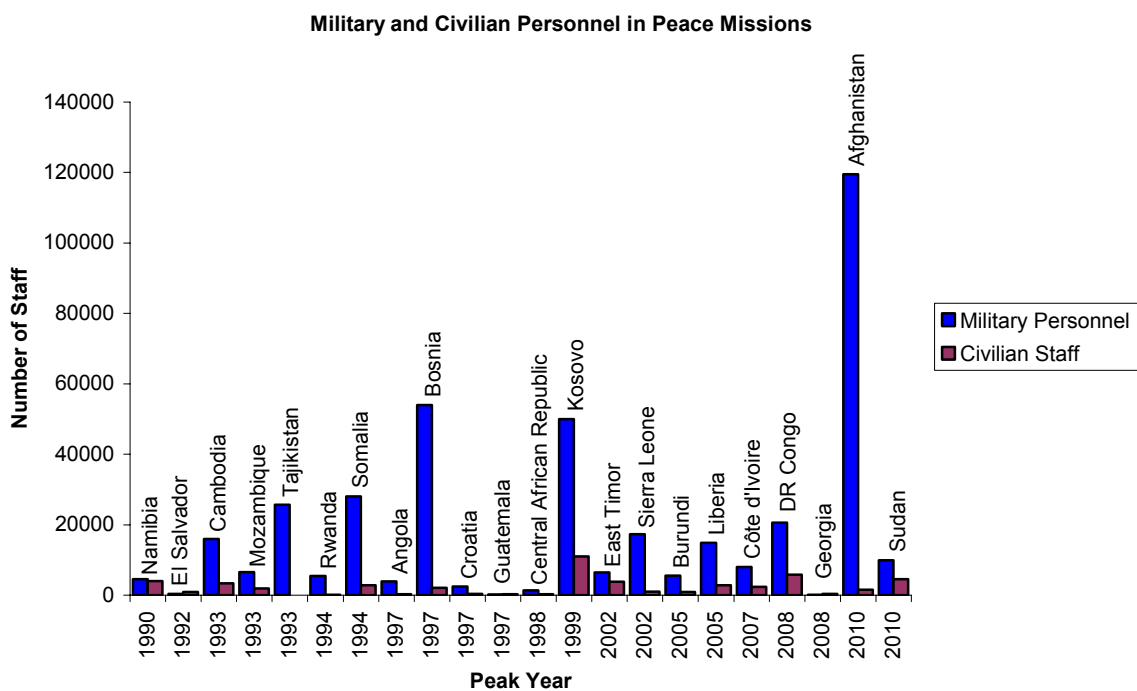


Figure 16: Military and Civilian Personnel of Peace Missions in the Sample⁹⁴

for population figures Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat. 2007. World Population Prospects: The 2006 Revision. Dataset on CD-ROM. New York: United Nations at <http://www.un.org/esa/population/ordering.htm>.

⁹⁴ Military personnel refers to troops, including any infantry, logistics, engineering, air, medical, mov-con, staff, and also military observers. Civilian staff includes civilian police, international staff, local staff, and UN Volunteers; it does not include election monitors.

The de facto “remilitarization of peace missions”⁹⁵ can be explained by various factors. Partly out of necessity, partly based on strategic considerations, troops have been required to perform tasks for which they are normally not equipped nor trained. These include classical peacebuilding tasks, like security sector reform, policing and police training, but also a range of reconstruction and development assistance efforts.

First, a very practical reason is that troop contributing countries are compensated by the UN for every soldier, so it is in their economic interest to send out more national soldiers to UN peace missions and to increase their portfolio of responsibilities. Up to half of all blue helmets in recent peace missions, e.g. UNMIS in Sudan, are so-called ‘enabling units’. Their main duties are the construction and administration of the site. They are not in charge of providing security. In the past, these responsibilities had been mainly outsourced to private contractors and were thus not included in mission statistics.

Also, the military is usually the first on the ground. Especially when the security situation is tense, troops and military support personnel are quickly deployed to restore order and provide basic security services. When the troop contributing countries have agreed on the respective contingents, it is normally only a matter of days until the troops arrive on the ground, while it may take months to recruit and prepare the civilian staff. The reason is that the troop contributing countries draw from their standing armies, whereas civilian experts need to be recruited specifically for the respective mission. In Kosovo, for example, KFOR deployed within a few days but it took about six months before UNMIK was operational. Since no other authority was present, KFOR took on a range of civilian tasks during that first half year, including the provision of public safety and security, the allocation of humanitarian aid and medical care, reconstruction of infrastructure and logistics, rebuilding of schools and hospitals, traffic regulation, and waste management (Rossbacher, 2004: 164f).

It is often argued in the literature that much of the overall success of a comprehensive mission depends on how the first-priority duty of establishing security on the ground is accomplished (Hill, 2002: 51) but recent experiences have shown that there is no evident sequencing of establishing ‘security first’ and fostering civilian reconstruction second. Instead, military and civilian actors mostly work parallel and become increasingly entangled at the nexus between security provision and civilian statebuilding, not only in the areas of DDR and SSR. Hence, civil-military coordination has become one of the key challenges.

Third, the troops can go to places where the security situation is untenable. Not only in the early phases of a peace mission but generally in situations where the security situation is so tense that civilian staff cannot be sent or must be withdrawn, basic services are provided by UN blue helmets (or troops of other affiliation).

Fourth, there is an increased demand for military troops, military police, and military observers to secure the civilian components of multidimensional peacebuilding missions. All missions in the sample entail certain democratization elements, even if it is only the organization of elections. Peacebuilders are faced with the challenge of having to reconcile the establishment of stability and security on the ground with the introduction of vital democratic competition, which are inherently conflicting undertakings (Jarstad, 2008). The

⁹⁵ Interview with Peter Schumann, former head of Public Services with UNMIK in Kosovo and UNMIS representative in South Sudan.

troops are stationed at that nexus of security and democratization to safeguard this process. The use of coercive force may be necessary to control spoilers who want to profit from the uncertainty of the peace process by trying to take power by force or violently disturbing the elections.

An indication for the re-militarization of peace missions is the increased importance of peace enforcement. Of all 22 missions in the sample, only six – namely Angola, Cambodia, El Salvador, Georgia, Mozambique, and Namibia – were missions with a Chapter VI mandate that permits the use of force only for self-defense.⁹⁶ These six missions were installed before or in 1994. All missions that were established after 1994 received a robust Chapter VII mandate which warrants the active use of force for the realization of the mission's stated objectives and not just for self-defense. Those operations that were authorized by the Security Council but not led by the UN or noted and/or recognized but not explicitly authorized by UN were also authorized to use coercive force by their respective mandating organizations or governments.⁹⁷

Fifth, not only the control of potential spoilers is one of the motives behind increased military deployment but also the ambition to win the “hearts and minds” of the population. Military troops have increasingly taken on civilian tasks with the intention to improve visibility of peacebuilding and reconstruction efforts for the population and thereby to enhance acceptance of the peace mission and the troops. The ostensive take-over of civilian tasks by military troops and improved communication between the military and the population are considered “confidence-building measures” that prevent resistance among the population and avert insurgencies and rebellion. If the troops can win the recognition and even the enthusiasm of the population, it will be easier to manage the security situation, according to this rationale. Here again, the strong link between security and peacebuilding is emphasized. Afghanistan is one case in the sample where confidence-building measures by the ISAF troops and civil-military cooperation by the Provincial Reconstruction Teams (PRTs) were applied.

Finally, from a rational choice perspective, national or organizational interests determine the deployment of troops and the respective military measures taken. In our sample, one can make out a link between the strategic interests of external actors and their military engagement in peace missions, including the number of troops and the enforcement level of the mandate. In cases where a state or a group of states has a vital interest and is prepared to take on a leadership role it will primarily send troops and not civilian staff. The UN relies on the member states to contribute military staff, but the majority of civilian personnel are recruited by the UN DPKO human resources department in a standardized recruitment process, except for high ranking officials which are deployed based on political considerations. In some cases, the ‘vital’ interests may prompt a state to by-pass the UN Security Council, so that the military component of the peace mission is outsourced to that state but still operates under a UN mandate. For example, in the Balkans and Afghanistan, the UN has authorized NATO forces to provide for the military component of the peace missions; in West Africa it was ECOWAS.

⁹⁶ See table Uniformed Personnel in Peace Operations at Mid-Year, 1948-2006 (xls) by the Henry L. Stimson Center at <http://www.stimson.org/fopo/?SN=FP20050614848#Data&Charts>.

⁹⁷ This refers to the operations in Afghanistan (ISAF), Georgia (Russian Abkhazia Peacekeeping Operation, CPKF/CPFOR), Macedonia (KFOR), Rwanda (Opération Turquoise), and Tajikistan (CPKF). Source: Table “Uniformed Personnel in Peace Operations at Mid-Year, 1948-2006” by the Henry L. Stimson Center at <http://www.stimson.org/fopo/?SN=FP20050614848#>.

In those missions with more than 20,000 military staff at least one troop-contributing actor had vital national interests. In Afghanistan, the US pursued its own counter-terrorist strategy with ISAF and only reluctantly blended in a UN framework. In Bosnia and Kosovo, the European states had a crucial interest in halting the violence and ending the conflicts taking place in their immediate neighborhood, so that NATO was prepared to lead the major peace operations in the Balkan region. In Tajikistan, Russia provided more than 25,000 troops because the country had been a former Soviet republic.

The rationale worked backwards in Rwanda: precisely because of the opposition of the US and the UK, international support for UNAMIR was limited from the outset. Belgium and France felt obliged to intervene due to the countries' colonial histories but Belgium soon changed its position from being supportive of action to advocating a withdrawal after ten of the country's troops were killed. El Salvador, the Central African Republic, or Angola are cases where no major power interests were affected, so that the number of troops was low.

When analyzing staff figures of peace missions, the low quality of data is problematic. Although DPKO publishes staff figures for every individual mission, these are very inconsistent: for past operations, authorized strengths but not always maximum deployments are indicated. For ongoing operations, only the most recent figures are available but not the maximum figures. Regarding the differentiation between military and civilian staff, the data are equally unspecific. Especially for the older missions, DPKO publishes the number of uniformed personnel and indicates that it is "supported by international civilian and locally recruited staff," without specifying a concrete figure. With an increased attention to peacebuilding and its civilian components over the last two decades, the quality of the data has slightly improved. Data on civilian staff in non-UN peace are even more difficult to obtain. One can assume, therefore, that the number of civilian staff deployed in peace missions during the 1990s has in fact been much higher than the data show. It seems, therefore, that number of civilian staff is fairly consistent for the missions in the sample.

Naturally, staff figures vary over the course of a longer-lasting mission. Some peace missions started off with many troops and then gradually reduced their contingents (Kosovo, Bosnia, Macedonia, and Tajikistan) while others steadily increased their troop figures (Afghanistan and to some extent East Timor). These variations can be explained as reactions to the requirements on the ground. Rwanda, where almost all forces withdrew when the security situation seriously deteriorated, presents a special and tragic case in this context. Interestingly, the timing of the peak strengths of military and civilian personnel on the ground coincides in most cases or varies just slightly, suggesting that there may be no sequencing of priorities from establishing security first and democracy thereafter (this is especially the case in East Timor). But since the UN's publications of mission staff figures, especially regarding civilian staff, are fragmentary, a detailed analysis of the variation of the staff figures over the course of a mission, controlling for staff type, is difficult. The two case studies Kosovo and Liberia yield some insights into the variation of the number of staff over time.

1.2.2.3. Resources

The figures on the budgets of the peace missions in the sample reveal a simple truth: missions of long duration and with several ten thousand troops on the ground are costly (Figure 17). By far the most expensive mission is Afghanistan with an enormous budget of roughly US\$ 80

billion⁹⁸ in the first five years alone, most of which was spent on the US-led ISAF force. The combined costs of the military and civilian components for the missions in both Kosovo and Bosnia amounted to roughly US\$ 20 billion in the first five years; here again, the greatest share of these budgets is spent on the military components KFOR and IFOR/SFOR.

Peace missions that are US-led or affect vital interests of the troop contributors, like the EU on the Balkans, are much better funded than other UN missions. The total costs of missions with a large peacekeeping component, like in Mozambique, Angola, and the Central African Republic, range between 50 million and more than US\$ 3 billion. Generally, the annual budgets are greatest in the first years of a mission and are then gradually reduced. The average annual cost of the missions in the sample, excluding Afghanistan, is US\$ 676.9 million.⁹⁹

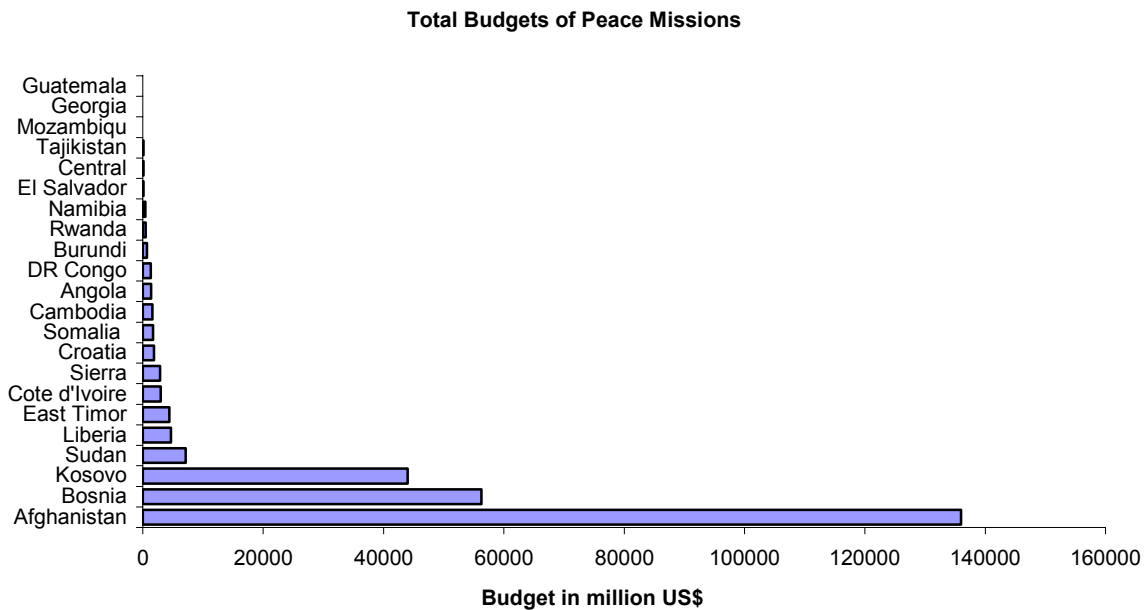


Figure 17: Total Budgets of Peace Missions in the Sample¹⁰⁰

On a per capita basis, Kosovo and Bosnia have by far received the greatest total budgets with East Timor being fourth after Afghanistan (Figure 18). As a general rule, small countries tended to receive more assistance on a per capita basis than larger ones because troops and civilian personnel are deployed in the whole area, whereas in large countries they are usually concentrated in one area, often around the capital.

⁹⁸ Estimates of the costs of ISAF are taken from: <http://www.stern.de/politik/ausland/einsatzkosten-afghanistan-dingos-drohnen-und-auslandszulagen-600026.html>.

⁹⁹ The average annual cost of all missions in the sample, including Afghanistan, is US\$ 1.31 billion.

¹⁰⁰ Most figures are conservative estimates; details and sources are available from the author.

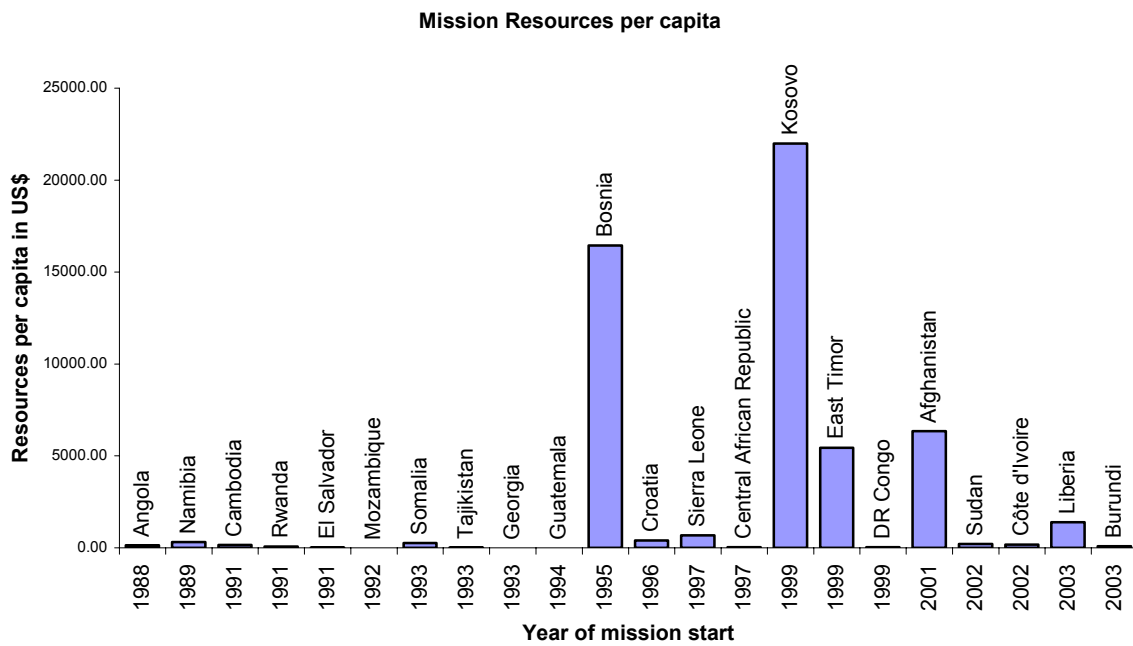


Figure 18: Mission Resources per Capita of Peace Missions in the Sample

1.2.2.4. Scale of the Peace Missions in the Sample

Table 4 below presents the scores of the missions on the individual dimensions of the index and the final score for quantitative intrusiveness in the last column. The cases are sorted according to this final score.

Country Case	Duration in months	Max. total personnel	Resources in million US\$	Population in million at mission start	Scale of Peace Mission
Kosovo	133	61020	44,000.00	2	178544.52
Bosnia	175	56047	56,260.00	3.4	161301.01
Afghanistan	103	121000	136,000.00	21.4	79152.33
East Timor	133	10169	4,400.00	0.8	7355.87
Liberia	83	17617	4,682.60	3.3	2079.85
Sierra Leone	144	18329	2,853.10	4.2	1786.15
Somalia	208	30800	1,686.40	6.4	1694.46
Sudan	99	14435	7,102.20	34.8	292.06
Cote d'Ivoire	94	10428	2,986.30	17.7	165.47
Angola	171	4221	1,379.70	10	99.59
DR Congo	130	26390	1,350.00	49.5	93.53
Cambodia	24	19350	1,600.00	10	74.01
Tajikistan	173	25636	85.5	5.6	67.63
Croatia	58	2847	1,860.80	4.7	66.02
Burundi	87	6520	678.3	7.3	52.75
Namibia	12	7993	416.2	1.4	29.37
Rwanda	60	5522	453.9	7	21.34
CA Republic	161	1612	101.3	3.6	7.25
El Salvador	46	1339	107	5.2	1.27
Mozambique	25	8524	49.3	14.3	0.73
Georgia	204	458	36.1	5.2	0.64
Guatemala	120	448	3.9	9.8	0.02

Table 4: Scale of Peace Missions in the Sample¹⁰¹

The table shows that the ‘older’ missions of the late 1980s and early 1990s were much smaller in size than the ‘modern’ missions that started in the mid to late 1990s and early 2000s. Tajikistan, Mozambique, Rwanda and Namibia have considerably lower scores and can be clearly distinguished from the more recent cases East Timor, Bosnia, Kosovo and Afghanistan. Kosovo is the biggest mission according to this analysis which is due to very high scores on all dimensions relative to its small population size. The mission in Afghanistan has by far the highest mission costs but the overall score falls behind Kosovo and Bosnia due to Afghanistan’s relatively large population. The raw scores of mission scale are transformed into fuzzy set values and sorted in descending order (Table 5).

¹⁰¹ Note: The final score for quantitative intrusiveness is given in millions.

Country Case	Degree of Membership in the Set ‘Peace Missions of Large Scale’
Kosovo	1.00
Bosnia	0.99
Afghanistan	0.91
East Timor	0.55
Liberia	0.51
Sierra Leone	0.51
Somalia	0.51
Sudan	0.10
Cote d'Ivoire	0.07
Angola	0.06
DR Congo	0.06
Cambodia	0.06
Tajikistan	0.06
Croatia	0.06
Burundi	0.05
Namibia	0.05
Rwanda	0.05
CA Republic	0.05
El Salvador	0.05
Mozambique	0.05
Georgia	0.05
Guatemala	0.05

Table 5: Degree of Membership in Set ‘Peace Missions of Large Scale’

1.2.3. Constructing a Measure of the Scope of Peace Missions

Following the construction of an index of scale – or mission size – in the previous section, this section will sketch an index of the scope of peace missions. The idea is to examine the interference of external actors in different domestic institutional sectors and to code their involvement quantitatively. That way, the operationalization of the scope of peace missions indicates the level of external engagement. The more governmental functions are temporarily executed by external actors, the more the peace mission has features of an interim administration. Data were obtained from semi-structured interviews with experts on the respective missions¹⁰², from UN DPKO, and from secondary sources.

The operationalization of the scope of peace missions, however, is methodologically challenging. For the fs/QCA analysis, it is necessary to convey the level of external engagement in set membership values. The assignment of case-specific scores should be based on observable criteria. Therefore, eight different aspects of peacebuilding mandates were chosen to construct an index of scope. These eight factors were then dichotomously coded as to whether there was significant de facto engagement of peacebuilders in a specific case or not. Classical peacebuilding tasks, like observation of the ceasefire, disarmament,

¹⁰² A list of interviewees is available from the author.

demobilization, and reintegration of combatants (DDR), or election monitoring were not considered because they are the ‘standard tools’ of peacebuilding and are rather means for ending the war and ‘cleaning up’ than for rebuilding the country and reconstructing state institutions. The following questions were asked on mission scope.¹⁰³

1.2.3.1. Did External Actors Enforce Peace with Military Power?

In Chapter VI, the UN Charter provides for the use of enforcement actions to “maintain or restore international peace and security” (Chapter VII, Article 42 UN Charter). When peace missions receive a so-called robust mandate under Chapter VII, their international troops are authorized to use force not only for self-defense but also to protect civilians and to achieve the objectives of their mandate. The tragic consequences of deploying peace missions without a robust mandate became apparent in 1994 in Rwanda and in 1995 in Srebrenica, where hundreds of thousands of people were killed in the presence of a UN mission. Since then, and following the recommendations of the Brahimi report (Brahimi et al., 2000), all UN-mandated peace missions have received a robust mandate by default, although this may not be explicitly spelled out in the mandate.¹⁰⁴

In this analysis, peace enforcement will be coded as present when the mission had a Chapter VII mandate and concrete provisions were taken to enforce peace with military power. That includes the deployment of a sufficient number of adequately armed troops and a general preparedness to use force for achieving the mission’s objectives. This was the case in Bosnia, Burundi, the Central African Republic, Côte d’Ivoire, Croatia, the DR Congo, East Timor, Kosovo, Liberia, Sierra Leone, and Somalia but not in Sudan. In one case in the sample, in Afghanistan, international troops were engaged in active combat.

1.2.3.2. Did External Actors Participate in Executive Policing?

Executive policing “refers to the power and practice of law enforcement by international police within a particular territory. [...] Under this authority international police are accountable for all aspects of law enforcement in a society, from traffic offences to criminal investigations to riot control. Their tasks [...] are to provide security, deter crime, protect life and property, and pursue challenges to public order. [...] It is a temporary, short-term measure taken by the international community to plug a serious domestic security gap” (Dwan, 2002: 1-3). Executive policing therefore includes the maintenance of public order, judiciary police, strategic and criminal intelligence, public safety, and administrative police.

Executive policing does not include a wide range of assistance measures that international police provide to the national police. In many peacebuilding missions, international civilian police carry out capacity building through vetting and training, technical advice, monitoring and mentoring in everyday service – sometimes in the form of a dual-desk policy –, and joint patrols. In all these instances, international police officers only provide expertise and do not take on executive functions. Additionally, they may be charged with the reform and restructuring of the entire police force but these activities are covered by the question below.

¹⁰³ The questions are derived from Zuercher (2006).

¹⁰⁴ For an overview of peace mission mandates with direct reference to the protection of civilians see Annex 1 in Holt and Berkman (2006) available at http://www.stimson.org/fopo/pdf/Annex_1_The_Impossible_Mandate.Holt_%20Berkman.pdf.

Dwan (2002) states that executive powers are only given to international police within the framework of an international transitional administration. In fact, Kosovo and East Timor are the only two examples of executive policing in a peace operation. International police had capacities of about 3,300 and 1,500 officers respectively and took on the whole range of policing tasks. Other missions, however, also had small international civilian police contingents that took on at least some executive functions: Although UNTAES civilian police monitors in Eastern Slavonia did not have formal executive police functions, they could independently conduct investigations and patrols. Also, UNTAES was in charge of the management of immigration, customs and police border control. In cases where people were arrested sporadically by international police but were not handed over to state institutions (also because state institutions are often non-existent as was the case in the DR Congo¹⁰⁵), this was not coded as executive policing.

Also, the presence of armed international Formed Police Units (FPUs) as part of the mission is not necessarily an indicator of external executive policing capacities because FPUs can be deployed in executive or non-executive missions. These specialized forces were created to address security gaps between the police and the military. Their primary task is crowd and riot control, which is here considered to be a specific aspect of peacekeeping. Depending on the mandate, FPUs can also be tasked with the protection of United Nations personnel and facilities, the provision of security support to national law enforcement agencies, and capacity-building in relation to the reform, restructuring and rebuilding of law enforcement agencies.¹⁰⁶ All these are considered assistance functions. FPUs have been deployed to peace missions since 2000 and since then make up about half of the international police personnel.¹⁰⁷

1.2.3.3. Did External Actors Engage in Security Sector Reform?

In a narrow sense, the security sector of a state includes traditional security actors like the armed forces and police. In a broader sense, oversight bodies such as the executive and legislature, civil society organizations, justice and law enforcement institutions (judiciary and prisons), as well as non-state security providers are also part of the security sector. Correspondingly, security sector reform (SSR) can be understood in a narrow or a broader sense. OECD-DAC views SSR as “an explicitly political objective — to ensure that security and justice are provided in a manner consistent with democratic norms, human rights principles and the rule of law” (OECD DAC, 2007: 28). Likewise, the UN Security Council states that “the overarching objective of security sector reform is to ensure that the security institutions perform their statutory functions efficiently and effectively in an environment consistent with democratic norms and the principles of good governance and the rule of law, thereby promoting human security” (SC/8958 20 February 2007). According to this reading,

¹⁰⁵ Interview with Dennis Tull of the German Institute for International and Security Affairs (Stiftung Wissenschaft und Politik, SWP).

¹⁰⁶ DPKO Policy “Functions and Organization of Formed Police Units in United Nations Peacekeeping Operations”, 9 November 2006. Available at <http://www.unrol.org/files/Policy%20on%20the%20functions%20and%20organization%20of%20Formed%20Police%20Units%20in%20United%20Nations%20Peacekeeping%20Operations.doc>

¹⁰⁷ International Network to Promote the Rule of Law (INPROL), 2006: Formed Police Unit (FPU) Tasks. Consolidated Response (07-006). Available at <http://www.inprol.org/node/2467>.

SSR includes the reform of a broad range of state institutions and the establishment of appropriate and effective civilian oversight mechanisms, both state and non-state, of security actors.

In this analysis, SSR is understood in its narrow sense: the restructuring, reform, and training of the security forces, primarily the military and/or the police. The objective of these measures is to establish national institutions capable of maintaining order and providing security to the population. Examples of SSR in peace missions are the reform, training and equipping of both the army and the police forces in Afghanistan, Bosnia, Kosovo, or Liberia. Targeted numbers vary considerably among these cases: In Afghanistan, 171,000 troops and 134,000 police are to be trained and equipped until October 2011¹⁰⁸, whereas in Liberia it was only 2,000 troops and 4,000 police. In Burundi, DR Congo, East Timor, and Sierra Leone, external actors were also actively engaged in security sector reform.

1.2.3.4. Did External Actors Take on Executive Powers?

When external actors take on executive powers, they have the authority for the daily administration of the state or territory before local structures are operational. Some typical areas of executive decision-making are labor and social welfare; trade and industry; education and science; health; agriculture and rural development; environment; transport; spatial development; communications; or culture, youth and sports. Defense and internal affairs, and also foreign affairs, which are classical government departments in democratic polities, are integral parts of the peace mission anyway. These fields entail a wide array of responsibilities, including very specific tasks like the issuance of legal identification documents to the population or automobile registration (which was in fact the first official act of the transitional administration UNMIK in Kosovo).

East Timor and Kosovo were all-embracing international transitional administrations. For an interim period, the UN mission – and specifically the SRSG as head of the mission – was solely in charge of administering the territory. In Bosnia, the ‘Bonn Powers’ effectively made the Office of the High Representative the “last-stop” executive since 1997 (Evenson, 2009: 112). Like the SRSG in Kosovo, the OHR had the authority to remove national officials obstructing the political peace process. Similarly in Croatia, UNTAES took on responsibility for the major part of civil administration and for the transition and integration of the region of Eastern Slavonia into Croatia in 1997. In Cambodia, UNTAC assumed direct control in five key sectors of the administration: foreign affairs, national defense, finance, public security and communications/information in order to build a stable environment for the conduction of national elections. Namibia is a slightly different case since UNTAG had no formal executive powers but only veto powers over the decisions taken by the transitional government. However, SRSG “Ahtisaari at times managed to extend his influence beyond what his mandate actually allowed him” (Hartmann, 2009: 44). His strong supervisory role made him the de facto administrator of the country in 1989.

In most other peace missions in the sample, bilateral and multilateral donors are actively engaged in many aspects of public administration. Through their control over funding in

¹⁰⁸ Communiqué of “Afghanistan: The London Conference” on 20 January 2010.
http://www.isaf.nato.int/images/stories/File/factsheets/Documents_Communique%20of%20London%20Confere%20on%20Afghanistan.pdf

terms of financial aid and technical assistance, donors often play a strong role in determining which government policies are implemented and which projects are prioritized. Aid dependency, therefore, causes many post-conflict states to waive some of their administrative decision-making capacities. In this analysis, however, this is not coded as external executive powers.

1.2.3.5. Did External Actors Take on Legislative Powers?

Legislative powers entail the authority to make, amend, and repeal laws or to declare which national laws are applicable in a post-conflict state. When external actors take on legislative powers as part of an international interim administration, they mostly do so in the absence of a national legislature. The impact of their powers is significant in the long run since much of this legislation remains in place after the external actors leave. As the examples of Kosovo and East Timor illustrate, exclusive international legislative authority is followed by a gradual hand-over of legislative powers to the newly-established national institutions. In the transition period, external actors will substantially assist national decision-makers in drafting legislation. Bosnia had a national parliament in place but the OHR had powers to impose laws in order to fulfill the requirements of the Dayton Agreement if the domestic actors were unwilling to do so. That way, the OHR has pushed through most of the critical legislation which national legislators were unwilling to pass. In Croatia, external actors formally assumed legislative powers in Eastern Slavonia regarding the reintegration of the region into Croatia. The majority of Croatia was not under legislative oversight but there was the practice of ‘legislative suggestion’, particularly under the later OSCE missions. In Afghanistan, international actors drew up legislation in the beginning of the Bonn process. The parliamentary elections in 2005 marked the end of this process, and national institutions took on full authority for drafting Afghan laws.

In Cambodia, the UN assisted and supervised the implementation of a new electoral law that would meet international and regional standards. Furthermore, legal assistance was provided to the government in terms of a new penal code, the so called “UNTAC Penal Code”, on which the government relies until today. Since the electoral law is a very specific and minor part of the national law and since the UN only assisted the national legislature in drafting the new penal code, this factor is coded absent for Cambodia.

1.2.3.6. Did External Actors Shape the New Constitution?

The constitution is the supreme legal document of a state. State-society relations, including the powers and limitations of the state and human and civil rights, are defined in it. When external actors are actively involved in drafting the new constitution of a state that emerges from war, this presents a notable external influence because the provisions of the constitution have fundamental long-term effects on the legal set-up of the state and its institutions. External actors primarily want to ensure that basic international norms and human rights are protected by the constitution. But their involvement also gives them the opportunity to incorporate standards of Westphalian democracy and market economy into the document. These may or may not clash with the cultural tradition of the host country.

Afghanistan, Bosnia, Kosovo, Namibia, and El Salvador are the cases in the sample, in which external actors actively shaped the new constitution. In Afghanistan, Bosnia, and Kosovo, the

drafting of a new constitution was an integral part of the peacebuilding process and the role of the external actors was very powerful. In Namibia, the new liberal and market-oriented constitution has been heavily shaped by external actors prior to the deployment of UNTAG; SWAPO had to accept some constitutional guidelines in 1982 before South Africa was willing to implement SC Resolution 435 (Hartmann, 2009). In El Salvador, the UN has influenced a number of constitutional amendments in the negotiations leading up to the peace agreement in 1991.

In other cases, the new constitution was formally drafted and adopted by a constitutional assembly or other national body but with UN legal assistance behind the scenes, like in East Timor, Mozambique, Sudan, and Cambodia. In Tajikistan, donors supported civil society and thereby exerted substantial influence. Since it was not evident in these cases that the external influence was decisive, the factor is coded as absent.

1.2.3.7. Did External Actors Take on Judicial Powers?

Judicial powers taken on by external actors include the administration of the law, the appointment of international judges who interpret and apply the law in the post-conflict state or territory, and executive authority regarding legal and judicial reform.

In Kosovo, the UNMIK Judicial Affairs Office was responsible for all aspects related to the judiciary. That included the administration of courts, prosecution services and prisons, the development of legal policies, and the assessment of the quality of justice in Kosovo, including training requirements (S/1999/779, Art. 67). Additionally, the SRSG had the authority to appoint and remove judicial personnel, both national and international. International judges serve in Kosovo until today.

UNTAET in East Timor was also given a mandate for the “administration of justice” (SC Resolution 1272/1999). The SRSG appointed judges and prosecutors and was in charge of the organization of the courts (UNTAET/REG/2000/11). During the transitional administration, international efforts were aimed at training a local judiciary from scratch. “At times, court proceedings have been run by judges from Portuguese-speaking countries in lieu of local judges” (Myrtilinen, 2009: 226). International judges have been installed in two Special Panels within the Dili District Court which deals with serious criminal offences (genocide, crimes against humanity, murder, sexual offences and torture). International judges also serve in the Appeals Chamber. Two other UNTAET judicial institutions were the Serious Crimes Unit and the Legal Aid Service.¹⁰⁹

In Bosnia, the international role in the development of court systems was intense (Evenson, 2009: 112). Under the overall coordination of the OHR, the Judicial System Assessment Programme (JSAP) evaluated the legal and judicial system in Bosnia from 1998 to 2000. Following that, the OHR – in cooperation with the UN, the Council of Europe and OSCE – initiated a program of judicial and legal reform, including the adoption of a new criminal code and criminal procedure code, amendments to the legal system as well as to the judicial structure, and the training of legal professionals (Barria and Roper, 2007).

¹⁰⁹ http://www.humanrightsfirst.org/cah/ij/w_context/w_cont_06.aspx

A separate field of the judiciary is transitional justice. The UN has set up judicial bodies to try individuals accused of war crimes and crimes against humanity committed in Cambodia (Extraordinary Chambers in the Courts of Cambodia, ECCC), Rwanda (International Criminal Tribunal of Rwanda, ICTR), former Yugoslavia (International Criminal Tribunal for Yugoslavia, ICTY), and Liberia/Sierra Leone (Special Court for Sierra Leone). International and local judges preside over the tribunals, aided by national and international legal experts. Since transitional justice deals exclusively with crimes committed during the war and does not interfere in general national jurisdiction, these tribunals are not considered as a form of external judicial authority.

1.2.3.8. Did External Actors Decisively Shape Economic Policies?

Economic and fiscal policies that can be shaped by external decision-making include budget formulation, customs and taxation, currency reforms or, more generally, the initiation of economic liberalization processes. These measures can be part of the post-conflict peacebuilding portfolio or part of donors' strategies that are not directly linked to the conflict.

A prime example of external decision-making on economic policies within the peacebuilding process but outside the UN mandate is the GEMAP framework in Liberia. A group of international donors had authorities for overseeing the national budget, execution procedures, and financial management processes. International advisors had co-signing authority, so that no decision or major transaction could be executed without their explicit authorization (see case study Liberia in part V.2.).

In other cases, the establishment or reconstruction of economic structures was part of the peace mission. In Kosovo, UNMIK installed a completely new economic and fiscal structure. It introduced the German Mark (and later the Euro) as the formal currency, established taxation and trading authorities, formulated the Kosovo consolidated budget, created housing and property authorities, set up registries for business enterprises, for media outlets, and NGOs, and more. Also in Bosnia, the Dayton Peace Agreement established the convertible mark as the currency in 1998. External influence on the entire economic system was intense (Evenson, 2009: 112). Similarly in Croatia, "UNTAES initiated the transformation of the monetary and financial system of the region by introducing the Croatian kuna as legal tender, integrating the local payments system in that of Croatia and regulating all economic activity in accordance with relevant Croatian commercial laws."¹¹⁰

Although UNTAET in East Timor had wide-ranging competencies and transitionally headed the finance department¹¹¹, the Timorese authorities pursued a more self-reliant approach regarding economic issues, e.g. Fretilin rejected World Bank and IMF engagement. Representatives of the Timorese Transitional Administration and Australia signed the Timor Sea Arrangement in 2001 which would govern petroleum operations in the Timor Sea.¹¹²

¹¹⁰ http://www.un.org/Depts/DPKO/Missions/untaes_r.htm

¹¹¹ In 2000, eight portfolios were created: internal administration, infrastructure, economic affairs, social affairs, finance, justice, police and emergency services, and political affairs. The first four were headed by East Timorese and the other four by senior UNTAET officials.

<http://www.un.org/en/peacekeeping/missions/past/etimor/UntaetB.htm>

¹¹² <http://www.un.org/en/peacekeeping/missions/past/etimor/UntaetB.htm>

The immense influx of donor money into post-conflict states is in itself an intrusion into the economies of these states. Their aid dependency and the conditionalities that donors can apply in terms of governance, democracy or market liberalization give external actors an informal but very dominant role in policy formulation and implementation. It is analytically difficult to distinguish between regular reconstruction and development assistance and an active influence of economic policies in the peacebuilding framework. Here, the factor is coded present if external actors have played a considerable role in the functioning of the economy by providing external aid and technical assistance and if they made that aid contingent upon the government's adoption of economic policies and reforms. That was the case in Afghanistan, Burundi, the DR Congo, Mozambique, Rwanda, and Sierra Leone. In Sierra Leone, the Kimberly process was also a form of external influence on economic affairs.

1.2.3.9. Scope of the Peace Missions in the Sample

Naturally, dichotomous coding is difficult in such complex social-political contexts as peacebuilding. Two main problems arise: the determination of the cut-off point for the incidence of external engagement and spatial and temporary variation.

The decision whether a factor is absent or present has to be taken individually for every factor and for each case. The main difficulty is that external actors can have formal or informal influence. Formal influence is stated in the mission mandate or in specific agreements between external and national representatives, but these documents often give only rough guidelines on the actual competencies. What level of influence is exerted behind the scenes is not always obvious to the researcher. The *de facto* influence of external actors is to a large extent based on the discretion of the office holder and a product of the interaction process between external and local actors. This is even more so in cases of low intrusiveness where the peacebuilders are mandated to 'assist the government' of the state hosting the peace mission but it is not specified how far-reaching that assistance may be. The objective of this analysis is the illustration of the level of *de facto* mission scope based on expert interviews and an in-depth analysis of secondary sources. Also, a specific component may be present but very small in magnitude; for example the relatively small civilian police unit Rwanda that was deployed under UNAMIR to assist the National Gendarmerie with maintaining public security. The decision on whether a factor is coded as absent or present is based on the researcher's case-specific judgment.

The other problem is that mission scope necessarily varies across space and time. Peace missions can never have the same impact across all regions in the country. Often, operations and projects are concentrated in regions that experienced the most severe hostilities and where reconstruction and reconciliation are needed most. Also, the capital is often prioritized compared to the periphery since institution building is mainly focused on the national institutions which are based in the capital. Examples for missions that are centered in particular regions are UNTAES in Eastern Slavonia in Croatia, or MINURCA in the Central African Republic, which was mandated to assist in providing security and stability in the capital Bangui and vicinity, and also MONUC in the DR Congo, which could not be present in the entire territory due to the sheer size of the country and therefore concentrated its activities in the capital Kinshasa.

Peace missions also vary in their strength and impact over time. A change of the situation on the ground or of political circumstances may result in an alteration of the mandate. But even if

the same mandate applies over the course of the entire mission, as for example SC Resolution 1244 did in Kosovo, tasks vary according to demands on the ground or other reasons, like political feasibility, resources, or personal interests of individual actors. UNMIK in Kosovo was the textbook example of a complete take-over of responsibilities in the beginning and gradual draw down and hand-over of competencies later. In other missions, the mandate may be extended over time, either because it is adjusted to the security situation and an increased demand for robust peace enforcement or because political processes permit an increased engagement of external actors, e.g. following the signing of a peace agreement or a change of government.

Although the coding procedure was conducted with scientific rigor, the final score for each case necessarily narrows a complex phenomenon down to a single score. But, as Ragin (1987) has argued, the loss of information is outweighed by the benefits of reducing complexity for drawing inferences that might otherwise be missed. The respective codings for the cases in the sample and the added number of positive codings, which make out overall mission scope, are found in the table below (Table 6).

Country Case	Peace Enforcement	Executive Policing	Security Sector Reform	Executive Powers	Legislative Powers	New Constitution	Judicial Powers	Economic Policies	Number of positive codings
Afghanistan	1	0	1	0	1	1	0	1	5
Angola	0	0	0	0	0	0	0	0	0
Bosnia and Herzegovina	1	0	1	1	1	1	1	1	7
Burundi	1	0	1	0	0	0	0	1	3
Cambodia	0	0	0	1	0	0	0	0	1
Central African Republic	1	0	0	0	0	0	0	0	1
Cote d'Ivoire	1	0	0	0	0	0	0	0	1
Croatia	1	1	0	1	1	0	0	1	5
DR Congo	1	0	1	0	0	0	0	1	3
East Timor	1	1	1	1	1	0	1	1	7
El Salvador	0	0	0	0	0	1	0	0	1
Georgia	0	0	0	0	0	0	0	0	0
Guatemala	0	0	0	0	0	0	0	0	0
Kosovo	1	1	1	1	1	1	1	1	8
Liberia	1	0	1	0	0	0	0	1	3
Mozambique	0	0	0	0	0	0	0	1	1
Namibia	0	0	0	1	0	1	0	0	2
Rwanda	0	0	0	0	0	0	0	1	1
Sierra Leone	1	0	1	0	0	0	0	1	3
Somalia	1	0	0	0	0	0	0	0	1
Sudan	0	0	0	0	0	0	0	0	0
Tajikistan	0	0	0	0	0	0	0	0	0

Table 6: Scope of Peace Missions in the Sample

The raw scores of mission scope are then transformed into fuzzy set values, following Ragin’s calibration procedure (see part IV.2.3.). The following table gives the degree of membership of all cases in the sample, sorted according to rank (Table 7).

Country Case	Degree of Membership in the Set ‘Peace Missions of Large Scope’
Kosovo	0.95
Bosnia	0.90
East Timor	0.90
Afghanistan	0.68
Croatia	0.68
Cote d’Ivoire	0.32
DR Congo	0.32
Liberia	0.32
Sierra Leone	0.32
Burundi	0.18
CA Republic	0.10
Cambodia	0.10
El Salvador	0.10
Mozambique	0.10
Namibia	0.10
Rwanda	0.10
Somalia	0.10
Tajikistan	0.05
Angola	0.05
Sudan	0.05
Georgia	0.05
Guatemala	0.05

Table 7: Degree of Membership in Set ‘Peace Missions of Large Scope’

1.2.4. A Combined Measure of Mission Intrusiveness

When comparing the two measures of mission scale and scope , it can be found that mission size is in fact linked to the complexity of the mandate; they are correlated at 0.731 (1% significance level for a two-tailed test; see annex VII.1. for graph). This supports the presumption that broad and ambitious statebuilding missions are costly, need more personnel and are deployed for longer periods.

For illustrative purposes, it makes sense to devise a combined measure of mission intrusiveness. By combining mission scale and scope in a single measure, one has a useful indicator of the overall comprehensiveness of a peace mission. Mission intrusiveness is calculated as:

$$\text{intrusiveness} = \log[\text{scale} + (\text{scale} * \text{scope})]$$

Since the distribution of the product of scale and scope is highly skewed, the natural log is used to center the distribution on the median. The raw score of scale is added to the product of scale and scope to avoid missing values when the product is 0, as for Angola, Georgia, and Guatemala where no governmental functions were temporarily executed by external actors and the raw score for scope was therefore 0. Intrusiveness scores are strictly not to be interpreted in absolute terms but rather as an ordinal measure.

Table 8 and Figure 19 depict the peace missions in the sample according to their intrusiveness scores. It shows that Kosovo, Bosnia, Afghanistan, and East Timor have hosted the most intrusive peace missions. Although the costs of the mission in Afghanistan are far higher than for all the missions in the sample together, the combined intrusiveness score of the mission puts it behind Kosovo and Bosnia due to a lower score on the scope dimension of intrusiveness. Despite their massive contribution in terms of manpower and resources, international actors refrained from establishing an interim administration in Afghanistan and intended to have domestic actors ‘in the driver’s seat’.

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Country Case	Raw Scores for Scale	Raw Scores for Scope	Intrusiveness	log (Intrusiveness)
Kosovo	178544520000	1.000	357089040000.00	11.55
Bosnia	161301005115	0.875	302439384591.49	11.48
Afghanistan	79152330251	0.625	128622536658.26	11.11
East Timor	7355869963	0.875	13792256180.47	10.14
Liberia	2079853013	0.375	2859797892.56	9.46
Sierra Leone	1786148877	0.375	2455954705.93	9.39
Somalia	1694457834	0.125	1906265063.34	9.28
Sudan	292055701	0.000	292055701.36	8.47
Cote d'Ivoire	165466996	0.125	186150370.35	8.27
DR Congo	93532423	0.375	128607081.91	8.11
Croatia	66020439	0.625	107283213.70	8.03
Angola	99585757	0.000	99585756.90	8.00
Cambodia	74007968	0.125	83258964.14	7.92
Burundi	52750054	0.375	72531323.90	7.86
Tajikistan	67628838	0.000	67628837.88	7.83
Namibia	29374716	0.250	36718395.14	7.56
Rwanda	21340450	0.125	24008005.75	7.38
Central African Republic	7252577	0.125	8159149.12	6.91
El Salvador	1266727	0.125	1425068.36	6.15
Mozambique	733103	0.125	824741.20	5.92
Georgia	644556	0.000	644555.75	5.81
Guatemala	21440	0.000	21440.23	4.33

Table 8: Data on Scale and Scope for the Cases in the Sample

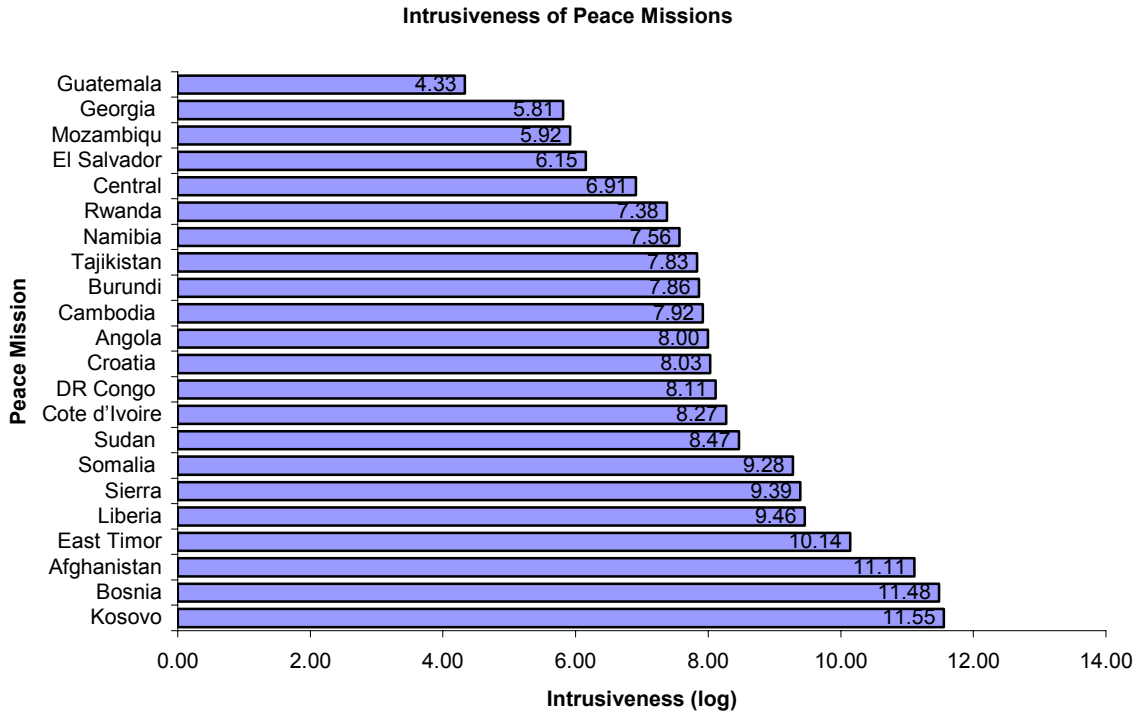


Figure 19: Intrusiveness of Peace Missions in the Sample

1.2.5. Trends of Mission Intrusiveness

When looking at the same data on a time scale, one can see that there is in fact a trend in mission intrusiveness (Figure 20). Intrusiveness levels are rising up to a peak between 1995 and 1999 (Bosnia and Kosovo) and are then declining again with Liberia as the latest peace mission achieving a medium level.¹¹³ Based on the sample, one can therefore confirm the presumption that there has been a general trend for peace missions to become longer, bigger, and more costly. Up to a certain point, the missions have more and more acted as a quasi-sovereign.

¹¹³ This is an ordinal log scale. In absolute scores, the peaks would stand out much more.

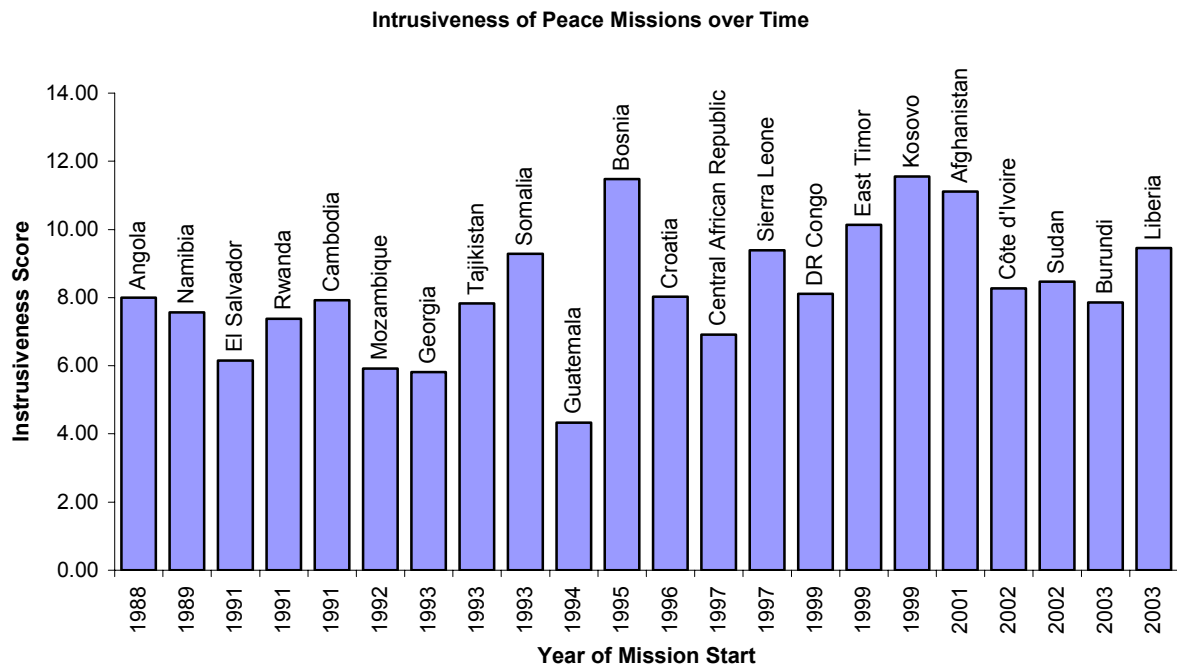


Figure 20: Intrusiveness of Peace Missions Over Time

The data suggest that the trend has been discontinued. The missions in Afghanistan, Côte d’Ivoire, Sudan, Burundi, and Liberia are smaller in scale and scope than their predecessors. Afghanistan, however, is a special case: with more than 131,000 ISAF troops as of December 2010, the mission is by no means a small mission. It is moderate in scope because UN representative Lakhdar Brahimi has promised that the international community would pursue a strategy of ‘light footprint’ (Jones, 2009: 109ff). The US administration under President Bush had no interest in complex peacebuilding but rather engaged in Afghanistan in the course of its own war on terror and intended to carry out ‘nation-building lite’ (Leslie and Suhrke, 2004; Rashid, 2009). Yet, the massive number of troops, the large number of international aid workers, and the immense amounts of resources that were poured into Afghanistan negated this rhetoric. It turned out that the discrepancy between yielding responsibility for governance to local actors while at the same time maintaining a significant military presence and nurturing dependence on external funding has contributed to the re-emergence of insurgents and a deterioration of the security situation since 2006 (Whitty and Nixon, 2009). The missions in Côte d’Ivoire, Sudan and Burundi, and Liberia were arguably smaller in scale and scope because neither the members in the Security Council nor the major contributors of troops and funds had vested interests in rebuilding these states that are outside of their immediate neighborhoods.

Hence, it is difficult to say at this point whether the trend of ever increasing mission intrusiveness has indeed halted and will even reverse in the future or whether the most recent peacebuilding missions were only solitary exceptions to the overall trend. The fact that the concept of ‘local ownership’ has become a buzz word in peacebuilding indicates that there has been some institutional learning and that peacebuilders have come to realize how difficult,

costly and in many cases ill-fated international interim administrations and large paternalistic peace missions can be.

2. Two-Step fs/QCA Analysis

The hypotheses presented in part III.2.4. will be tested with an fs/QCA analysis. This will utilize the collected data for context, security, and statehood and the indicators for mission scale and scope.

2.1. From QCA to Two-Step fs/QCA

Qualitative Comparative Analysis (QCA) is a methodological tool introduced by Charles Ragin in 1987 (Ragin, 1987). The originality of this method is that it bridges the gap between strictly quantitative and strictly qualitative social science by using Boolean techniques and applying the logic of experiments.

In the social sciences, there is generally a divide between case-oriented and variable-oriented research. Studies investigate either a small number of cases at a time, sometimes only one or two, or they analyze large datasets containing up to hundreds or thousands of cases. The key distinction between singular case studies and large-N studies is their different objectives: Case studies are interested in the particular characteristics and the complexities of each single case and apply inductive reasoning, whereas large-N studies aim at revealing general patterns by establishing a relationship between the competing independent variables and the dependent variable and apply deductive reasoning.

Comparative studies with 5 to 50 cases, however, were relatively rare in the social sciences due to the lack of proper methodological instruments for the analysis of such data. In reaction to the need for appropriate techniques, Ragin has introduced Boolean algebra into the social sciences. Boolean algebra was initially developed by George Boole (Boole, 1847) and has long been an elementary component in the engineering sciences. It operates with dichotomies, i.e. conditions are coded as 1 (present) or 0 (absent). Ragin has translated this logic into a method of analysis that allows for the comparative investigation of social phenomena in medium-sized samples which he called Qualitative Comparative Analysis (Ragin, 1987, 2000, 2008b; Rihoux and Ragin, 2008).

The aim of QCA is to extract parsimonious explanations of outcomes from complex data sets. This is done by treating cases as configurations of their causal factors (the independent variables) and by examining all logically possible combinations of these factors and the respective outcomes (dependent variable). QCA is therefore both holistic and analytic, that is it treats cases as wholes but at the same time pays attention to their distinct parts. By considering the specifics of each case, it reveals within-case relationships and, simultaneously, allows for comparability of cases in terms of their similarities and differences.

All causal factors are examined as to whether they constitute necessary and/or sufficient conditions for a specific outcome. When a condition is necessary, there may not be a case in the sample in which the outcome is present but the causal factors is not. A condition is sufficient when there is not a single case in which the causal factor is present but the outcome

is not. But QCA not only inspects conditions individually but also in combination with each other. For example, it is possible that a causal factor is contingent upon the presence or absence of another¹¹⁴ or that the presence of either one of several conditions accounts for the outcome. The fact that QCA models conjunction and interdependence of causally relevant conditions is one of the major advantages of the method over quantitative methods that assume linearity and work additively. Also, unlike regression analyses, QCA allows for a number of different but logically equivalent solution terms: alternative paths, which are not even mutually exclusive, can produce a certain outcome (equifinality).

For the above reasons, a QCA-based approach is highly useful for analyzing the 22 peace missions in the sample. The scale and scope of the peace missions will be treated as causal conditions for the outcome of the missions, security and statehood. The advantage of using a QCA approach as the method of analysis is that the particularity and integrity of each of the 22 peace missions can be maintained when comparing different configurations of scale and scope.

Although QCA is a very innovative and coherent tool for unraveling complex causalities in a medium-sized number of cases, it has not been widely applied in social science research.¹¹⁵ One of the reasons is its limited practicability because the researcher is constrained to use dichotomized variables (De Meur et al., 2009: 148ff). Most social phenomena are continuous and simply cannot be depicted as dichotomies without losing valuable empirical information. Technically, any interval-scaled variable can be transformed into a dichotomous variable. But these transformations often lead to daring data manipulations, for example by using the median as the cut-off point: all cases above the median are coded as 1 (present), all cases below the median are coded as 0 (absent). This mechanical coding procedure disregards the theoretical groundwork of the analysis. QCA requires the researcher to have a sound qualitative knowledge of the cases under study, and both the coding procedure and the analysis have to be theory-guided (Schneider and Wagemann, 2003: 8, 2007: 173ff.).

A second point of criticism is that QCA assumes deterministic causation (Schneider and Wagemann, 2003: 9). Unlike quantitative methods, QCA does not permit probabilistic statements and does not offer significance criteria or goodness-of-fit measures for evaluating the quality of the findings. Outliers, which potentially result from measurement errors, are detected but are treated as singular events and are included in the analysis. This gives outlier cases disproportionately and unreasonably much weight and distorts the overall result.

The third and fundamental problem with the application of QCA is that its practical functionality is greatly restricted when a large number of variables is included in the analysis and a small number of cases is examined (Schneider and Wagemann, 2006: 756ff.). As with other statistical techniques, the inclusion of too many independent variables into the model yields overly complex results which are difficult to interpret. Through logical reduction (Ragin, 1987: 93ff.), it is possible find the most parsimonious solution term. However, what is more problematic in QCA: the more variables are included into the model, the higher the number of logically possible combinations which are not covered empirically by the cases selected for the analysis. The theoretically possible number of these ‘logical remainders’ increases exponentially with the number of independent variables (De Meur et al., 2009:

¹¹⁴ This situation of multicollinearity is a problem in statistical analysis but is a valuable result in QCA.

¹¹⁵ For a comprehensive bibliography of QCA applications in the political and social sciences see <http://www.compass.org/pages/resources/bibliography/biblappol.html>.

152ff). While it is only natural that social phenomena do not occur in a way that they cover all logically possible scenarios, this ‘limited diversity’ forces the researcher to make theory-guided decisions on how the logical remainders are treated because he does not know which outcome a specific combination of factors produces (Ragin, 1987: 104ff.; Schneider and Wagemann, 2007: 101ff.; Wagemann and Schneider, 2007). By relying on counterfactual cases and excluding theoretically implausible combinations of factors, the researcher can still come to a meaningful solution (Ragin and Sonnett, 2004).

A related problem is the high number of different solutions that QCA produces, some of which lack any theoretical and common sense (Schneider and Wagemann, 2003: 9). One of the major advantages of QCA over many statistical techniques is that it offers different paths as alternatives leading to a single outcome (equifinality). This also means, however, that the number of detected causal relations can be very high in relation to the number of cases, so that one path effectively describes a single one or very few cases and generalization is therefore very low.

In response to the first two points of criticism – the need for dichotomies and deterministic causation – Ragin (2000) has introduced the fuzzy set approach into the social sciences. It overcomes the limitations of present/absent dichotomies by assigning values in the interval between 0 and 1 to all variables. These values are a numerical expression for the degree of membership in a certain set. The cases under study are either full members of a set (score of 1) or full non-members of the set (score of 0) or they are partial members (scores between 0 and 1). While the dichotomous coding in QCA only allows for a case to be either in or outside of a set (present or absent), fuzzy set also allows for gradation and nuances. This also means that all cases with partial membership have in fact two memberships: one in the original set and one in the complementary set. For the concept of democracy, for example, a country can be a full democracy, a full autocracy, or something in between. In the latter case, the country is member of the set ‘democracy’ and also member of the set ‘non-democracy’ by [1-(democracy set membership score)].

Fuzzy sets combine the virtues of quantitative and qualitative operationalization (Ragin, 2008a: 182). In quantitative research, scales are mostly sample-specific in definition and construction, and cases are defined relative to each other in the distribution of scores on the indicator. In qualitative research, indicators and measures are specified in a progressive refinement process that is highly contingent upon case-specific context and ideas. Fuzzy sets, however, bridge these two approaches by using substantive case-specific knowledge to calibrate measures while at the same time maintaining the precision of conventional interval-scaled indicators when assigning the degrees of set membership. It is important to note that although fuzzy set values seem similar to ordinal scales, the underlying logic is very different: Units of analysis are assigned verbal labels of membership in a target set of cases (e.g. democracies) instead of values on generic variables (e.g. level of democracy). What constitutes full membership is determined by the researcher based on his or her empirical knowledge.

Although the fuzzy set logic is still inherently deterministic, Ragin has in the wake the development of fs/QCA introduced two measures to evaluate the strength of set-theoretic relationships and the overall quality of the findings (Ragin, 2006). ‘Consistency’ gives the percentage of cases that are consistent with the solution, i.e. how many of all cases are correctly represented by the solution term. ‘Coverage’ assesses the empirical relevance of the different or all solution terms, i.e. the number of cases following a specific path to the

outcome in relation to all cases with that outcome. These measures can also be used in standard QCA analyses (Schneider and Wagemann, 2007: 86ff.).

The third problem of QCA, limited empirical diversity, cannot be resolved by applying fs/QCA methods as Ragin (2000) has devised them. But Schneider and Wagemann (2003; 2006) present a very original strategy to tackle this problem. The idea is to distinguish between remote and proximate causal conditions and to analyze their causal relations with the outcome in a two-step process. The authors start from the assertion that case characteristics and conditions exert their impact on the outcome at different levels. Depending on the proximity of the conditions to the outcome, their stability over time, and the degree to which they are subject to changes induced by actors, factors are either defined as remote or proximate. Remote factors are commonly referred to as structural factors or context: they are distant in time and/or space from the outcome, they are relatively stable over time, and they are not easily influenced by single actors. Proximate factors, then, are temporarily and spatially close to the outcome and therefore linked to it more directly, they vary more over time, and they are often the product of actors' decisions. Which conditions are conceptualized as remote or proximate depends on the research design.

Schneider and Wagemann (2003; 2006) give two arguments for this using this approach. Firstly, it significantly reduces the number of logical remainders. By sorting all conditional variables into two sub-sets of remote and proximate factors, the number of logical remainders of the two subsets taken together by addition is much lower than in the one-step method (Schneider and Wagemann, 2003: 18, 2006: 762). Secondly, it is theoretically useful and meaningful not to treat all conditional factors as simultaneously occurring but to investigate how various proximate factors work in different contexts. The solution of the two-step fs/QCA procedure, therefore, is a statement of how structural variables interact with agency-based variables to produce a certain outcome.

2.2. Definition of Remote and Proximate Conditions

The scale and scope of peace missions are the proximate causal conditions in the following fs/QCA analysis. However, the general expectation is that the level of intrusiveness by itself cannot explain the outcome. When examining the outcomes of the 22 peace missions, it is immensely valuable to be able to consider the context in which they were deployed. The hypothesis is that, contrary to the prevailing policy assumption, peace missions with a high level of intrusiveness will not generally be more successful in establishing security and statehood. Rather, one must assume that an intervention will only be successful if the level of external engagement matches the case-specific requirements for a peace mission. There is no a priori favorable level of intrusiveness. The objective of the analysis is to uncover contexts that enable the occurrence of successful peacebuilding outcomes and then to see what level of intrusiveness, i.e. what scale and scope, is appropriate in those contexts.

Which specific context factors, then, have an effect on how the scale and scope of peace missions works on the outcome? One can distinguish between conflict-related structural factors and general structural factors not related to the conflict. Two factors are used to map the conflict-related remote conditions in the analysis: one is the legacy of the war, the other is the local demand for peacebuilding. The legacy of the war is operationalized with five indicators: war duration in months; the total number of war dead, including civilians and battle deaths; the number of people displaced both internally and externally due to the war; the type

of war, whether it was an ethnic, religious, or identity conflict; and the number of domestic and international parties that participated actively in the fighting. All data are taken from the Doyle and Sambanis dataset.¹¹⁶

The local demand for peacebuilding is more difficult to operationalize. As was argued in the conceptual framework, local demand is linked to the type of war and the number of peace treaties. In a war for independence, local demand for external support will generally be higher. Data on the type of war are provided by the UCDP/PRIO Armed Conflict Dataset.¹¹⁷ When assessing the number of durable peace agreements as an indicator of local demand for peace, the data on conflict termination are useful to see if the war has been ended with a peace agreement; these data are provided by Doyle and Sambanis.¹¹⁸ The UNDP Conflict Termination Dataset even offers data on the type of agreement, differentiating between peace agreements, plain ceasefires, and ceasefires with conflict resolution.¹¹⁹ It is assumed that the local demand for peace should be higher when more complex agreements are reached between the conflict parties, encompassing “some sort of mutual conflict regulatory steps.”¹²⁰ The exact ratio of peace agreements that last to the total number of concluded agreements can be derived from data by the UCDP Peace Agreement Dataset.¹²¹ For every peace agreement, the dataset gives information on whether it ended, i.e. whether the implementation failed. The methodological problem when using the ration of failed peace agreements as a proxy for the remote factor ‘demand for peacebuilding’ is that many of these agreements failed after the deployment of the peacebuilding mission, in some cases even two years after the deployment, i.e. even after the measurement of the first outcome variable ‘security’. Since the local demand for peace is treated as a context factor that is assumed to affect how the intrusiveness of the peace mission produces security and statehood, there is a potential endogeneity problem when using these data. They are therefore not transformed directly into fuzzy set membership scores. Rather, the type of war, the termination of the conflict, and the number of durable peace agreements are used as references and the membership scores for local demand are coded according to the author’s discretion based on her own accumulated case-specific knowledge. This procedure does not compromise scientific rigor but is in fact recommended by Ragin as the merit of fuzzy set calibration: “With fuzzy sets it is possible to have the best of both worlds, namely, the precision that is prized by quantitative researchers and the use of substantive knowledge to calibrate measures that is central to qualitative research”(Ragin, 2008a: 182).

The non-conflict-related structural factors relate to the level of socio-economic development of the country. Two measures are used for this. One is the Human Development Index (HDI) by the United Nations Development Programme (UNDP) which ranks countries according to their level of ‘human development’ on three dimensions: life expectancy at birth, adult literacy rate and school enrolment, and standard of living measured by GDP.¹²² The other one is the five-year pre-intervention average of GNI per capita by the World Bank which is used as a measure for economic development.¹²³ It would analytically be more reasonable to

¹¹⁶ For data and coding notes see <http://pantheon.yale.edu/~ns237/index/research.html#Data>.

¹¹⁷ Variable ‘type’. Data available at <http://www.prio.no/CSCW/Datasets/Armed-Conflict/UCDP-PRIO/>.

¹¹⁸ Variables ‘war end’ and ‘war end2’. Data available at <http://pantheon.yale.edu/~ns237/index/research.html#Data>.

¹¹⁹ Data available at http://www2.pcr.uu.se/research/UCDP/data_and_publications/datasets.htm.

¹²⁰ UNDP Conflict Termination Dataset Codebook, p. 2.

http://www.pcr.uu.se/digitalAssets/31/31895_Codebook_UCDP_Conflict_Termination_Dataset_v_2010-1.pdf

¹²¹ Data available at http://www2.pcr.uu.se/research/UCDP/data_and_publications/datasets.htm.

¹²² <http://hdr.undp.org/en/>

¹²³ GNI per capita, Atlas method (current US\$). See <http://data.worldbank.org/indicator/NY.GNP.PCAP.CD>.

measure both variables before the war and not prior to the intervention to have data that are not impacted by ongoing conflict but this is mostly not feasible due to lack of data. Also, socio-economic development is a long-term measure that varies only to some degree during times of conflict. It is assumed that data measured prior to the intervention give a reliable indication of relative socio-economic development of the cases in the sample.

All three factors together, the legacy of the war, the demand for peacebuilding, and the level of socio-economic development constitute a master variable for context that constrains the effect of the level of intrusiveness on the outcome. The detailed formulation of ideas how the three remote conditions produce a specific outcome is found in part III.2.4.

2.3. Calibration of Fuzzy Sets

The assignment of fuzzy scores to the cases under study cannot be a mechanical process but must be based on theoretical knowledge about the cases in combination with empirical evidence (Schneider and Wagemann, 2007: 180ff.). As mentioned above, it is mathematically simple to transform any scale into the fuzzy-scale ranging from 0 to 1 and thereby to represent the exact ratios of the original scale but this method is not recommended by Ragin (2000: 150; 2008b) and Wagemann and Schneider (2007: 181) because fuzzy set values are an expression of set membership and therefore must be closely tied to the theoretical concept (the set) they are describing. Additionally, such a scale would be overly sensitive to outliers as the maximum original score would be taken as the equivalent of full membership in the fuzzy set.

Instead, Ragin (2008a) suggests two methods for the calibration of the degree of membership in a set when the researcher already has at his or her disposal conventional interval-scale indicators of the concepts. Here, the direct method of calibration will be used because it relies more on these statistical indicators as the starting point of the calibration process than the indirect method. The latter method starts with the researcher's qualitative assessment of the set membership of the cases and only subsequently translates these membership scores into an interval scale between 0 and 1. It will produce possibly arbitrary fuzzy set scores, taking into account the relatively high number of different indicators that are used in the analysis. For the 22 cases in the sample, it will not be possible to assign accurate fuzzy-scores "based entirely on the researcher's substantive and theoretical knowledge" (Ragin, 2008a: 184), also because this knowledge itself is partly drawn from commonly available statistical indicators.

As an example, the independent variable 'scale of peace missions' will be transformed into the fuzzy set 'peace missions of high scale' to which all 22 cases under study will be assigned a membership score. The first step is the clear specification of the target set, which is 'peace missions of high scale'. Then, a six-value coding scheme is chosen and the verbal labels are defined. Using Ragin's (2008a: 185, table 1) mathematical translations of verbal labels and the respective log of the odds of full membership, scores on any scale can be transformed to values ranging from 0 to 1 (Table 9).

Verbal label	Degree of Membership	Associated Odds	Log Odds of Full Membership
Full membership	0.993	148.41	5.0
Threshold of full membership	0.953	20.09	3.0
Mostly in	0.881	7.39	2.0
More in than out	0.622	1.65	0.5
Cross-over point	0.500	1.00	0.0
More out than in	0.378	0.61	-0.5
Mostly out	0.119	0.14	-2.0
Threshold of full non-membership	0.047	0.05	-3.0
Full non-membership	0.007	0.01	-5.0

Table 9: Mathematical Translations of Verbal Labels¹²⁴

The raw scores for the scale of peace missions range from 0.02 (Guatemala) to 178,544.52 (Kosovo); the distribution is highly skewed. Three qualitative anchors are chosen to structure the calibration: The threshold for full membership is chosen as 100,000; the threshold for non-membership is chosen as 10; and the cross-over point of equal membership and non-membership is chosen as 1,000 (marked with the bold line in Table 10 below).

The deviations of the raw scores from the cross-over point 1,000 (column 3) are multiplied by the scalars¹²⁵ (column 4). This product (column 5) is then transformed into the degree of set membership by converting these log odds to scores that range from 0.0 to 1.0 (column 6).¹²⁶

¹²⁴ Ragin (2008a: 185, table 1)

¹²⁵ For the cases above the cross-over point, the scalars are calculated as the ratio of the log odds associated with the verbal label for the threshold of full membership (here: 3.0; Table 9) divided by the deviation scores of full membership and cross-over point (here: 100,000-1,000=99,000); the scalar is therefore 3/99,000=0.00003. For the cases below the cross-over point, the scalars are calculated as the ratio of the log odds associated with the verbal label for the threshold of full membership (here: -3.0; Table 9) divided by the deviation scores of full non-membership and cross-over point (here: 10-1,000=-990); the scalar is therefore -3/-990=0.00303.

¹²⁶ The formula for this transformation is $\exp(\log \text{odds}) / (1 + \exp(\log \text{odds}))$.

Country Case	Raw Scores 'Scale of Peace Mission'	Deviations from Cross- over Point 1000	Scalars	Product of Deviations and Scalars	Degree of Membership
Kosovo	178544.52	177544.52	0.00003	5.38013697	1.00
Bosnia	161301.01	160301.01	0.00003	4.85760622	0.99
Afghanistan	79152.33	78152.33	0.00003	2.36825243	0.91
East Timor	7355.87	6355.87	0.00003	0.19260212	0.55
Liberia	2079.85	1079.85	0.00003	0.03272282	0.51
Sierra Leone	1786.15	786.15	0.00003	0.02382269	0.51
Somalia	1694.46	694.46	0.00003	0.02104418	0.51
Sudan	292.06	-707.94	0.00303	-2.14528575	0.10
Cote d'Ivoire	165.47	-834.53	0.00303	-2.52888789	0.07
Angola	99.59	-900.41	0.00303	-2.72852801	0.06
DR Congo	93.53	-906.47	0.00303	-2.74687144	0.06
Cambodia	74.01	-925.99	0.00303	-2.80603646	0.06
Tajikistan	67.63	-932.37	0.00303	-2.82536716	0.06
Croatia	66.02	-933.98	0.00303	-2.83024109	0.06
Burundi	52.75	-947.25	0.00303	-2.87045438	0.05
Namibia	29.37	-970.63	0.00303	-2.94128874	0.05
Rwanda	21.34	-978.66	0.00303	-2.965635	0.05
Central African Republic	7.25	-992.75	0.00303	-3.00832552	0.05
El Salvador	1.27	-998.73	0.00303	-3.02646446	0.05
Mozambique	0.73	-999.27	0.00303	-3.02808151	0.05
Georgia	0.64	-999.36	0.00303	-3.02834983	0.05
Guatemala	0.02	-999.98	0.00303	-3.03023806	0.05

Table 10: Calibrating the Degree of Membership in the Set of 'Peace Missions of High Scale'

One needs to bear in mind that the set membership scores in the last column are not probabilities but truth values. These truth values can be interpreted as statements about a case regarding its membership in the set 'peace missions of high scale' (Schneider and Wagemann, 2007: 179). Kosovo and Bosnia are full members of the set 'peace missions of high scale'; Afghanistan is mostly in; East Timor, Liberia, Sierra Leone, and Somalia are more in than out but close to the cross-over point; while Sudan and all other cases in the table below Sudan are mostly out of the set.

2.4. The Fuzzy Set Data Sheet

All other indicators, remote and proximate, and the two outcome conditions are transformed by applying the same direct method of calibration. Individual indicators are transformed to fuzzy set scores, and then these scores are averaged for the causal conditions legacy of the war ('war'), socio-economic development ('socio-econ'), demand for peacebuilding

(‘demand’), the scale (‘scale’) and scope (‘scope’) of peace missions, and for the outcome conditions security (‘security’) and statehood (‘statehood’). All fuzzy set membership scores are summarized in the fuzzy set data sheet below (Table 11).

Case	case	war	soc-econ	demand	scale	scope	security	statehood
1	Afghanistan	0.89	0.24	0.2	0.91	0.68	0.19	0.27
2	Angola	0.79	0.65	0.4	0.06	0.05	0.26	0.33
3	Bosnia	0.61	0.9	0.8	0.99	0.9	0.6	0.6
4	Burundi	0.63	0.19	0.6	0.05	0.32	0.26	0.49
5	Cambodia	0.53	0.31	0.6	0.06	0.1	0.47	0.39
6	Central African Republic	0.08	0.28	0.4	0.05	0.1	0.72	0.51
7	Côte d'Ivoire	0.43	0.61	0.4	0.07	0.1	0.3	0.36
8	Croatia	0.34	0.91	0.8	0.06	0.68	0.79	0.91
9	DR Congo	0.52	0.3	0.6	0.06	0.32	0.26	0.23
10	East Timor	0.58	0.55	0.8	0.55	0.9	0.74	0.65
11	El Salvador	0.56	0.75	0.8	0.05	0.1	0.81	0.72
12	Georgia	0.3	0.66	0.6	0.05	0.05	0.53	0.67
13	Guatemala	0.6	0.75	0.8	0.05	0.05	0.64	0.74
14	Kosovo	0.27	1	0.8	1	0.95	0.65	0.55
15	Liberia	0.46	0.22	0.4	0.51	0.32	0.69	0.45
16	Mozambique	0.69	0.16	0.6	0.05	0.1	0.57	0.61
17	Namibia	0.65	0.82	0.8	0.05	0.18	0.68	0.86
18	Rwanda	0.61	0.23	0.4	0.05	0.1	0.17	0.21
19	Sierra Leone	0.29	0.19	0.4	0.51	0.32	0.2	0.39
20	Somalia	0.7	0.03	0.2	0.51	0.1	0.16	0.13
21	Sudan	0.95	0.32	0.4	0.1	0.05	0.26	0.34
22	Tajikistan	0.48	0.39	0.6	0.06	0.05	0.33	0.27

Table 11: Fuzzy Set Data Sheet

3. Analysis

3.1. fs/QCA Analyses for Necessary Conditions

The first test in an fs/QCA analysis is the test for necessary conditions for the outcome security. It will be tested whether any of the five causal conditions – war, demand for peace, socio-economic conditions, scale or scope of the peace mission – is a necessary condition for security. A condition is identified as necessary if there are no cases in the dataset for which the outcome is observed but the condition is absent; i.e. the condition must be present when the outcome is observed. Therefore, in a fuzzy set plot with the scores of a causal condition on the x-axis and the outcome scores on the y-axis, the top left corner may not contain cases. Ideally, all data points are below or on the main diagonal (Schneider and Wagemann, 2007: 197ff.).

But “perfectly consistent set relations are relatively rare in social research” (Ragin, 2006: 2). And since fuzzy sets do not operate with dichotomous variables as QCA does, the formulation of conditions does not have to be strictly deterministic. To allow for outliers, Ragin (2000) has introduced quasi-necessary conditions which operate with a measure of goodness-of-fit: ‘consistency’. The underlying logic is that the x-scores have to be greater than the y-scores over all cases for a condition to be necessary for an outcome. The measure of consistency specifies to which degree all x-scores in the dataset are effectively greater than all y-scores. Hence, consistency is an expression of the degree to which the outcome y is a subset of the condition x. If one wants to know whether socio-economic development of a conflict-case is a necessary condition of the success of a peace mission, the consistency measure indicates what proportion of cases with high membership in the set ‘security’ is also member of the set ‘socio-economic development’. If the consistency value is 1, there is a perfect match between the necessary condition and the outcome over all cases, i.e. all cases with a successful outcome in terms of security are necessarily highly-developed. The more outlier cases have y-scores above their respective x-scores and the greater their individual deviation, the lower the consistency value of the necessary condition. As a relatively strict rule, only high consistency scores of at least 0.9 should be accepted for necessary conditions (Schneider and Wagemann, 2007: 212-213).

Once it could be established – based on a high consistency score – that a condition is quasi-necessary for an outcome, it is useful to know how relevant that condition is in relation to other conditions. In fs/QCA, different logically equivalent paths, i.e. a causal condition or a combination of causal conditions, can lead to a certain outcome. In order to determine how much weight or empirical importance a singular path has, Ragin (2006) has introduced the measure of ‘coverage’. It is calculated as the number of cases following a specific path to the outcome divided by the total number of instances of the outcome (Ragin, 2006: 9). The higher the coverage score of a causal condition, the larger the proportion of empirical instances of the outcome this condition accounts for. If the coverage score is low, the necessary condition is considered empirically irrelevant (Figure 5 in Ragin, 2006: 14).

Each of the five causal conditions and their respective negations are analyzed as to whether they are necessary conditions for the outcome security. This is done by calculating the scores for consistency and coverage. Additionally, each condition is plotted against the outcome for illustration. If all scores are below or on the main diagonal, the condition is necessary for the outcome.

There is only one condition that has a consistency score above 0.9 and is therefore considered to be a necessary condition for the outcome ‘security’: the demand for peacebuilding (Table 12 and Figure 21). Most cases are located below the main diagonal. Only Liberia, the Central African Republic, and El Salvador are nonconforming cases; the coverage is therefore relatively high with 0.78.

Socio-economic development and the absence of scale of a peace mission have consistency scores above 0.8. This means that with an accuracy of 0.8 one can say that all cases in the sample with high membership in the set ‘security’ are also members of the set ‘socio-economic development’. In other words, peace missions cannot provide security in countries with low socio-economic development, but high socio-economic development alone does not necessarily lead to security; other outcomes are also possible. The same applies to the absence of peace mission scale: peace missions are successful in terms of providing security in all cases with a short duration of the peace mission, low manpower and resources. But a low

level of scale does not invariably lead to a successful outcome. The condition ‘socio-economic development’ also has a relatively high coverage value and is therefore empirically relevant because it covers 80 per cent of the cases with the observed outcome ‘security’. However, since Schneider and Wagemann (2007: 213) advise to accept only consistency values of 0.9 or higher, the analysis of necessary conditions comes to the conclusion that only the demand for peacebuilding is a necessary condition for security.

Outcome Security		
Condition	Consistency	Coverage
war	0.77	0.66
~war	0.77	0.79
demand	0.94	0.78
~demand	0.60	0.64
soc econ	0.81	0.80
~soc-econ	0.63	0.56
scale	0.36	0.64
~scale	0.82	0.52
scope	0.49	0.77
~scope	0.78	0.52

Table 12: Consistency and Coverage of Necessary Conditions for the Outcome ‘security’

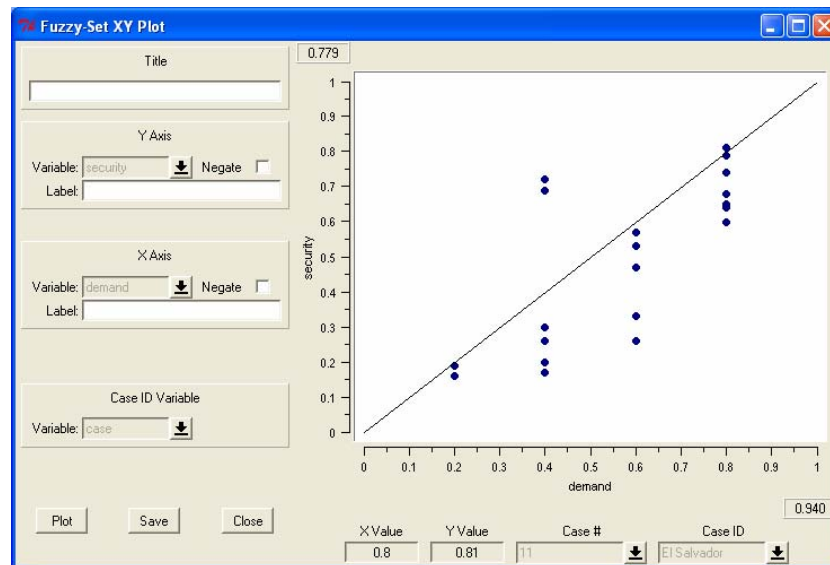


Figure 21: Fuzzy Set Plot of the Causal Condition ‘demand for peacebuilding’ and the Outcome ‘security’

The same tests are performed for identifying necessary conditions of the negation of the outcome, i.e. low levels of security. Here, when consistency thresholds of 0.9 are applied, none of the five causal conditions or their negations are found to be necessary conditions for low levels of security (Table 13).

Outcome Absence of Security		
Condition	Consistency	Coverage
war	0.82	0.80
~war	0.65	0.76
demand	0.71	0.67
~demand	0.77	0.94
soc econ	0.57	0.64
~soc-econ	0.82	0.83
scale	0.34	0.69
~scale	0.82	0.59
scope	0.37	0.66
~scope	0.87	0.66

Table 13: Consistency and Coverage of Necessary Conditions for the Outcome ‘~security’

The results for the medium-term outcomes ‘statehood’ and ‘absence of statehood’ are similar to those for the short-term outcome security. For the outcome ‘statehood’, demand for peacebuilding is the only causal factor with a consistency score above 0.9 and is therefore considered to be a necessary condition for statehood (Table 14 and Figure 22). For the outcome ‘absence of statehood’, there is no causal factor that meets the threshold of 0.9, therefore none of them is considered to be a necessary condition.

Condition	Outcome Statehood		Outcome Absence of Statehood	
	Consistency	Coverage	Consistency	Coverage
war	0.78	0.70	0.81	0.77
~war	0.74	0.78	0.68	0.77
demand	0.96	0.82	0.72	0.66
~demand	0.61	0.68	0.81	0.95
soc econ	0.83	0.85	0.57	0.61
~soc-econ	0.62	0.58	0.86	0.84
scale	0.36	0.65	0.38	0.74
~scale	0.86	0.57	0.82	0.57
scope	0.47	0.78	0.38	0.67
~scope	0.80	0.55	0.87	0.64

Table 14: Consistency and Coverage of Necessary Conditions for the Outcomes ‘statehood’ and ‘~statehood’

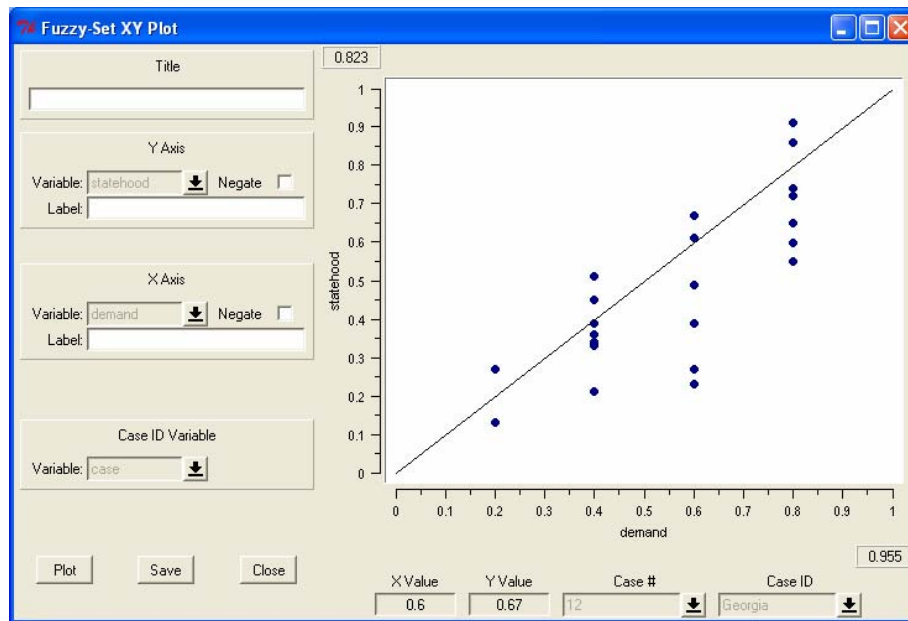


Figure 22: Fuzzy Set Plot of the Causal Condition ‘demand for peacebuilding’ and the Outcome ‘statehood’

3.2. Two-step fs/QCA Analyses for Sufficient Conditions

While the objective of the test for necessity was to show that the outcome is a subset of the cause, the analysis of sufficiency is a “test of whether the cases displaying the causal conditions form a subset of the cases displaying the outcome” (Ragin, 2000: 233). The logic of sufficiency is that the outcome is present whenever the condition is present, i.e. there must not be a case in which the condition is present but the outcome is not.

For perfect sufficiency, all data points in a fuzzy set plot with the scores of a causal condition on the x-axis and the outcome scores on the y-axis have to be above or on the main diagonal (Schneider and Wagemann, 2007: 197ff.). However, using again the measure of consistency as an evaluation of the accuracy of the model, the fuzzy set technique for sufficient conditions allows for nonconforming cases without having to reject the tested hypothesis altogether (Ragin, 2000: 249ff). In contrast to the consistency measure for necessary conditions which gives the degree to which the outcome y is a subset of the condition x, the consistency score for sufficient conditions indicates the degree to which a causal condition x is a subset of the outcome y. If the sum of the deviations of all nonconforming cases from the main diagonal (towards the bottom-left corner) is relatively large, the condition should be rejected as not sufficient (Schneider and Wagemann, 2007: 203ff).

Unlike QCA¹²⁷, the fuzzy set method with membership scores ranging from 0 to 1 produces infinite logically possible combinations of causal factors. And every case is a partial member in the set and its negation and also in the set of a combination of factors and in their negations. The fuzzy set truth table, therefore, does not present observed types but only ideal types of combinations of factors. Although each case is a partial member in all ideal types, the

¹²⁷ With dichotomies, the number of logically possible combinations of causal conditions is 2^k , where k is the number of causal conditions.

degree of its membership to the ideal types determines to which ideal type it is assigned in the truth table (Ragin, 2000: 189ff; Schneider and Wagemann, 2007: 188ff).

The truth table for the remote conditions legacy of the war, socio-economic conditions, and demand for peacebuilding and for the outcome security is given below (Table 15).

war	socio-econ	demand	number	security	raw consist.	PRI consist.	product
0	1	1	3	1	0.941926	0.758824	0.714756
1	1	1	5	1	0.934247	0.764706	0.714424
0	1	0	1	1	0.914683	0.022728	0.020789
1	1	0	1	1	0.862709	0.013334	0.011503
0	0	1	1	1	0.830964	0.286667	0.238210
0	0	0	3	1	0.816614	0.323699	0.264337
1	0	1	4	1	0.783286	0.238806	0.187054
1	0	0	4	0	0.666667	0.060150	0.040100

Table 15: Truth Table for the Remote Conditions and the Outcome ‘security’

The first three columns are the causal conditions with the eight ideal types reported in the rows. The column labeled ‘number’ gives the number of cases from the sample assigned to each ideal type. Based on the number of cases and on the raw consistency score in column six, a decision is made by the researcher whether an ideal type represents a sufficient condition for the outcome security. If that is the case, the row is marked with a score of 1 in the column for the outcome security, otherwise 0. Next, the truth table algorithm is applied for distant factors and for close factors separately to arrive at solution terms for the model.

As outlined above, the two-step fs/QCA approach produces a model that is composed of several structural conditions within which proximate, or agency-based, causal conditions work. The idea is that “certain proximate causal conditions may produce the outcome in a given context, but not in others.” (Schneider and Wagemann, 2006: 761). In the first step, only the remote structural conditions are analyzed with the fs/QCA algorithm. The solution of this first step will be a model of different contexts in which the outcome is possible. These can be understood as “outcome-enabling conditions” (Schneider and Wagemann, 2006: 761). In the second step, it will be analyzed which combinations of proximate factors produce the outcome within these contexts. Therefore, a separate fs/QCA analysis is run for every context condition that was identified as causally relevant in the first step in combination with all potentially relevant proximate conditions. The result will be a precise formulation of causal paths that produce a certain outcome – in each of possibly several different enabling contexts.

In the two steps, different strategies regarding the determination of the consistency cut-offs and the treatment of logical remainders are chosen. Since the first step merely aims at defining a broad context for the outcome, more lenient criteria are applied. The model will necessarily be underspecified because it presents the “least common denominator” (Schneider

and Wagemann, 2007: 261) of the context factors rather than a complete model. The consistency cut-off values for determining sufficiency are chosen to be quite low and the logical remainders are treated by the computer algorithm in a way that produces the most parsimonious solution.¹²⁸ In the second step, more conservative criteria are applied regarding the consistency cut-offs and the logical remainders because the aim is to produce a precise theoretical model based on empirical information. No simplifying assumptions are allowed on logical remainders and the consistency scores have to be rather high. This strict strategy will produce more complex, less parsimonious results.

3.2.1. Two-Step Test of Sufficiency for the Outcome Security

The hypotheses on the remote conditions were outlined in part III.2.4. It was argued that the more a country belongs to the set of countries that

- that have experienced a severe war prior to the establishment of the peacebuilding mission,
- where there is a high demand among local actors for external assistance in peacebuilding, and
- with high socio-economic development

the more likely it is to belong more fully to the set of secure post-conflict states.

The ideal types of combinations of the three factors and the respective number of cases in the sample are listed in the truth table above (Table 15). They are sorted according to the consistency scores for each ideal type. Applying lenient criteria, the minimum number of observed cases for each ideal type is set to 1, and the raw consistency cut-off for accepting an ideal type as a sufficient condition is set to 0.75 as recommended by Schneider and Wagemann (Schneider and Wagemann, 2007: 222)¹²⁹. All but the last combination in the truth table are coded as sufficient conditions for the outcome security and are marked 1 in column 4 of Table 15. Since there are no logical remainders, no simplifying assumptions have to be made and the solution term is complex and parsimonious at the same time.

The standard analysis of the remote conditions for the outcome security leads to the following solution:

$$\sim\text{war} + \text{demand} + \text{soc-econ} \rightarrow \text{security}$$

None of the three remote conditions is redundant for representing the empirical data. The solution consistency is 0.7, which means that the absence of a severe war or the presence of a low-intensity war or high demand for peacebuilding or the presence of high socio-economic

¹²⁸ In the analysis, the remainders are set to ‚don’t care’, i.e. each ideal type of combination of causal conditions can be treated as a sufficient condition or not, depending on which option produces the most parsimonious solution.

¹²⁹ See VII.2.1.1.2. for a presentation of solutions for other consistency cut-off values.

development leads to security with an accuracy of 0.7.¹³⁰ Hence, the first hypothesis was not confirmed, the other two were. It seems that not war fatigue after a long and intense war is an enabling condition for post-conflict security but rather that less severe conflicts are easier to settle and that the population finds it easier to return to a state of stability and security when the country has not been shattered by decades of conflict and has not seen thousands or even hundreds of thousands of dead and displaced.

18 of the 22 cases in the sample are covered by this solution. Only Afghanistan, Rwanda, Somalia, and Sudan are characterized by severe wars, low demand for peacebuilding, *and* low socio-economic development. These are the four cases in which the prospects for security are gloomy, based on their given context.

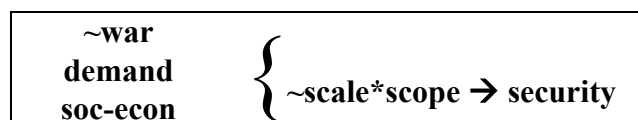
In the second step, it will be tested what level of mission intrusiveness is conducive for security in the favorable context. The hypotheses for the security fostering contexts state that the more a peace mission belongs to the set of

- peace missions of high scale and
- peace missions of high scope

the more likely the hosting country is to belong more fully to the set of secure post-conflict states.

A new fs/QCA dataset is constructed that excludes Afghanistan, Rwanda, Somalia, and Sudan¹³¹; only the 18 cases that are characterized by favorable context conditions are included. Strict criteria are applied regarding the consistency scores and the logical remainders: the minimum number of observed cases for each ideal type is set to 1, the consistency cut-off is set to 0.9. A standard analysis without simplifying assumptions on the logical remainders is performed.

The result of the analysis displays as follows¹³²:



In each of the three security-fostering contexts, peace missions that are designed with low scale and high scope lead to security. The solution consistency values are very high for all three contexts¹³³, indicating high accuracy. Of the 18 cases with favorable conditions, only Croatia had a peace mission with low scale and high scope and a successful outcome in terms of security. Hence, the solution coverage scores are very low, ranging from 0.28 to 0.36,

¹³⁰ See graph in VII.2.1.1.4.

¹³¹ Technically, three new fs/QCA datasets are created: one that contains all cases with a membership smaller than 0.5 in the set war, one containing all cases with a membership greater than 0.5 in the set demand for peacebuilding, and one containing all cases with a membership greater than 0.5 in the set socio-economic development. The results of this procedure are the same as creating one dataset with 18 cases and running a single analysis with this dataset.

¹³² See VII.2.1.2. for the dataset, the truth table, and the solution output.

¹³³ 0.93 in the context ~war, 0.95 in the context demand, and 1.0 in the context socio-econ

which means that the solution has a weak empirical basis because it covers only a very small proportion of the cases in the sample. The solution is depicted in Figure 23 below; Croatia is the case in the upper right-hand corner.

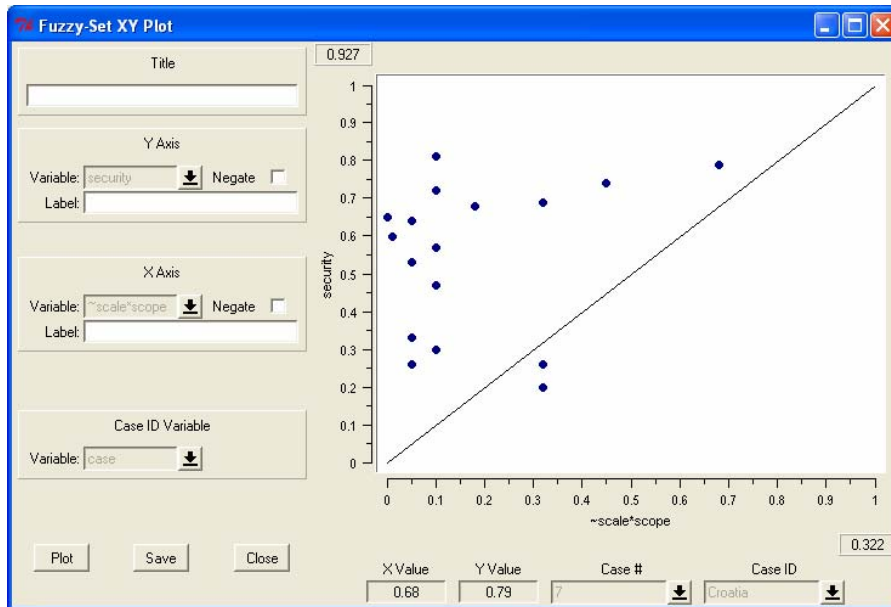


Figure 23: Fuzzy Set Plot of the Proximate Condition ‘~scale*scope’ for the Outcome ‘security’ in the Favorable Context Condition ‘~war + soc-econ + demand’

3.2.2. Two-Step Test of Sufficiency for the Outcome Absence of Security

Following the analysis of sufficient conditions for the outcome security, it is of equal value to detect sufficient conditions for the absence of security. Although in practice, of course, it is most desirable to create secure conditions in a post-conflict state, awareness of the conditions that empirically lead to non-successful outcomes is essential for making informed decisions about the design of peace missions and for avoiding the mistakes of the past.

The analysis is performed in two steps as above. In the first step, the context factors are analyzed, using lenient criteria¹³⁴. The solution is:

$$\sim\text{demand} + \sim\text{soc-econ} \rightarrow \sim\text{security}$$

With an accuracy of 0.85, low demand for peacebuilding or low socio-economic development create a context for low security. The solution coverage is 0.9; the solution is therefore by no means irrelevant.¹³⁵ 14 cases in the sample display these unfavorable context conditions¹³⁶

¹³⁴ The minimum number of cases is set to 1, the consistency cut-off to 0.91, there are no logical remainders. See VII.2.2.1. for the truth table, other possible solutions, the solution output, and the graph.

¹³⁵ See graph in VII.2.2.1.4.

and 11 of them also have low levels of security two years after the start of the peace mission.¹³⁷

In the second step, the analysis of the proximate conditions within the two unpromising contexts yields the following solution¹³⁸:

$$\left. \begin{array}{l} \sim\text{demand} \\ \sim\text{soc-econ} \end{array} \right\} \text{scale} * \text{scope} \rightarrow \sim\text{security}$$

The solution has a very high overall consistency of 0.99 but low overall coverage of only 0.21. That is because of the 14 cases in the sample with unfavorable context conditions, only Afghanistan has a membership greater than 0.5 in the term $\text{scale} * \text{scope}$ and a low security outcome. The solution is therefore considered empirically irrelevant. In Figure 24, Afghanistan is the case in the upper right-hand corner.

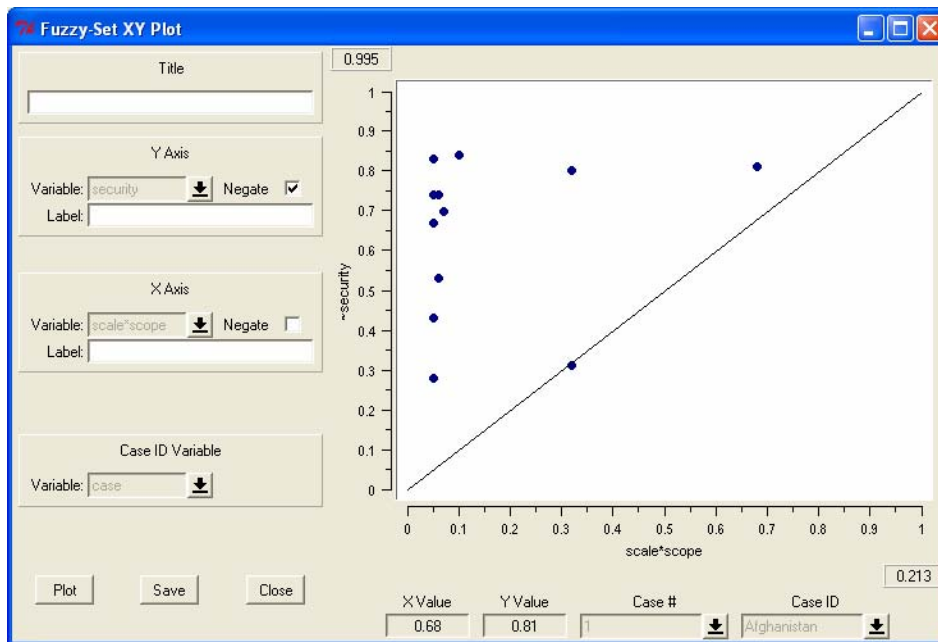


Figure 24: Fuzzy Set Plot of the Proximate Condition ‘ $\text{scale} * \text{scope}$ ’ for the Outcome ‘ $\sim\text{security}$ ’ in the Favorable Context Condition ‘ $\sim\text{soc-econ} + \sim\text{demand}$ ’

¹³⁶ Cases with low demand for peacebuilding or low socio-economic development are Afghanistan, Angola, Burundi, Cambodia, Central African Republic, Côte d'Ivoire, DR Congo, Liberia, Mozambique, Rwanda, Sierra Leone, Somalia, Sudan, Tajikistan.

¹³⁷ Only the Central African Republic, Liberia, and Mozambique have an outcome of high security in unfavorable conditions.

¹³⁸ Strict conditions are applied: The minimum number of cases is set to 1, the consistency cut-off to 1.00, no simplifying assumptions are made on the logical remainders. See VII.2.2.2. for the dataset, the truth table, and the solution output.

3.2.3. Two-Step Test of Sufficiency for the Outcome Statehood

Following the same algorithm as above, two-step tests for sufficient conditions are performed for the outcome statehood and its negation, absence of statehood. The same hypotheses are tested as for security. To test for favorable context conditions, lenient criteria are applied¹³⁹.

$$\sim\text{war} + \text{demand} + \text{soc-econ} \rightarrow \text{statehood}$$

As for the outcome security, 18 cases have these favorable context conditions for statehood: They have experienced a previous war of low severity or display high demand for peacebuilding or high levels of socio-economic development. The four cases with unfavorable conditions for statehood, i.e. with a high-intensity war and low socio-economic development, are again Afghanistan, Rwanda, Somalia, and Sudan. The results of the second analytical step reveal that, among those 14 cases with favorable contexts, those with peace missions of low scale and high scope will have high levels of statehood.¹⁴⁰

$$\begin{array}{l} \sim\text{war} \\ \text{demand} \\ \text{soc-econ} \end{array} \left\{ \sim\text{scale} * \text{scope} \rightarrow \text{statehood} \right.$$

The solution is perfectly consistent with the data, which can be seen in Figure 25 below where all cases are located above the main diagonal. However, since only Croatia has a membership above 0.5 in the set $\sim\text{scale} * \text{scope}$, the solution coverage is very low at 0.3 and the result must be seen as empirically irrelevant.

¹³⁹ The consistency cut-off is set at 0.83 and the minimum number of cases for sufficient conditions at 1. There are no logical remainders. See VII.2.3.1. for the truth table, other possible solutions, the solution output, and the graph.

¹⁴⁰ See VII.2.3.2. for the dataset, the truth table, and the solution output.

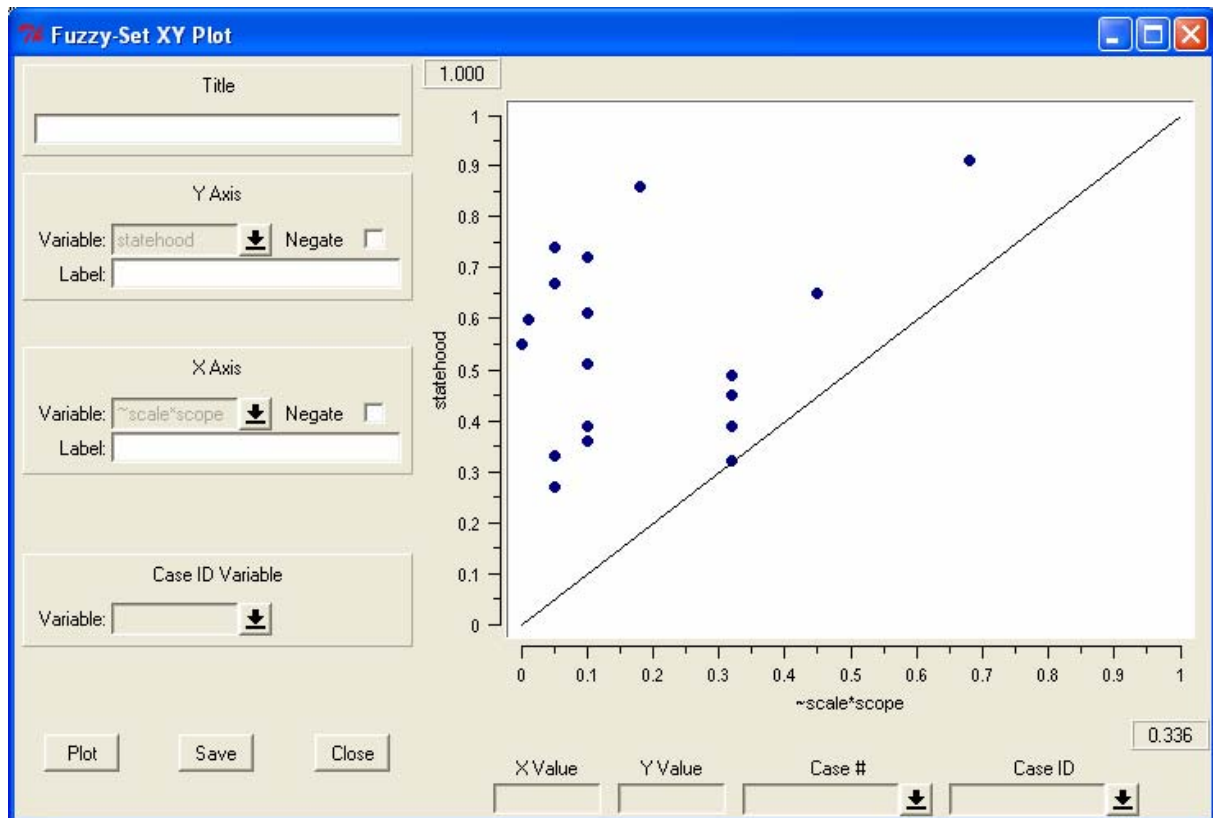


Figure 25: Fuzzy Set Plot of the Proximate Condition ‘~scale*scope’ for the Outcome ‘statehood’ in the Favorable Context Condition ‘~war + demand + soc-econ’

3.2.4. Two-Step Test of Sufficiency for the Outcome Absence of Statehood

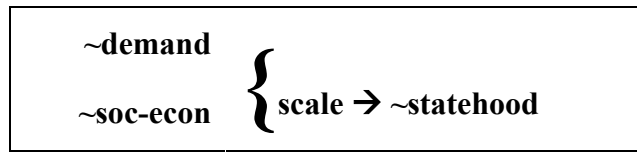
Finally, the fs/QCA analysis for the absence of statehood¹⁴¹ reveals that a low demand for peacebuilding or low socio-economic development are sufficient conditions for low levels of statehood with an accuracy of 0.84. 14 cases in the sample¹⁴² have such context conditions, of which only two – namely the Central African Republic and Mozambique – do not have low levels of statehood. The solution coverage is therefore very high at 0.93.

$$\sim\text{demand} + \sim\text{soc-econ} \rightarrow \sim\text{statehood}$$

¹⁴¹ The consistency cut-off is set at 0.93 and the minimum number of cases for sufficient conditions at 1. There are no logical remainders. See VII.2.4.1. for the truth table, other possible solutions, the solution output, and the graph.

¹⁴² Cases with low demand for peacebuilding or low socio-economic development are Afghanistan, Angola, Burundi, Cambodia, Central African Republic, Côte d'Ivoire, DR Congo, Liberia, Mozambique, Rwanda, Sierra Leone, Somalia, Sudan, and Tajikistan.

In the second step, the analysis of the proximate conditions within the two unpromising contexts produces the following solution¹⁴³:



Although the solution has a relatively high overall consistency of 0.94, its overall coverage is very low at 0.32. Of the 14 cases in the sample with unfavorable context conditions, only Afghanistan, Liberia, Sierra Leone, and Somalia have memberships greater than 0.5 in the set of peace missions with high scale combined with a low statehood outcome. These four cases are on the right hand side in Figure 26 below. This is still too few to speak of an empirically relevant solution.

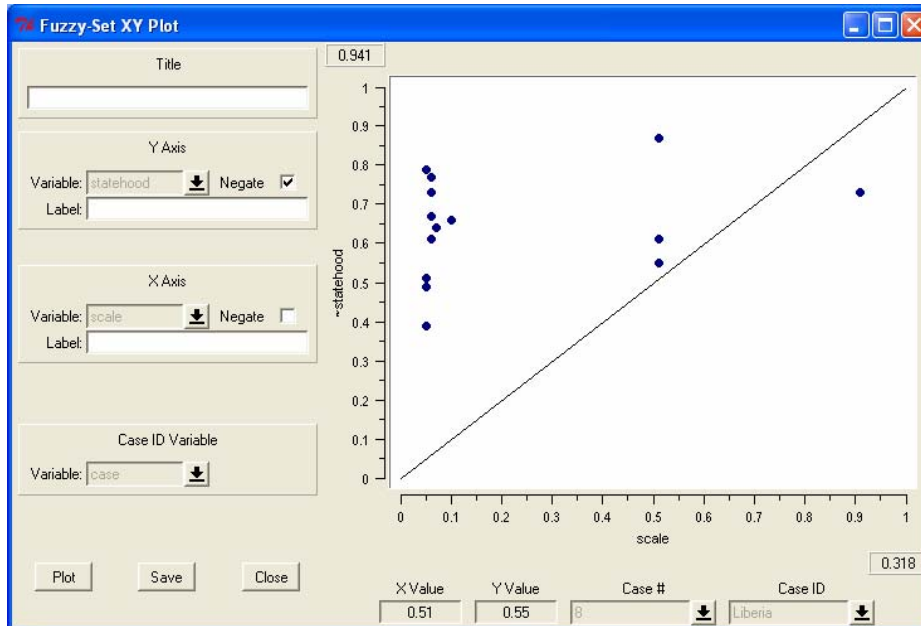


Figure 26: Fuzzy Set Plot of the Proximate Condition 'scale' for the Outcome '~statehood' in the Favorable Context Condition '~soc-econ + ~demand'

4. Interpretation of the Results

One of the most meaningful results of the analysis is certainly that local demand for peacebuilding is a necessary condition for both security and statehood. This means that, strictly, all cases displaying a high level of either security or statehood have had a high domestic demand for peacebuilding. Without the will of the local elites to host a peace mission (of whatever level of intrusiveness) and to cooperate and contribute to the peace

¹⁴³ Strict conditions are applied: The minimum number of cases is set to 1, the consistency cut-off to 1.00, no simplifying assumptions are made on the logical remainders. See VII.2.4.2. for the dataset, the truth table, and the solution output.

process, it follows, there cannot be success.¹⁴⁴ In the sample, nine cases fit this pattern: Bosnia, Croatia, East Timor, El Salvador, Georgia, Guatemala, Kosovo, Mozambique, and Namibia.¹⁴⁵ At the same time, the analysis did not detect a single remote or proximate factor that would invariably produce peacebuilding failure, i.e. which is a necessary condition for low security or statehood.

In one part of the analysis of sufficient conditions, favorable contexts for the establishment of security and statehood after armed conflict were identified. It was found that a favorable context is generally characterized by a low-intensity war, or high local demand for peacebuilding, or high socio-economic development.¹⁴⁶ Only four cases in the sample have none of the three favorable context conditions: Afghanistan, Rwanda, Somalia, and Sudan.

Within these favorable context conditions, how does the level of mission intrusiveness perform? The analysis shows that a low level of mission scale in combination with a high level of mission scope is a sufficient condition for both security and statehood. Whenever a mission is of short duration with little manpower and resource endowment but with a wide-ranging set of tasks and responsibilities, it will produce high levels of security and statehood. It can be concluded that countries with favorable context conditions for peacebuilding do not need expensive, long-term external security guarantees and massive deployments of troops. Rather, they require civilian assistance in governance reconstruction in the form of a provisional take-over of some or all state functions by external actors to get back on their feet. Croatia is the model case for this scenario: The country displays high levels of security in 1998 and statehood in 2001 and has hosted a peace mission of low scale (the mission lasted only 54 months, had a total of 2,847 staff, and spent 400 US\$ per capita) and high scope (external actors enforced peace with military power, were engaged in executive policing, and took on executive, legislative, and economic powers) in a favorable context: The war in the country lasted only 47 months and has caused less than 1,000 battle-related deaths. Demand for external support was high as the war was fought for independence from the Socialist Federal Republic of Yugoslavia; the truce and the Erdut Agreement which ended armed conflict in 1995 were not violated. Also, Croatia has been an industrialized European country with a GNI of 3,742 US\$¹⁴⁷ before the war. Since Croatia is the only case in the sample with these positive features, the empirical basis of the result is rather slim, which constrains the generalization of the results.

The other part of the analysis of sufficient conditions detected *unfavorable* context conditions for peacebuilding. Corresponding to the results above, these are low domestic demand for peacebuilding or low socio-economic development; the legacy of the war has ambiguous effects. In other words, whenever there is low socio-economic development or low domestic demand for peacebuilding, the peacebuilding effort will be a failure in terms of both security

¹⁴⁴ Following the logic of necessity, high levels of demand can also produce all other levels of security and statehood but they are necessary for positive outcomes, i.e. high levels of security and statehood.

¹⁴⁵ The analysis relaxes the assumption of perfect determination and the consistency and coverage values were unequal 1.0 (0.94 and 0.78). This is because two cases in the sample do not fit this pattern: the Central African Republic has a low demand score of 0.4, yet high membership scores for security and statehood (0.72 and 0.51); similarly, Liberia has a low demand score of 0.4 and a high membership score for security and a low score for statehood (0.69 and 0.45). The case study on Liberia shows that the low demand score was correct at the time when the mission was deployed in 2003 but it does not reflect the situation after the 2005 elections.

¹⁴⁶ Following the logic of sufficiency, high levels of security and statehood can also be produced by all other combinations of factors but low-intensity wars, high levels of demand for peacebuilding, and high socio-economic development are sufficient for positive outcomes.

¹⁴⁷ five year pre-intervention average

and statehood. This is true for 11 cases in the sample¹⁴⁸; 3 cases have either or both of the two characteristics but have a high membership score on either outcome factor¹⁴⁹; the other 8 cases¹⁵⁰ have neither of the two unfavorable characteristics.

The key result from the analysis is that peace missions of high intrusiveness can make things even worse and can actually impair the establishment of security and statehood in these unfavorable context conditions – a result that may not be well received by policy makers who believe in the omnipotence of peace missions. It can be shown that in unfavorable conditions of low socio-economic development and a low demand for peacebuilding, a mission of high scale and scope is sufficient for low levels of security. Similarly, a mission of high scale – regardless of its scope – is sufficient for low levels of statehood in unfavorable contexts. This means that a mission of long duration with massive manpower and resources in combination with a comprehensive set of functions and responsibilities will produce an unstable security environment; a mission of high scale will produce unstable and inefficient state institutions. The conclusion is that missions of high intrusiveness do more harm than good when the post-conflict state is unreceptive to the effort. Especially the ‘visibility’ of the mission, i.e. its duration, the number of troops and civilian staff on the ground and the amount of resources spent, seems to have a negative effect. This might have a lot to do with the perceptions of the people and the elites in the post-conflict state. A mission that is perceived as an occupation due to its high intrusiveness and forcefulness, by its mere presence, stirs resistances that impair the relationship between domestic and international actors. Cooperative statebuilding is hardly possible against the backdrop of military force. However, one has to differentiate here by the form of a peacebuilding mission. Missions with a large military presence that are even involved in active combat with the host state’s security forces or rebel factions are different in character than missions with a focus on civilian efforts. Somalia and Afghanistan are examples of missions where the military element was in the focus. Kosovo also had a large military component but since this was welcomed by the Kosovo Albanians as a security guarantee, statebuilding was not affected by it in a negative way.

The bottom line of the analysis is that the context in which peace missions are deployed definitely matters. Generally, good contexts will produce good outcomes and bad contexts will produce bad outcomes. The usual suspects for successful peacebuilding in favorable contexts are Croatia, East Timor, El Salvador, Guatemala, and Namibia, while Afghanistan, Rwanda, Somalia, and Sudan are in the cluster with unpromising context conditions and poor outcomes. This is not to say that peace missions cannot at all be successful in unfavorable conditions and that missions could not also do harm in favorable contexts. It is, however, methodologically not possible in a two-step fs/QCA analysis to detect the precise levels of mission intrusiveness that are conducive to success in unfavorable contexts and vice versa because the cases that are identified in the second step of each test for sufficiency as having conducive levels of intrusiveness for the respective outcome are always a subset of the cases identified in the first step as having favorable context conditions. It is therefore beyond the power of the method to test how peace missions have the potential to improve bad context conditions or whether they can in fact spoil good context conditions. The two detailed case studies of Kosovo and Liberia might shed some light on this question: Kosovo had a favorable context in all respects, while Liberia had an unfavorable context in all respects; Kosovo has hosted a mission of high intrusiveness, Liberia’s mission was medium in scale

¹⁴⁸ Namely Afghanistan, Angola, Bosnia, Burundi, Cambodia, Cote d’Ivoire, Croatia, DR Congo, East Timor, El Salvador, Georgia, Guatemala, Kosovo, Namibia, Rwanda, Sierra Leone, Somalia, Sudan, and Tajikistan.

¹⁴⁹ Namely the Central African Republic, Liberia, and Mozambique.

¹⁵⁰ Namely Bosnia, Croatia, East Timor, El Salvador, Georgia, Guatemala, Kosovo, and Namibia.

and low in scope. The outcomes of both missions were rather similar with medium membership scores for security and statehood. By analyzing the underlying mechanisms of the link between context, mission intrusiveness, and outcomes, it will be possible to see if and how a large interim administration can spoil good context conditions in the case of Kosovo, and if and how a sensitive mission can improve the prospects for success in unfavorable context conditions in the case of Liberia.

Some words of caution are needed on the magnitude of the effect that peace missions can actually have on the two outcome variables. Statehood is a longer-term, more complex concept than security and is naturally affected by more (latent) factors than just the context and the intrusiveness of the mission. One has to assume, therefore, that the effects of mission intrusiveness on statehood are weaker than on security. Peace missions themselves provide security and therefore directly contribute to the security levels. Their contribution to the measured levels of statehood, by contrast, is more difficult to assess. In those cases, where the missions did not have an executive mandate for certain state functions, the effect that they can have on statehood can only be indirect and stimulate other exogenous factors, i.e. by providing security and a coherent framework for the domestic actors' own reconstruction efforts. In those cases, where the missions had authorities to exercise state functions, the outcome variable possibly measures to some degree the level of statehood that is provided by the international actors themselves. The time frame of five years exacerbates this problem because a mission of high scope is hardly terminated and all competencies handed over to local actors before that.

V. THE CASE STUDIES

The empirical analysis of the 22 peace missions in the sample revealed that conditions matter and that missions of high intrusiveness do not per se produce successful peacebuilding outcomes. The fs/QCA analysis, however, cannot detect the causalities behind the relationship of the factors and cannot disclose how actors' choices and behaviors within the structural conditions lead to certain outcomes. This section presents two in-depth case studies: The UN Interim Administration Mission in Kosovo (UNMIK) and the United Nations Mission in Liberia (UNMIL). The objective of the case studies is to further clarify the links between context, mission intrusiveness, and outcomes that were found in the fs/QCA analysis by looking at the interaction process between international and national actors.

The case selection followed stringent methodological criteria. Kosovo and Liberia were selected to reveal if and how a mission of high intrusiveness can spoil good context conditions in the case of Kosovo and if and how a sensitive mission of low intrusiveness can make the best from unfavorable context conditions in the case of Liberia. The comparison of the two cases can illustrate how very dissimilar conditions can produce quite similar results, depending on the level of intrusiveness. Both in terms of security and statehood, Kosovo and Liberia have medium membership scores in relation to the other cases in the sample. It seems that the diverging approaches to local ownership lead to similar outcomes, which contradicts the findings of the above analysis that bad contexts usually produce bad outcomes and good contexts produce good outcomes. What are the mechanisms?

Data and information were collected by conducting expert interviews with UN officials, government officials, representatives of civil society, and academics. The advantage of expert interviews is that the kind of sensitive information on internal processes of peace missions is otherwise difficult to obtain. Those directly involved in the interaction processes can give valuable insights and assessments that might divert from official documents or reports. The expert interviews were conducted as semi-structured interviews¹⁵¹ during two field stays of six weeks each.¹⁵² Additional sources were official reports on the two missions, assessments by research institutions and in the media, and the academic literature.

The two cases were selected because they differed on the independent variables but produced similar results. For one thing, the contexts in which the peace missions were established varied considerably: Kosovo had very favorable conditions for peacebuilding, while the conditions in Liberia were dire (see data in Table 16 below). The war in Kosovo was a war for independence and lasted for about one and half years from early 1998 to spring 1999 and claimed a few thousand casualties. The conflict in Liberia, by contrast, was among the earliest of the post-Cold War period and lasted from 1990 to 2003, with a few years of interwar state paralysis. It was an intense and brutal internal war for government control and economic gains which disrupted the whole society and caused a few hundred thousand civilian casualties.

¹⁵¹ Flick (2006: 156) lists three essential features of a semi-standardized interview: First, the questions are open and are answered by the interviewee without preparation; second, the questions are theory-driven and hypotheses-directed based on the scientific literature on the topic or on the researcher's own theoretical assumptions; and third, the questions are confrontational, i.e. they should critically assess the theory and competing alternatives. On interviews see also Arksey and Knight (1999) and Kvale (1999).

¹⁵² The list of interviewees is available from the author.

In terms of pre-war socio-economic development, Kosovo has the highest score in the sample, while Liberia is only fifth from last with a membership score of 0.22. One must also consider that before the war Liberia had been an independent and sovereign state for more than 150 years with largely functioning, yet highly centralized, institutions. External assistance was required for introducing good governance but not for building institutions in the first place. In contrast, Kosovo had been – and remained during UNMIK – a province of Serbia, and domestic institutions were built basically from scratch.

According to the quantitative indicators, demand for external assistance in peacebuilding was much higher in Kosovo than in Liberia. The elites in Kosovo had a vested interest in integration into Europe and hence highly welcomed the intervention and peace mission. Their expectation was that the international assistance for ending the war would help them to break ties with Serbia, gain independence and self-government and build long-term, profitable relationships with Europe. In Liberia, the demand for peace and an international peace mission was certainly very high among the civilian population which was war-weary after more than a decade of suffering. Among the elites, namely President Charles Taylor and the other warlords, the demand was low. They had a great interest in a continuation of the war to protect and expand their economic gains and political power. Liberia has seen a long list of ceasefire agreements and peace accords, most of which were broken immediately (Mutwol, 2009). Both the ECOWAS peacekeeping mission and the UNMIL observer mission had failed in 1999; fighting had resumed even before they were withdrawn. At the time when the comprehensive agreement was signed in Ghana and Taylor was ousted, it could not be expected that the newly-installed interim government made up of the warring factions would support the peacebuilding process and the mission. The case studies will show that the indicator for local demand is a very weak one because demand is a flexible factor that can change within days on the ground. In Kosovo, demand for external assistance decreased gradually when competencies were not transferred timely and smoothly from the UN interim administration to national institutions. In Liberia, the demand for peacebuilding and the willingness of the government to cooperate with the international presence grew immensely after Ellen Johnson Sirleaf took office as President in early 2006.

For another thing, and more importantly, the design of the two peace missions was very different in terms of intrusiveness. They fit very well in the trend of mission intrusiveness: The Kosovo mission in the late 1990s was large in scale and scope, while Liberia initiated in 2003 after the apex of the trend was smaller. Both were established as multidimensional operations containing the classical peacebuilding instruments and measures and a strong military peacekeeping component. Yet, Kosovo is the largest mission in the sample regarding mission scale. On a per capita basis, it was hitherto more expensive, had more troops and civilian staff and stayed on the ground longer than the other missions. Liberia was until the time of writing deployed for about half the time, had only a third of the total personnel, and had only a bit more than a tenth available in financial resources compared to the Kosovo mission – even though these costs included the military component of the UN mission in Liberia, which was outside the budget of the UN mission in Kosovo.

The key aspect of the analysis is the range of authorities that the missions had. UNMIK in Kosovo was constructed as a full-scale interim administration. The SRSG initially had unrestricted decision-making powers, which were only gradually transferred to the nascent local institutions. The peacebuilders controlled the entire peacebuilding and institution building process, including the timing and scope of the transfer of competencies. By contrast, UNMIL in Liberia was only mandated to assist the government of Liberia in its own

peacebuilding efforts. Local ownership was the guiding principle. Apart from provisional decision-making powers in the economic sector, external actors did not formally engage in policy making or administration themselves. Following from that, UNMIK in Kosovo had several stages – the full suspension of sovereignty, the transfer phase, independence –, while UNMIL in Liberia did not have more than one stage, and the government was always sovereign and responsible. The external engagement in the country evolved from a peacebuilding mission to regular development assistance. In the overall trend, the Liberia mission followed after the peak of mission intrusiveness in the mid to late 1990s.

Country Case	War intensity	Socio-economic development	Demand for peacebuilding	Scale	Scope	Security	Statehood
Kosovo	0.27	1.00	0.80	1.00	0.95	0.65	0.55
Liberia	0.46	0.22	0.40	0.51	0.32	0.69	0.45

Table 16: Set Membership Data of Kosovo and Liberia

Also concerning control variables, the selection of Kosovo and Liberia for a comparative case study is useful. Both are relatively small countries both regarding their area and population: Kosovo has an area of about 10,887 km² with a population of 1.8 million; Liberia has an area of 111,369 km² with a population of 3.7 million.¹⁵³ This is relevant because troops are more easily deployed to small countries, and peacebuilding activities can more effectively cover the whole country and not only focus on the capital. In small countries, measures are easier to implement, which in itself makes them more intrusive, but the effect should be equal in both Kosovo and Liberia due to its comparable size.

The case studies will examine the intrusiveness dilemma by looking at the interaction processes between domestic and international actors. According to Bonacker et al. (2010), every intervention creates a society of intervention after the cessation of military violence ending the original conflict. This intervention society develops its own structures and logics which again cause follow-up conflicts that are not linked to the root conflict. In the two case studies, it will be investigated where the ‘societies of intervention’ were structurally similar in Kosovo and Liberia and where they differed. It will specifically be shown how the degree of inclusion of domestic elites into the process shaped the peacebuilding and institution building process and how that affected the outcome. Local ownership will be assessed both in the process and of the outcome. The two case studies are ideal testing grounds for the key question whether the establishment of a trusteeship can foster local ownership despite the normative inconsistency or whether local ownership must indeed be the objective and the strategy at the same time.

Both case studies follow the same structure: After a short summary of the historical background of the conflict, the empirical part will first describe the scale of the mission in terms of duration, expenditures and manpower. It will then describe the scope of the mission with a detailed assessment of the range of competencies that external actors took on. This part will illustrate the degree of local ownership at the operational level. In the case of Kosovo, this part will also present a technical outline of the gradual transfer of competencies from the

¹⁵³ Figures from the CIA World Fact Book. Population figures are estimates of July 2010.

omnipotent UN mission to the new national institutions and will thereby examine how the intrusiveness evolved over a period of ten years.

The third part will describe the ‘intervention society’ by investigating the interaction process between domestic and international actors. By looking at a three-dimensional space with the vertices peace mission, government and civil society, it will describe the relationships between these three actors and explore the asymmetries and mutual dependencies in their relations.

The last part will explore the outcome of the peace missions, i.e. the level of security and the quality of statehood. It will answer two questions: First, who provides for security and statehood – domestic or international actors; and second, what is the quality of security and statehood based on the output that is provided for the citizens beyond quantitative indicators? The focus in the first part is on the level of decision-making autonomy of the domestic elites and whether they succeeded in developing nationally-owned political responsibilities and a democratic culture. In the second part, the focus is on output that is provided for the citizens. (Hill, 2002: 2ff) provides a useful overview of the tasks which a state must be able to perform: A state must be capable of exercising control over the defined piece of territory, thereby providing security to its citizens, and hold the monopoly on the legitimate use of force; a state must be effective at resolving societal conflicts through its institutions, including the rule of law, and promoting the general welfare of its citizens; and the state must provide a political entity based on accepted legitimacy, which is also linked to the process of political reconciliation in post-conflict countries. The measurement points for the outcome are mid-2009 for Kosovo, i.e. ten years after the start of the intervention, and mid-2010 for Liberia, i.e. seven years after the start of the intervention.

1. Case Study Kosovo

1.1. Historical Background¹⁵⁴

Both groups involved in the Kosovo conflict, ethnic Albanians and Serbs, trace the roots of the Kosovo conflict several decades back.¹⁵⁵ Ethnic motivations and images, however, are not the cause but rather the means of the conflict: They are used in the rhetoric of all conflict parties as justifications for repression, persecution, displacement and appalling atrocities.

Following centuries of spiraling violence between Serbs and Albanians in Kosovo, the simmering conflict was contained in the multi-ethnic Federal Republic of Yugoslavia under Tito, founded in 1945. After the breach between Tito and Stalin in the late 1940s regarding the status of Albania, the Kosovo Albanians were integrated into the Yugoslav Republic of Serbia and Albania became an independent state. With the constitutional reform of 1974, Kosovo was given the status of an ‘autonomous province’ within Serbia. This meant that Kosovo Albanians enjoyed all rights of the other six republics of Yugoslavia but that they were denied the right to secession with the argument that Albanians already had their own state of Albania. The status of Kosovo as an autonomous province within Serbia – the

¹⁵⁴ The following works provide a comprehensive overview of the history of the conflict in Kosovo: Judah (2002), Malcolm (2002), Perritt jr. (2008), Vickers (1998), and Weller (2008).

¹⁵⁵ The Battle on the Field of Blackbirds in 1389 (near present-day Prishtina) has a mythical status for Serbs as the cradle of Serbhood, while the Albanian population claims that their illyric ancestors have lived in Kosovo before the arrival of the Serbs.

hereditary enemy – and not that of an own republic caused considerable grievances among the Kosovo Albanians.

Kosovo had always been the poorest region in the Yugoslav federation. Economic frustrations built up in the 1980s among Kosovo Albanians and led to large-scale protests of students and workers. The most prominent protest was that of the 2,000 workers in the Trepča mines in northern Kosovo in February 1989 which was forcibly put down by Serbian authorities. The demonstrations against unemployment and the deteriorating economic situation in Kosovo soon turned into violent uprisings against the Serbian repression and for Kosovo Albanian political self-determination. The break-up of Yugoslavia in the early 1990s and the secessions of Slovenia and Croatia also raised hopes for an independent Kosovo.

Milošević's decision to revise the autonomy status of Kosovo by constitutional amendment in March 1989 was the beginning of increasing tensions between the Serbian state and the Kosovo Albanians. Serbia tightened its control over Kosovo and introduced a system of discriminatory and repressive state structures, which, for example, barred Kosovo Albanians from taking up public positions and suppressed all Albanian-language media. In July 1990, an unofficial underground referendum was held among the Kosovar population, followed by an equally unofficial declaration of independence of Kosovo. As a form of peaceful resistance, the Kosovo Albanians built up parallel governmental underground structures which provided 'para-state' services in administration, health-care and education. These self-organized parallel structures were financed through an underground taxation scheme that obliged the Kosovo Albanian diaspora to pay a 'solidarity tax'. The parallel system conducted unofficial, yet generally democratic, elections in 1992 and 1998; the leading party was the LDK headed by Ibrahim Rugova.

After the Dayton Peace Accords ending the war in Bosnia in November 1995, violent resistance against the Serbian repression began to emerge in Kosovo. The militarization of the Kosovo Liberation Army (KLA / UÇK), founded by Hashim Thaçi¹⁵⁶, was expedited by the break-up of neighboring Albania in 1997 which caused an enormous influx of heavy military equipment into Kosovo. Beginning in early 1998, open conflict erupted between the Yugoslav army, that conducted large-scale military operations, and the UÇK. The UÇK dragged the Serbian security and military forces into an asymmetric guerilla war and, by mid-1998, controlled up to 40% of the territory of Kosovo. The massive retaliation actions by Serbian the forces, including the systematic persecution and extra-judicial executions and abductions of Kosovo Albanians, resulted in refugee flows to neighboring countries.

After attempts to establish a truce had failed and the OSCE observer mission (KVM) had to withdraw, the international community organized a mediation conference in Rambouillet, France, beginning in February 1999 which presented a take-it-or-leave-it-proposal to Milošević: He would have to withdraw his troops from Kosovo, otherwise NATO would intervene militarily. Withstanding international pressure, Milošević refused to sign the agreement; one day later, on 24 April 1999, NATO started its 78-day bombing campaign 'Allied Force' on Serbian territory.

The operation was terminated when Milošević capitulated and agreed to withdraw the Serbian forces from Kosovo. The Yugoslav Army signed a Peace Agreement with NATO, the Military Technical Agreement, in Kumanovo on 9 June 1999. This agreement established five

¹⁵⁶ Prime Minister of Kosovo since January 2008

security zones in Kosovo to be controlled by NATO's Kosovo Force (KFOR). It was also the basis for UN Security Council Resolution 1244 adopted one day later.

The Yugoslav forces withdrew from Kosovo within a few days, so that a vacuum evolved with no legally constituted authority on the ground. Anarchic violence and a series of violent Albanian retaliations on the Serb minority expanded over Kosovo in summer 1999. As KFOR was slow to deploy and UNMIK was fully operational only six months later, UÇK leaders under Thaçi had set up a self-appointed administrative system which governed Albanian-populated areas in Kosovo and provided basic services. The budget for this interim system came from donations. These structures were more of a symbolic nature without effective governmental capacities due to a shortage of qualified personnel but they created a sense of political self-determination among the Kosovo Albanians. The slow deployment of UNMIK hampered its effectiveness and credibility in the initial phase.¹⁵⁷ Its strategy was to eliminate the informal governmental system and to build up new political, economic, and administrative structures from scratch.

The war in Kosovo has claimed between 2,500 and 11,000 deaths among the Kosovo-Albanian population between the outbreak of hostilities in late 1997 and the arrival of KFOR in June 1999 (AKUF¹⁵⁸; HLC¹⁵⁹). Some sources claim that the NATO operation alone has caused an estimated 6,500 civilian casualties and 500 battle-related deaths (Hofbauer, 2008: 100). During the Albanian retaliation, some 2,000 to 2,500 Serbs, Roma, Bosnians, and 'disloyal' Albanians are believed to have been killed, with some 1,300 missing (HLC¹⁶⁰). UNHCR found that there were 260,000 internally displaced persons and another 200,000 refugees before the NATO intervention (King and Mason, 2006: 43). In total, the war and the NATO intervention have resulted in between 1 million (OSCE¹⁶¹) and up to 1.5 million IDPs and refugees (AKUF⁴). More than 90% of the Kosovo-Albanian population had to leave their homes (Wirth, 2007: 68) but returned a few weeks after the end of the war.¹⁶² The International Committee of the Red Cross (ICRC) reports that 2,047 people belonging to all ethnic communities are still missing (HLC¹⁶³).

1.2. UNMIK Scale

1.2.1. Duration

The UN's role in Kosovo was designed as a long-term engagement from the very beginning (Kramer and Dzihic, 2006: 223). Resolution 1244 established UNMIK for an initial period of 12 months, but the mandate would be extended every year unless the Security Council decided otherwise (SC/RES/1244, Art. 19). This de facto open-ended mandate indicates that the international community was prepared to stay in Kosovo for several years and did not have an explicit exit strategy, although there were internal discussions about a withdrawal around 2005. Due to the Russian opposition to the Ahtisaari Plan, which prevented a follow-

¹⁵⁷ Interview with a Kosovar architect.

¹⁵⁸ http://www.sozialwiss.uni-hamburg.de/publish/Ipw/Akuf/kriege/216_jugoslawien.htm

¹⁵⁹ <http://www.hlc-rdc.org/FHPKosovo/KOSOVO-KNJIGA-PAMCENJA/index.1.en.html>

¹⁶⁰ <http://www.hlc-rdc.org/FHPKosovo/KOSOVO-KNJIGA-PAMCENJA/index.1.en.html>

¹⁶¹ OSCE, 1999: Kosovo/Kosova: as seen, as told. An analysis of human rights findings of the OSCE Kosovo Verification Mission, October 1998 to June 1999, Ch. 14, Vienna.

http://repository.forcedmigration.org/show_metadata.jsp?pid=fmo:2871

¹⁶² For precise refugee figures see also the Kosovo Crisis Fact Sheets provided by USAID:

<http://www.ess.uwe.ac.uk/kosovo/Kosovo-aid.htm>.

¹⁶³ <http://www.hlc-rdc.org/FHPKosovo/KOSOVO-KNJIGA-PAMCENJA/index.1.en.html>

up resolution on UNMIK to regulate its exit, the mission is still ongoing.¹⁶⁴ Likewise, KFOR is continuing to exercise the mandate given to it in Resolution 1244. However, UNMIK has significantly reduced its competencies, manpower and resources since the declaration of independence of Kosovo in February 2008. At that time, the European Union Rule of Law mission in Kosovo EULEX was established with an initial mandate of 16 months and the International Civilian Office ICO for a non-predefined period of time with a biennial review¹⁶⁵ of the progress made in the implementation of the Ahtisaari Plan (Ahtisaari Plan, Art. 12.6.). Internally, the ICO plans a stepwise withdrawal two years after its deployment.¹⁶⁶

1.2.2. Manpower

At its peak, UNMIK employed some 3,800 international and 2,600 local civilian staff with an additional 320 international and over 1,000 local staff in the OSCE component (Kramer and Dzihic, 2006: 25f).¹⁶⁷ In January 2008, one month before Kosovo's declaration of independence, UNMIK's strength was reduced to 462 international staff, 1,892 local staff, and 125 UN Volunteers.¹⁶⁸ Regarding its civilian staff, UNMIK was comparable to the UN's equally comprehensive missions in Bosnia and East Timor. In all these missions, there were more local than international civilian staff.

The largest component of UNMIK was its police sector. The maximum authorized strength of UNMIK police was 4,718, including 1,100 special police. In September 2002, this figure was almost reached with 4,468 international police from 49 participating countries deployed in all five regions of Kosovo and at border crossings.¹⁶⁹ They supported 4,933 Kosovo Police Service officers. UNMIK gradually reduced the number of its international police officers to 1,499 police officers from 31 countries with Kosovo's independence in February 2008.¹⁷⁰ The strength of the KPS was increased to 7,124 officers at the same time (figure of November 2007¹⁷¹) which makes Kosovo a country with one of the highest rates of police officers per inhabitant (IKS, 2008b: 39).

As part of the UNMIK structure, OSCE and the EU provided personnel to the mission. OSCE had in its pillar a maximum total staff of 1,300 with 310 international and 990 national staff (as of September 2006). The EU Pillar employed a total of 433 staff with 99 international and 334 national staff (as of October 2007).

The military component KFOR deployed a maximum of 50,000 troops in its initial phase in 1999. This number was gradually reduced to 16,000 to 17,000 troops during most of the intervention. The March riots in 2004 led to a temporary increase in troops (Kramer and Dzihic, 2006: 25f). With 50,000 KFOR troops, Kosovo had the second largest troop contingent in a UN mission after Afghanistan in terms of military personnel. On a per capita basis, the number of troops deployed to Kosovo was by far the highest with approximately 25 KFOR troops per 1000 inhabitants. As of November 2010, the remaining strength was only

¹⁶⁴ Time of writing March 2009.

¹⁶⁵ Interview with the Executive Director of the Kosovo Stability Initiative (IKS).

¹⁶⁶ Interview the Head of ICO Political Affairs Unit.

¹⁶⁷ The Center on International Cooperation (2010a: 294ff) gives considerably different personnel figures.

¹⁶⁸ <http://www.unmikonline.org/intro.htm>

¹⁶⁹ <http://www.unmikonline.org/civpol/factsfigs.htm>

¹⁷⁰ http://www.unmikonline.org/docs/2008/Fact_Sheet_July_2008.pdf

¹⁷¹ http://www.unmikonline.org/docs/2008/Fact_Sheet_July_2008.pdf

8,454 troops from 32 NATO member states and partner countries.¹⁷² KFOR has announced plans to reduce its numbers to a force of just over 5,000 in spring 2011.¹⁷³

The staff target of EULEX was set at around 3,000 with 1,900 international and 1,100 local staff. As of March 2009, the actual figures of deployed staff were 1,696 international and 812 local staff.¹⁷⁴ The EULEX Police Component aimed at a total strength of approximately 1,400 international police officers.¹⁷⁵ The EULEX Justice Component employed 300 people as of March 2009.¹⁷⁶ The staff target for the Customs Component was 27 international staff and 19 national staff.¹⁷⁷

ICO had 102 national and 64 international staff from EU member states, the US, and Switzerland in March 2008. The international staff figure was expected to increase to around 300 by the end of 2008 when the office would operate with full capacity, but in November 2010 it had only climbed to 200.¹⁷⁸

1.2.3. Resources

Not only regarding its scope of competencies but also regarding the resources provided by the international community for the interim administration, UNMIK was the most ambitious project of the UN so far (Kramer and Dzihic, 2006: 223).

In its first year 1999, UNMIK had a huge budget of 1.5 billion Euros (Kramer and Dzihic, 2006: 28). In the following years, the annual budget was reduced by about 15% every year. The detailed official figures of the UNMIK budget are in Table 17 below.

Fiscal year	Expenditures (in million US\$)	Source
1999 / 2000	362.4	A/55/624
2000 / 2001	383.5	A/56/763
2001 / 2002	360.2	A/57/678
2002 / 2003	330.0	A/58/634
2003 / 2004	315.5	A/59/623
2004 / 2005	294.5	A/60/637
2005 / 2006	233.8	A/61/675
2006 / 2007	210.2	A/62/610
2007 / 2008	220.5	A/63/569
2008 / 2009	198.0 (budgeted)	A/63/803
2009 / 2010	47.1 (estimated)	A/63/803

Table 17: UNMIK Expenditures 1999 to 2010

¹⁷² http://www.nato.int/kfor/structur/nations/placemap/kfor_placemat.pdf

¹⁷³ <http://www.nato.int/kfor/docu/inside/2010/11/i101104a.htm>

¹⁷⁴ <http://www.eulex-kosovo.eu/?id=2>

¹⁷⁵ <http://www.eulex-kosovo.eu/?id=9>

¹⁷⁶ <http://www.eulex-kosovo.eu/?id=10>

¹⁷⁷ <http://www.eulex-kosovo.eu/?id=5>

¹⁷⁸ <http://www.ico-kos.org/?id=2>; <http://www.ico-kos.org/ico/?id=9>

NATO did not publish its budget figures for KFOR, apparently due to individual budgeting by each KFOR contributing state. SRSR Michael Steiner indicated at a public presentation that the KFOR budget was “decisively higher” than the 1999 UNMIK budget of 1.5 billion Euros (Kramer and Dzihic, 2006: 28). The accumulated KFOR budget for 2000 to 2004 is estimated at 15 to 17 billion Euros (Narten, 2008: 150).

The EU attributed an overall budget of 205 million Euros to EULEX for the first 16 months¹⁷⁹, which yields a monthly average of almost 13 million Euros. After that initial period, there is a reviewing mechanism scheduled to assess the mission’s further role and the financial contributions to EULEX. Compared to the Kosovo national budget of 1.22 billion Euros for 2007¹⁸⁰ (2010: 1.461 billion Euros¹⁸¹), the EULEX and ICO budgets are minimal.

1.3. UNMIK Scope

The United Nations Interim Administration Mission in Kosovo (UNMIK) was the UN’s most comprehensive mission ever regarding the range of competencies the organization took on in administering the territory of Kosovo. Looking at the challenges that the UN was faced with when arriving in Kosovo in 1999, the term 'interim administration', however, falls short of capturing the overarching range of functions and responsibilities UNMIK had.

The mission's tasks were the construction of democratic state institutions from scratch according to EU and international standards and the initiation of a political process with the aim of determining a final status for Kosovo. Before the national institutions would be operational, UNMIK would serve as an interim civil administration that would directly govern Kosovo at the central and at the local level, exercising all functions that are normally performed by a government. This three-fold task of administering the territory while at the same time fostering autonomous self-government and promoting local ownership in addition to advancing the political process presented a crucial dilemma that UNMIK was faced with (Narten, 2009b).

In addition to these challenges, UNMIK – like other peacebuilding missions before – was a multidimensional peacebuilding mission working in a separated society. The classical peacebuilding tasks included the reconstruction of infrastructure and economic structures, humanitarian aid, public safety and security, the protection of minorities and the safeguarding of human rights, refugee return, disarmament, mine clearing, and many other tasks.

With this all-encompassing range of competencies, UNMIK presented an entirely new quality in peacebuilding. When examining the scope of the mission, however, one needs to take into account its spatial and temporal variation: After a phase of maximum intrusiveness where UNMIK performed the complete range of state functions, the scope of its competencies was successively reduced and powers were gradually transferred to local officials. This section will first sketch out the different phases of intrusiveness and then delineate the authorities and competencies of UNMIK and the Kosovo institutions respectively for each phase¹⁸².

¹⁷⁹ <http://www.eulex-kosovo.eu/?id=2>

¹⁸⁰ CIA World Fact Book

¹⁸¹ <http://mef-rks.org/en/press-release/136-komunikate-per-media-23-12-2009>

¹⁸² Other authors divide the process of the transfer of authorities into slightly different phases; e.g. King and Mason (2006): Emergency June 1999-October 2000, Consolidation October 2000-June 2002, Confrontation and Stagnation June 2002-February 2004, The Reckoning March 2004-May 2006.

However, this description does only refer to the Albanian-populated areas in Kosovo. UNMIK was not successful in expanding its influence to the Serb-populated areas in the North of Kosovo, where a Serb parallel system remains in place until today.

1.3.1. Temporary Variation of Intrusiveness

The UN Security Council resolution explicitly foresaw the gradual transfer of competencies (SC/RES/1244, Art. 11d and f) but refrained from laying down a definite time frame for the hand-over of autonomy. It rather mandated the UN to perform “basic civilian administrative functions where and as long as required” (SC/RES/1244, Art. 11b). Although the Secretary-General presented a strategic plan of five consecutive and integrated stages in which the competencies of UNMIK would gradually be reduced to be taken over by local institutions (S/1999/779, Art. 110-116), the realities on the ground produced a somewhat different sequencing of phases, which are outlined in the following.

The initial phase, starting with the adoption of Security Council Resolution 1244 in June 1999, saw the complete take-over of all formal state functions by the UN and its partner organizations in order to establish the conditions of basic security and stability. The final and exclusive authority rested with the UN and specifically with its highest representative in Kosovo, the SRSG. Security Council Resolution 1244 of 10 June 1999 “authorizes the Secretary-General, with the assistance of relevant international organizations, to establish an international civil presence in Kosovo in order to provide an interim administration for Kosovo under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia, and which will provide transitional administration while establishing and overseeing the development of provisional democratic self-governing institutions to ensure conditions for a peaceful and normal life for all inhabitants of Kosovo” (S/RES/1244, Art. 10).

The actual structure of the interim administration and its authorities and competencies were laid down in the Secretary-General’s Report of 12 June 1999 (S/1999/672) and further concretized in his comprehensive report one month later (S/1999/779). According to these reports, all authorities over the entire territory and the people of Kosovo were vested with UNMIK, which included all legislative and executive powers and the administration of the judiciary (S/1999/779, Art. 35). This phase of a complete take-over of all formal state powers represents the highest form of external intrusiveness into local affairs.

The UNMIK structure rested on four parallel components which were each managed by a lead organization: UNHCR was in charge of humanitarian issues (Pillar I), the UN controlled the civil administration (Pillar II), OSCE was responsible for democratization and institution building (Pillar III; OmiK), and the EU for reconstruction and economic development (Pillar IV). Each pillar was headed by a Deputy SRSG who was appointed by the Secretary-General but was a member of the respective organization (S/1999/779, Art. 43; see the organizational chart in VII.4.)¹⁸³. A partially overlapping task structure of the four pillars was intentional, yet some critics refer to them as 'interblocking' instead of interlocking pillars (Kramer and Džihic, 2006: 260). The highest civilian official of UNMIK and head and coordinator of all four

¹⁸³ On the pillar structure and the competencies and contributions of each of the international organizations see Kramer and Džihic (2006: 21ff), Hofbauer (2008: 117), Rossbacher (2004: 141ff), Kellermann (2006: 114ff), or Tielsch (2006: 34f).

pillars was the SRSG. He was empowered to exercise all authorities assigned to UNMIK in SC Resolution 1244 (S/1999/779, Art. 39ff. and 44). His role as the highest executive power in Kosovo had effects on a range of other areas which were not primarily part of the executive.

The UNMIK structure in the first phase was the ‘default set-up’ of the mission. Almost all functions of statehood in Kosovo were performed by external actors at this stage. The only areas where local actors contributed input to some degree were in the judiciary and in the Kosovo Police Service. In the judicial branch, Kosovar judges and prosecutors initially retained exclusive jurisdiction over civil cases. However, the appointing body was established by the SRSG, final authority on the appointment and removal of office of national judicial staff rested with him, and their training was provided by OSCE. Later, UNMIK appointed international judges and prosecutors to all five districts of Kosovo and one international judge to the Supreme Court of Kosovo to handle cases of serious crime. Similarly, the KPS was responsible to the UNMIK Police Commissioner.

The second phase began already six months later, in January 2000, when UNMIK established the Joint Interim Administrative Structure (JIAS). It created a provisional set of institutions to share the administrative tasks between international and local officials (UNMIK/REG/2000/1). The JIAS structure consisted of three basic elements: The Interim Administrative Council (IAC), the Kosovo Transitional Council (KTC), and 20 Administrative Departments. The IAC assisted the SRSG in drafting UNMIK regulations and thus served as an advisory executive organ or quasi-cabinet to the SRSG. The KTC represented the pluralistic society of Kosovo; it served as quasi-parliament. In the KTC, representatives of all ethnic and religious groups held weekly meetings for the formation of the political will.¹⁸⁴ The Administrative Departments were characterized by ministerial task-sharing. Following a ‘double-desk policy’, each department was co-directed by a senior UNMIK international staff and one Kosovar official who were both appointed by the SRSG and subject to his approval. In case they could not reach a consensus, decisions were referred to the SRSG. De facto, this gave him decision-making powers with only consultation rights reserved for the local co-head (Tielsch, 2006: 60). For decentralizing the administration, JIAS established municipal boards and councils as executive bodies at the local level (UNMIK/REG/2000/1, Sec. 8).

The basic set-up of UNMIK was retained throughout the JIAS phase. The highest executive and legislative authority rested with the SRSG. JIAS was set up as a temporary arrangement until democratic elections were conducted which would enable the establishment of a more permanent structure.¹⁸⁵

The third phase laid the basis for an autonomous democratic government and full self-administration as envisaged in resolution 1244. The Constitutional Framework for Provisional Self-Government of May 2001 (UNMIK/REG/2001/9) was the legal and political basis for the establishment of the Kosovar Provisional Institutions of Self-Government (PISG; Kramer and Dzihic, 2006: 69ff).¹⁸⁶ The framework was drawn up in a corporative working group

¹⁸⁴ The IAC was made up of four international representatives, three Kosovar Albanian representatives, and one Serb Kosovar with observer status. KTS had 36 members from the various societal groups, i.e. political parties, religious groups, ethnic groups, and civil society groups (Tielsch, 2006: 55f.).

¹⁸⁵ UNMIK-JIAS Fact Sheet <http://www.unmikonline.org/1styear/jias.htm>.

¹⁸⁶ For graphical overviews of the PISG organizational structure see e.g. Rossbacher (2004: 244, 248).

consisting of international staff and Kosovar representatives.¹⁸⁷ The PISG structure was the first to comply with the separation of powers principle as it was composed of an executive with a prime minister and his cabinet, an assembly as the highest legislative organ, a judicial system with courts at all administrative levels, and the office of the president. The parliamentary PISG positions were filled with officials elected in the first democratic parliamentary elections on 17 November 2001. For the next eight years, the PISG framework “dictated the political system of the evolving Kosovar polity” (Narten, 2008: 140).

The organizational structure of the PISG was that of a central state with a decentralized local administration. Its main elements were: a legislative assembly with 120 seats, the offices of president and prime minister, a government with ministries, and judicial institutions.¹⁸⁸ The PISG government consisted of the prime minister and his ten ministers¹⁸⁹ of the cabinet who were elected by parliamentary majority (UNMIK/REG/2001/9, Ch. 9, Sec. 3). The ministries emanated from the administrative departments under JIAS of which some were merged. The novelty was that each minister was self-reliant in heading the ministry and did not have to consult with an international co-head anymore. The main tasks of the government were the implementation of legislation passed by the parliament and the proposal of draft laws to the assembly. The PISG president was authorized, in coordination with the SRSG, to take action in the field of external relations and to propose to the legislature the prime minister (UNMIK/REG/2001/9, Sec. 9.2.4). The PISG therefore respected the principle of separations of powers (UNMIK/REG/2001/9, Ch. 2a). The first parliamentary session took place on 10 December 2001 (Kramer and Dzihic, 2006: 62).

The “protectorate function” (Kramer and Dzihic, 2006: 73) of UNMIK was maintained throughout and beyond the PISG stage. UNMIK remained the ultimate decision-maker in all branches and retained control of key political functions that are normally carried out by sovereign states, namely foreign affairs, the judiciary and internal security, monetary and fiscal policies, the protection of minorities, and the media (UNMIK/REG/2001/9, Ch. 8, see also Tielsch, 2006: 74ff). The Constitutional Framework clearly delineated the division of powers between the 'reserved powers' of the SRSG and the 'transferred Powers' of the PISG. The SRSG's reserved powers were barred from the any authority of the Kosovar institutions even though the PISG organs would normally be in charge according to their set-up of ministries.

Almost all Kosovo Albanian political groups had demanded vigorously the rapid transfer of competencies as the precondition for independence. With the establishment of the PISG institutions and the successful conduction of the first post-war parliamentary elections, Kosovo had at this point a formal governmental system in place which was consistent with normative democratic standards. The majority of state functions were in the hands of the

¹⁸⁷ A group of 15 experts drafted the framework, including eight international and seven national experts. The wording 'Constitutional Framework' was a compromise brought forward by the former Chief Legal Adviser to UNMIK between the Kosovar preference to have a real constitution, which would pre-determine its sovereignty status, and the UN preference of passing only a legal framework due to the fact that Kosovo was still part of Yugoslavia according to SC resolution 1244 and could therefore not have a constitution (Interview with the Special Adviser to Prime Minister Hashim Thaçi and former Chief Legal Adviser to UNMIK; see also King and Mason, 2006: 117).

¹⁸⁸ For a detailed description of the PISG organizational structure see Kramer and Džihic (2006: 70f) and Tielsch (2006: 67ff with a graph on p. 77).

¹⁸⁹ The ten PISG ministries were: economy and finances; trade and industry; agriculture and rural development; education, science and technology; environment and spatial development; culture, youth and sports; labour and social welfare; transport and communications; public services; and health.

Kosovars – but with UNMIK continuing to withhold a significant number of 'reserved powers' in key political areas and the SRSG remaining the highest decision-making authority. The PISG system was in place until the independence of Kosovo in 2008. Many critics point out, however, that although the system was deliberate and designed for efficiency, the lack of political professionalism of local office holders and problems of corruption and nepotism turned out to be major problems for effective and 'good' governance (Kramer and Dzihic, 2006: 74f).¹⁹⁰

The fourth phase was initiated in April 2002, when SRSG Michael Steiner presented the “Standards Before Status” strategy. It imposed eight institutional and political benchmarks on Kosovo to be fulfilled as conditions for the initiation of status talks (Kramer and Dzihic, 2006: 165ff).¹⁹¹ This strategy was devised without consulting the PISG altogether. An amended version, the “Standards for Kosovo”, which had been worked out in cooperation with local representatives, was presented by Steiner’s successor as SRSG, Harri Holkeri, together with prime minister Rexhepi and president Rugova in December 2003.¹⁹²

But even with the scheme in place, the period 2002 to 2005 was characterized by “political stagnation and widespread frustration“ (S/2005/635, p.2). The Kosovars felt increasingly patronized against their own interests by UNMIK and the international community and rose up against the decelerated process of hand-over of competencies and the further delay of a final status determination. The grave dissatisfaction of the Kosovars cumulated in the March riots of 2004. Ethnic violence was directed mainly against the Serb-speaking community (Serbs and Roma) in Kosovo’s enclaves. The riots left nineteen people dead, over 900 injured, thousands of Serbian houses and religious buildings destroyed, and have led to a renewed displacement of about 4,000 Kosovo-Serbs and Roma to Serbia proper, all under the eyes of KFOR and the international police. The perpetrators were mainly youngsters and radical spoiler groups of the Kosovo-Albanian majority. In the aftermath of the riots, authorities were transferred in a rather hasty manner. In an act of conciliation, SRSG Holkeri transferred another 25 competencies of Chapter V of the Constitutional Framework from UNMIK to local institutions, including agriculture, media, culture, and environment (Kramer and Dzihic, 2006: 73).

Kai Eide’s critical 2004 review (S/2004/932 enclosure p. 3ff¹⁹³) of UNMIK and its efforts in transferring authorities to local actors gave additional momentum to the standards implementation process and to the status question. In agreement with the new SRSG Jessen-Petersen, Eide concluded in his evaluation report that the status question could not be postponed forever and that “further progress in standards implementation is urgently required” (S/2005/635, p. 4). Time was running out for UNMIK as it feared that Kosovars would enforce its independence and abandon the UNMIK framework altogether (Kellermann, 2006: 145). However, instead of suggesting a reduction of UNMIK's engagement, Eide argued for retaining the strong role of the international community in capacity-building due to the lack of local expertise and experience in certain fields, e.g. the police and the judiciary:

¹⁹⁰ The reported intimidation of Serb members of parliament by Kosovo Albanian members of parliament is one example of this lack of political professionalism.

¹⁹¹ The eight benchmarks were: Functioning democratic institutions, Rule of law, Freedom of Movement, Sustainable returns and the rights of communities and their members, Economy, Property Rights (including cultural heritage), Pristina-Belgrade dialogue, Kosovo Protection Corps (KPC).
http://www.unmikonline.org/pub/focuskos/apr02/benchmarks_eng.pdf.

¹⁹² <http://www.unmikonline.org/standards/index.html>

¹⁹³ Eide issued a second report in October 2005 (S/2005/635).

“Kosovo police and judiciary are fragile institutions. Further transfer of competencies in these areas should be considered with great caution” (S/2005/635, Art. 39).¹⁹⁴

After the second parliamentary elections in October 2004, SRSG Jessen-Petersen was determined to speed up the transfer of competencies and to grant to the newly-elected government a stronger legitimacy and more responsibilities (Kellermann, 2006: 147ff; Kramer and Dzihic, 2006: 197). His successor as SRSG, Joachim Ruecker, continued this process of a quick – often perceived as hasty – transfer of powers to the PISG (Kellermann, 2006: 143ff; Narten, 2008: 141).

Stage five began with the talks on the final status of Kosovo in Vienna in February 2006. Former President of Finland, Martti Ahtisaari, was appointed chief negotiator by UN Secretary-General Kofi Annan; Kosovo President Fatmir Sejdiu and Prime Minister Agim Çeku represented the Kosovo Albanian interests, Serbian President Boris Tadić and Prime Minister Vojislav Koštunica negotiated for Serbia. The Contact Group¹⁹⁵ was regularly briefed and held separate consultations with Ahtisaari. The final document, the Comprehensive Proposal for the Kosovo Status Settlement (so-called Ahtisaari Plan), foresaw a ‘supervised independence’ for Kosovo with a strong monitoring role of the EU which would take over from the UN. It was accepted by the Kosovo-Albanians but categorically rejected by Serbia and Russia. When it was implemented against the opposition of Serbia and Russia, it reinforced the ethnic separation of Kosovo. The Constitution of Kosovo – which was in fact a slightly amended version of the Ahtisaari Plan – came into effect on 15 June 2008 after Kosovo had unilaterally declared independence on 18 February 2008.

But even with independence in February 2008, not all competencies have been transferred to Kosovar institutions, and the new country was by no means fully sovereign. Only 71 states have recognized Kosovo’s unilaterally declared independence by 2010. The international community has changed its approach from the complete take-over of state functions to a focus on external monitoring, mentoring and advice. The highest authority does not rest with national institutions but with the International Civilian Office (ICO), headed by the International Civilian Representative (ICR). It reports to the International Steering Group (ISG), a loose formation of states recognizing Kosovo's independence and working towards its integration in Europe.¹⁹⁶ The ICO has veto powers on all decisions taken by the Kosovo government and it may sanction or remove public officials from office. The International Civilian Representative (ICR) is the only external international body whose role is specified in the Constitution of Kosovo. The Constitution itself is legally preceded by the Ahtisaari Plan. The final authority regarding the interpretation of the Ahtisaari Plan – and therefore of its own role – rests again with the ICO. The other international organizations on the ground maintained executive powers in the areas of the judiciary and customs (EULEX), the police (EULEX and UNMIK) and territorial security (KFOR). The civilian EULEX mission was an integral part of the Ahtisaari Plan and in charge of overseeing the rule of law in Kosovo.

¹⁹⁴ Eide (S/2005/635, Art. 25): “There is a significant lack of experience and expertise. Building new institutions and transferring competences must therefore go hand-in-hand with a focussed international support to capacity-building.”

¹⁹⁵ The Contact Group is an informal group of Western states engaged in the Balkans. It includes the United States, the United Kingdom, France, Germany, Italy, and Russia.

¹⁹⁶ The member states of the ISG are: Austria, Belgium, Bulgaria, Croatia, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Poland, Slovenia, Switzerland, Sweden, Turkey, the UK and the US.
<http://www.ico-kos.org/?id=3>

Because of the anticipated Russian veto on a new resolution on the UN's role in Kosovo, Resolution 1244 remained formally in place. As Narten (2008) observed, UNMIK has been deprived of any substantial decision-making power and became politically captured within its own administrative territory. This meant that UNMIK occupied itself with its own wrap-up but was not allowed to leave.¹⁹⁷

The following analysis will describe the competencies of the international actors, both UNMIK and later the ICO and the EU, and the national institutions in each phase according to the indicators of mission scope used in the fs/QCA analysis above.

1.3.2. Spatial Variation of Intrusiveness

The intrusiveness of UNMIK did not only vary in time but there were also great discrepancies between its influence in the Albanian-populated areas and in the Serb-populated areas.

During its presence in Kosovo, UNMIK struggled to extend its influence to the Serb-populated regions. Despite its formal decision in February 2002 to abolish Serbian parallel structures, these continued to exist and perform governmental functions, especially in the fields of the judiciary and security, education, health, and public administration, including electricity and the telephone network. Serbia supports these structures decisively by paying salaries and pensions, so that Serb teachers, judges and doctors receive salaries both from UNMIK and from the Serb government but take instructions exclusively from Belgrade. Curricula in schools and at the University of Mitrovica are provided by Serbia; judges apply Serbian law; the police service is subordinated to the Serbian Ministry of the Interior. Although the parallel system functions poorly, Kosovo Serbs refuse any cooperation with the UN in the administration of North Kosovo. They did not participate in Kosovo-wide elections. UNMIK is not perceived as a legitimate power by the government of Serbia and the Kosovo Serbs who opposed its administrative authority over the whole territory of Kosovo as foreseen in SC Resolution 1244 because they understand the establishment of new Kosovo-wide structures as a pre-stage to Kosovo's independence (Kellermann, 2006: 219f). With independence being achieved, their opposition has not changed.

1.3.3. Technical Analysis

1.3.3.1. Peace Enforcement

The Military Technical Agreement of June 9, 1999, which was concluded between the Yugoslav Army and NATO, provided the legal basis of the deployment of the NATO-led Kosovo Force KFOR. The operation was endorsed by the UN in SC Resolution 1244 and received a robust Chapter VII mandate for peace enforcement. The resolution specified that the "international security presence" would have the following responsibilities (S/RES/1244, Art. 9):

¹⁹⁷ Interview with the Special Adviser to Prime Minister Hashim Thaçi and former Chief Legal Adviser to UNMIK.

- Deterring renewed hostilities, maintaining and where necessary enforcing a ceasefire, and ensuring the withdrawal and preventing the return into Kosovo of Federal and Republic military, police and paramilitary forces;
- Demilitarizing the Kosovo Liberation Army (KLA) and other armed Kosovo Albanian groups;
- Establishing a secure environment in which refugees and displaced persons can return home in safety, the international civil presence can operate, a transitional administration can be established, and humanitarian aid can be delivered;
- Ensuring public safety and order and supervising demining until the international civil presence can take responsibility for this task;
- Supporting and coordinating closely with the work of the international civil presence;
- Conducting border monitoring duties;
- Ensuring the protection and freedom of movement of itself, the international civil presence, and other international organizations.

In essence, KFOR would oversee the ceasefire and the withdrawal of the Yugoslav forces from Kosovo. However, since the NATO troops were the first on the ground in Kosovo, they also took on a range of non-military duties in the administrative vacuum before UNMIK would be operational. These included the provision of medical care and humanitarian aid but also waste collection and traffic regulation. Other, more long-term civilian reconstruction tasks were related to the assistance of UNMIK in its reconstruction efforts: KFOR provided logistics and also personnel, was in charge of road construction and the restoration of traffic infrastructure, assisted in the rehabilitation of schools, and provided health care in the NATO field hospitals. The visibility of these civilian tasks was also an important means of building confidence with the people of Kosovo (Rossbacher, 2004: 165).

More than 40 states provided troops for KFOR, including non-NATO members. Kosovo was divided into five command zones¹⁹⁸ under unified a unified chain of command under Commander KFOR (COMKFOR). The assignment of a separate command zone for Russia was rejected due to concerns that it would become a de facto protection zone for Kosovo Serbs and would encourage the division of the territory. Instead, a maximum of 2,850 Russian troops were stationed in three of the five zones (Rossbacher, 2004: 166-167). Although UNMIK and KFOR are based on the same mandate, the security presence KFOR is not part of the civilian UNMIK structure. The SRSG and COMKFOR have to act in cooperation as dual leadership; neither is subordinated to the other.

1.3.3.2. Executive Policing

In an extension of its peace enforcement role, KFOR took on the role as lead authority for executive policing and other security-related measures before UNMIK arrived (Kellermann, 2006: 109f; Rossbacher, 2004: 209). After a rather slow arrival of the international police officers, all executive policing powers were successively handed over to UNMIK international police by April 2002. It acted as the sole executive law enforcement authority

¹⁹⁸ The five Multinational Brigades (MNBs) were led by five NATO members: MNB Centre, which also covers the KFOR headquarters in Prishtina, by Great Britain, MNB North by France, MNB South by Germany, MNB East by the US, and MNB West by Italy.

before the new Kosovo Police Service was established and Kosovar police officers were sufficiently trained (S/RES/1244, para. 11). UNMIK police established a network of police stations covering the entire territory of Kosovo; only in Mitrovica, KFOR exclusively continued to provide security. Executive policing authorities covered the whole range of law and order functions and included patrolling and the maintaining public order, preventive measures, border and immigration control (including at the airport), arrests and detention, house searches, crime investigation and collection of criminal intelligence, and traffic control.¹⁹⁹ Additionally, the international police also took on functions which are normally not within the range of police duties, including corrections and the management of prisons, surveillance of public buildings, or cash transports (Rossbacher, 2004: 213). The international police officers were armed to be able to carry out their duties. After it became apparent that the initially authorized 3,100 police officers would not be sufficient, the Security Council increased the number of authorized police to 4,718 (S/1999/987/Add. 1).²⁰⁰ These were recruited from 49 UN member states (UNMIK Police Annual Report 1999-2000).

UNMIK international police was headed by the UNMIK Police Commissioner and was made up of three units: the regular Civilian Police (CIVPOL), Special Police Units, and Border Police Units (Tielsch: 46).²⁰¹ In tense security situations, these units would be assisted by KFOR troops. Executive policing was initially part of Pillar II of UNMIK but was transferred to the new Pillar I in May 2001, which brought together the two strands of the rule of law, the police force and the judiciary. It was a novelty in international peace missions that the authority for public law and order was part of the civil administration and not of the security presence (Rossbacher, 2004: 209).

The more the training of the Kosovo Police Service proceeded and the more local KPS officers were assigned to their duty stations, the more UNMIK transferred responsibilities for law and order to the KPS and focused on training, monitoring and advice.

After Kosovo's independence, UNMIK police is still present throughout Kosovo but does not have any more executive powers, except in the Serb-populated areas in North Kosovo where they contribute decisively to public security.²⁰² EULEX international police continued the strategy providing support and advice to the KPS by co-locating about 1,400 EULEX police officers with their Kosovar counterparts. By its mandate, EULEX police is allowed to apply corrective measures, e.g. when the Kosovo authorities failed to prevent violence against minority communities or when there was political interference undermining the rule of law. The same authorities apply to customs.²⁰³

1.3.3.3. Security Sector Reform

The concept of security sector reform is misleading in the case of Kosovo, since Kosovo had no residual local security capacities that could be reformed. Almost all security and justice functions were either performed by external actors or had to be built from scratch. Security sector reform in the narrow sense was limited to the creation of the national police force.

¹⁹⁹ <http://www.unmikonline.org/civpol/mandate.htm>

²⁰⁰ On UNMIK police strength see <http://www.unmikonline.org/justice/police.htm>.

²⁰¹ <http://www.unmikonline.org/justice/police.htm>.

²⁰² Interview the Head of ICO Political Affairs Unit.

²⁰³ Ahtisaari Plan, Art. 13.3. See also <http://www.eulex-kosovo.eu/en/police/>.

The establishment of the new Kosovo Police Service was tackled by CIVPOL and OSCE in cooperation. CIVPOL was responsible for the formulation of the KPS structures as such and for monitoring the police force. OSCE was tasked with the management of the Kosovo Police Service School (KPSS), which it had opened in September 1999 in Vushtrri, north of Prishtina. Recruitment to the KPS began without major delay the same month. The first class of 200 recruits was selected from 19.500 applicants (S/1999/987, para. 30). A strict recruitment and vetting process by UNMIK police and a specific OSCE monitoring system ensured that recruits were physically and psychologically eligible to perform their duties and that they respected human rights standards when interacting with minorities. Once the KPS recruits had undergone a 12-week basic training course at the police academy, which had a focus on civil and human rights, they received practical training for another 15 weeks. After that, the new KPS officers were admitted to the KPS, initially for a three-year probation period. During that period, CIVPOL provided additional on-the-job training. Also, OSCE continued to offer re-certification trainings and train-the-trainer courses in the police school. By 2004, KPS had reached its planned full size of nearly 7,000 officers, of which 85% were Kosovo Albanians, and 15% were Kosovo Serbs and other minorities; women made up only 17% of the police force.²⁰⁴

The transfer of competencies began in September 2002 when the KPS was insofar operational as Kosovar police officers were given responsibility in some areas, e.g. for patrolling. This allowed them to obtain additional qualifications, so that hierarchical structures could be established. In November 2002, KPS was given exclusive authority for the first two police stations in the region of Gjilan (Rossbacher, 2004: 214f).

The integrated structure of international civilian police officers working alongside local officers of the KPS to maintain law and order was maintained until the time of writing. Also in the North of Kosovo, KPS officers were on the streets, together with international police.²⁰⁵ After independence, “the mandates and responsibilities of the Kosovo Police, UNMIK police and EULEX remain blurred and confused” (IKS, 2008b: 40). A new Law on Police came into force in June 2008. According to this law, the police service is under the control of the Kosovar General Director of the Kosovo Police. EULEX respected the principle of local ownership and acted mainly in a supportive role, while the Kosovo Police was formally in the lead. As SC Resolution 1244 is still formally in place, however, UNMIK takes the stand that the KPS remained subordinated to UNMIK Police with the UNMIK Police Commissioner retaining command authority over both the UNMIK international police and the Kosovo Police. Also, the departments for crime investigation, organized crime, counter terrorism and crime analysis continued to be subordinated to UNMIK Police (IKS, 2008b: 40).

The creation of a national Kosovo Army was not feasible under SC Resolution 1244, as it only granted Kosovo territorial autonomy *within* the Federal Republic of Yugoslavia; this barred the establishment of a Kosovo army on the territory that formally belonged to the Republic of Yugoslavia / Serbia. KFOR provided for territorial security in Kosovo.

After the demilitarization of the Kosovo Liberation Army (KLA/UÇK) in 1999, UNMIK created the Kosovo Protection Corps as a measure to absorb former KLA fighters into a

²⁰⁴ <http://www.kosovopolice.com> and <http://www.unmikonline.org/civpol>

²⁰⁵ Interview with the Programme Director of the Center for Civil Society Development and Civil Rights Activist in North Mitrovica.

civilian agency (UNMIK/REG/1999/8). It was modeled on the French Sécurité Civile, and its role was to provide disaster response, infrastructure reconstruction services, humanitarian assistance in isolated areas, and assistance in demining. It had no role in defense or law enforcement and therefore carried no weapons. The KPC consisted of an active corps of 3,000 members and another 2,000 supporting members. Ten percent were drawn from minority communities.

Following the independence of Kosovo, the KPC was transformed into the Kosovo Security Force (KSF) in January 2009. 2,500 KSF officers and 800 reservists, not all of them KLA veterans, completed an eight-month training course with NATO instructors and assumed the same tasks as the dissolved KPC. Unlike the KPC, the KSF was lightly armed. KFOR's responsibilities also included the establishment of a civilian controlled Ministry supervising KSF and the training of its staff (KIPRED, 2007: 4).²⁰⁶

1.3.3.4. Executive

In the earliest phase, the SRSG held maximum civilian executive powers. Pillar II, the civil administration pillar headed by the UN, was the key component of UNMIK and was in charge of all aspects of public administration at the central and at the local level. That covered almost all aspects of everyday life: the provision of health care and social security, the entire educational sector, the issuance of personal documents and license plates for cars, the establishment of the cadastre system, the police sector, business and industry, culture, environmental issues and many more. The civil administration component of UNMIK consisted of three units – the Police Commissioner, the Office for Civil Affairs and the Judicial Affairs Office. The DSRS for civil administration had the authority to perform executive functions in these areas as well.²⁰⁷ The executive functions of the OSCE Pillar of reconstruction and democratization included the training of governmental and administrative personnel, which was provided by the Institute for Civil Administration, and the organization and conduct of elections (Tielsch, 2006: 48f).

During the JIAS phase, the key task of the Interim Administrative Council (IAC) as the main executive organ of the JIAS was to devise the policies that the other JIAS components, the 20 administrative departments and the municipal structures, would follow. The influence of the Kosovar representatives in the IAC was limited in such a way that in case the IAC failed to reach a decision – possibly due to a blockade by UNMIK–, it was transferred to the SRSG, so that the ultimate decision-making authority rested with UNMIK. The same principle was applied to the decision-making process of the co-heads of the administrative departments.

In the PISG phase, the SRSG reserved a long list of executive powers outlined in Chapter 8 of the Constitutional Framework, including economic and fiscal policies, corrections, transportation and property. These were excluded from the executive authority of the provisional government even though typically they might have been under the discretion of the PISG organs. In foreign affairs, the PISG President was entitled to take action in the field of external relations but these responsibilities were limited to symbolic and representative tasks (Kramer and Dzihic, 2006: 76). Only UNMIK was authorized to sign international

²⁰⁶ <http://www.nato.int/issues/kosovo/index.html>

²⁰⁷ This illustrates again the disregard of the separations of powers principle. The authorities of the Police Commissioner and of the Judicial Affairs Office are outlined in the sections on policing and the judiciary.

contracts. The Constitutional Framework explicitly endorsed and re-affirmed the special role of the SRSG as the highest executive authority in Kosovo in Chapter 12 (UNMIK/REG/2001/9, Sec. 9.2.4; Tielsch, 2006: 78). In the course of the transfer of powers, the SRSG reduced UNMIK's overall bureaucracy. The civilian component of Pillar II was re-organized into four directorates to reflect the reserved executive powers: the Directorate of Civil Protection, the Directorate of Administrative Affairs, the Directorate of Infrastructure Affairs and the Directorate of Rural Affairs (Rossbacher, 2004: 255). Generally, UNMIK fostered the decentralization of administrative structures in order to discharge the central institutions and increase efficiency (Kellermann, 2006: 149f).

After independence, UNMIK was no longer in a position to exercise any administrative authority but it reserved a few residual powers, including the international representation of Kosovo. Although the Kosovo government was in charge of foreign relations and for the conclusion of international agreements (Constitution, Art. 17), it could not in practice use these powers in all international fora as only about one third of all states have recognized Kosovo's independence. In organizations to which Kosovo is not a member (yet), the UN continued to act on its behalf.²⁰⁸ Recently, Kosovo has been granted membership to the International Monetary Fund²⁰⁹ and it is currently filing for membership to the World Bank which is done without UN backing.

The executive functions granted to the ICO and EULEX are very general, yet wide-ranging, and of a corrective nature. They included both the right to interpret the Ahtisaari Plan and to use executive corrective powers over the Kosovo institutions to ensure the implementation of the Plan. The executive powers of the ICO refer to the right to annul laws or decisions taken by the Kosovo Assembly if the ICO finds that they are inconsistent with the Ahtisaari Plan or undermine the rule of law. The ICO can also sanction or remove from office any public official or take other measures as necessary' in case that these officials have opposed the spirit of the settlement and/or if they obstruct the work of the ICO or EULEX.

1.3.3.5. Legislature

In the first phase, UNMIK was the highest legislative power in Kosovo. The SRSG could issue legislative acts in the form of regulations and administrative directions which had the status of laws and as such were applicable to the entire territory and all citizens of Kosovo. These regulations were to remain in force until repealed by UNMIK or suspended by rules issued by Kosovar legislative bodies once they were established (S/1999/779, Art. 41). A total of 305 UNMIK regulations have been passed between 1999 and 2005.

Additionally, the SRSG decided on the applicable law in Kosovo. He had the authority to "change, repeal or suspend existing laws to the extent necessary for the carrying out of his functions, or where existing laws are incompatible with the mandate, aims and purposes of the interim civil administration" (S/1999/779, Art. 39). In the very first UNMIK regulation, SRSG Bernard Kouchner constituted that UNMIK would respect the laws of the Republic of Yugoslavia, i.e. laws applicable in the territory of Kosovo prior to 24 March 1999, again insofar as they do not conflict with international human standards, resolution 1244, and UNMIK regulations (UNMIK/REG/1999/1, Sec. 3). This turned out to be a mistake because

²⁰⁸ Interview with the Head of the ICO Political Affairs Unit.

²⁰⁹ IMF press release: <http://www.imf.org/external/np/sec/pr/2009/pr09240.htm>.

Kosovo Albanian judges refused to apply the Yugoslav law that came into effect after 22 March 1989. The legal system after that day was not recognized as legitimate because the status of Kosovo as an autonomous republic had been annulled by Serbia one day later. Following public protests and mounting disputes between Serbs and Albanians in Kosovo, SRSG Kouchner was forced to adapt the applicable law to the legal practice and defined 22 March 1989 as the decisive date (UNMIK/REG/1999/24). Hence, the legal system in Kosovo was based on the UNMIK regulations and on the applicable local law on 22 March 1989 (Muharremi, 2005: 20ff).

Under JIAS, the IAC had the competency to recommend policies to be adopted as UNMIK regulations to the SRSG.²¹⁰ The body could also suggest amendments to applicable law. The decision on the acceptance of these recommendations remained with the SRSG, of course. Although not incorporated in the JIAS structure, it is also useful to mention here the comprehensive range of legislative powers assumed by OSCE in relation to the scheduled municipal and parliamentary elections because these powers were defined in the JIAS phase (UNMIK/REG/2000/21, esp. Sec. 4; Tielsch, 2006: 61).

In the PISG stage, the provisional parliament was given the responsibility to draft legislation in all fields outlined in Chapter 5 of the Constitutional Framework (UNMIK/REG/2001/9, Ch. 5). Laws were considered as legally passed, however, only if and when the SRSG approved of them. The SRSG limited the parliament's autonomy of enacting legislation in such a way that he had the right to annul any legislation passed by the parliament that was not in accordance with resolution 1244 and the Constitutional Framework. Those fields in which the SRSG had reserved powers were also excluded from the legislative authority of the PISG (UNMIK/REG/2001/9, Ch. 8). Further legislative competencies of the PISG parliament were, among others: considering and endorsing proposed international agreements within the scope of its responsibilities and instructing the PISG government to prepare draft laws (UNMIK/REG/2001/9, Sec. 9.1.26). The OSCE monitored and guided the work of the PISG parliament since its foundation and ensured that all parliamentary bodies were made operational.²¹¹

Since independence, the ICO has comprehensive corrective powers that affect the legislature because it can annul laws or decisions taken by the Kosovo Assembly if the ICO finds that they are in conflict with the Ahtisaari Plan or standards of the rule of law. The ICO can also sanction or remove members of parliament. The decision on the inconsistency of legislative decisions with the settlement and on the performance of public officials rests with the ICO.

1.3.3.6. Constitution

The Constitution of Kosovo that came into effect on 15 June 2008 is an amended version of the so-called Ahtisaari Plan. UN Special Envoy Martti Ahtisaari had presented the status settlement proposal to the Kosovo Albanians and to Serbia during the status talks in Vienna in 2007. The proposal foresaw a 'supervised independence' for Kosovo with a strong role of the international community, specifically of the EU. The Constitution of Kosovo is therefore largely a product of the external intrusion. The Kosovo Albanians strongly supported the

²¹⁰ For a detailed discussion of UNMIK lawmaking procedures in the JIAS phase and participatory mechanisms see von Carlowitz (2003: 374ff).

²¹¹ <http://www.osce.org/kosovo/29387.html>

document as the basis of an independent state of Kosovo, while the Serbs vehemently rejected it. The new constitution is therefore not enforced in the Serb enclaves in Kosovo.

1.3.3.7. Judiciary

With no judiciary in place after the war, the establishment of an independent and impartial multi-ethnic judiciary was one of the major tasks of UNMIK. The main judicial component of UNMIK was the Judicial Affairs Office under the civil administration pillar which was responsible for all aspects related to the judiciary: the administration of courts; prosecution services and prisons; the development of legal policies; the review and drafting of legislation, as necessary, for the goals and purposes of UNMIK; and the assessment of the quality of justice in Kosovo, including training requirements (S/1999/779, Art. 67). Additionally, the SRSG had the exclusive authority to appoint and remove judicial personnel (S/1999/779, Art. 40).

In carrying out these functions, the SRSG created an Emergency Judicial System which consisted of five interim district courts²¹², prosecutors offices, and two mobile courts (Kellermann, 2006: 117; Krieger, 2001: 552; Tielsch, 2006: 50, 52). Over the summer of 1999, 55 Kosovar judges and prosecutors were appointed on 3-month contracts; the recruitment and selection process of judges and prosecutors was under UNMIK control.²¹³ Elements of the emergency judicial structure were the Ad Hoc Court of Final Appeal which served as Supreme Court and the Ad Hoc Office of the Public Prosecutor (UNMIK/REG/1999/5; Tielsch, 2006: 47, 52).

In October 1999, the above-mentioned competency of the SRSG to appoint judiciary personnel was transferred to the Advisory Judicial Commission (AJC), which was composed of three international and eight Kosovar members (seven Kosovo Albanians and one Kosovo Serb).²¹⁴ This Commission was responsible for the nomination and dismissal of judges and prosecutors which would exclusively be Kosovars. In December 1999, the AJC suggested to the SRSG 328 judges and prosecutors and 238 honorary judges for appointment on a permanent basis (Krieger, 2001: 561; Tielsch, 2006: 50). OSCE was in charge of training the newly appointed local judges. Although judicial institutions were quickly set up, it was a slow process before the judicial system could resume its work due to the severe shortage of qualified judges and prosecutors. Therefore, many proceedings were left pending.

In the JIAS phase, the Emergency Judicial System was replaced by regular judicial structures which encompassed the Kosovo Supreme Court, five District Courts²¹⁵, Municipal Courts, and 19 Minor Offence Courts (Tielsch, 2006: 61ff).

²¹² The first district court was opened in Prishtina on June 30, 1999; the other four were established in Prizren, Pec, Gnjilane, and Mitrovica (Krieger, 2001: 552).

²¹³ According to Krieger (2001: 561), only 47 judges and prosecutors served in the Emergency Judicial System – 41 Kosovo Albanians, 4 Muslims (Bosnian), 1 Roma, and 1 Turk. 6 Kosovo Serb judges had resigned for security reasons, another has departed to Serbia.

²¹⁴ The AJC was preceded by the Joint Advisory Council on Provisional Judicial Appointments which was composed of three international and four Kosovar members (one Serb, two Kosovo Albanians, and one Bosnian).

²¹⁵ For the districts of Prizren, Pec, Prishtina, Mitrovica, and Gnjilane.

At that time, the trend of successively including local powers was reversed in one important aspect: UNMIK appointed international judges and prosecutors to administer the law (Tielsch, 2006: 63ff).²¹⁶ This program was the first of its kind in the world (Hartmann, 2003). The motivation was that Kosovo Serbs had boycotted the whole UNMIK administration and had resigned from their judicial offices already in October 1999 due to political pressure from Kosovo Albanians. The ethnic Albanian jurists failed to apply the law evenly for all ethnic groups. Requests for international judges mounted after a Kosovo Albanian judge had convicted a Kosovo Serb for violation of international law in 2000. To curtail the discriminatory application of the law and to improve the functioning of the local judicial system, UNMIK initially appointed one Swedish judge to the district court in the Serb-dominated town of Mitrovica (UNMIK/REG/2000/6). There, however, he could not achieve much against the opposition of the ethnic Albanian judges.²¹⁷ The fact that the justice system remained under control of ethnic Albanians prompted UNMIK to authorize the appointment of international judges and prosecutors to all five districts of Kosovo and one international judge to the Supreme Court of Kosovo (Hartmann, 2003). There were no more than 15 international judges at any time and no international lawyers.²¹⁸

The competencies of the international judges and prosecutors were identical to those of the Kosovar personnel. However, they only handled cases of public law, while civil cases were exclusively handled by Kosovar judges and persecutors. Cases of serious crime²¹⁹ were heard by a panel of three to five judges, of which two were professional judges and three were lay judges. The number of national and international judges in the panels varied case by case. Only for controversial cases of war crimes and inter-ethnic violence, UNMIK reserved the right to institute special “64” panels²²⁰ to ensure that international judges constituted the majority on the five-member trial panels and that the presiding judge was also international (UNMIK/REG/2000/64). International judges also had the authority to take on any new or pending criminal cases (UNMIK/REG/2000/6) and they could also resurrect cases that had been abandoned by their Kosovar counterparts (UNMIK/REG/2001/2). Consequently, Kosovar judges have at times tried to ‘hide’ certain cases, like corruption cases, from the international judges to retain their own responsibility.²²¹

A decisive measure in the judiciary, which strengthened the position of the Kosovars in relation to the international administration, was the establishment of the ombudsperson institution (UNMIK/REG/2000/38). The ombudsperson, who was an independent international figure appointed by the SRSG, had the “jurisdiction to receive and investigate complaints from any person or entity in Kosovo concerning human rights violations and actions constituting an abuse of authority by the interim civil administration or any emerging central or local institution” (UNMIK/REG/2000/38, Sec.3). It was therefore the first institution which allowed Kosovars to issue complaints against measures taken by UNMIK and local institutions. The role of the ombudsperson was to recommend disciplinary or criminal proceedings against any person. If these were not initiated by the respective authorities (international or local), the decision was referred to the SRSG, so that the final decision-making competency rested again with him. There was no possibility of appeal

²¹⁶ Interview with an international Supreme Court judge.

²¹⁷ Interview with an international Supreme Court judge.

²¹⁸ Interview with an international Supreme Court judge.

²¹⁹ Serious crimes include war crimes, terrorism, organized crime, corruption, inter-ethnic crimes, financial/economic crimes and other serious crimes.

²²⁰ These were named after the UNMIK regulation number 64 that created them (Hartmann, 2003: 2).

²²¹ Interview with an international Supreme Court judge.

against any action or decision of the ombudsperson (UNMIK/REG/2000/38, 4.13; Kellermann, 2006: 123; Tielsch, 2006: 62). The Central Election Commission also established an appeal mechanism, the Elections Complaints and Appeals Sub-Commission (Tielsch, 2006: 66).

The PISG inherited the court structure from JIAS. Similar to the institution of the ombudsperson under JIAS, which remained operational, the Constitutional Framework guaranteed every person the right to judicial review of any of the PISG's decisions (UNMIK/REG/2001/9, Sec. 9.4.2). Additionally, a special chamber of the Supreme Court was established for disputes between or among any of the PISG organs (UNMIK/REG/2001/9, Sec. 9.4.11). The SRSG remained in charge of the appointment of judges and prosecutors (UNMIK/REG/2001/9, Sec. 9.4.8).

An organizational novelty in the judiciary branch under the PISG was the conversion of UNMIK Pillar I from humanitarian issues under OCHA to a police and justice pillar headed by the UN in May 2001. This new Pillar I combined the JIAS Department of Justice and the UNMIK Police to subordinate the entire rule of law field and all judicial components under one head.²²²

After independence, EULEX retained executive powers in the judiciary. More than 40 international judges and around 20 prosecutors continue to administer the law and hear cases of serious crime. Certain criminal cases are exclusively handled by EULEX judges, including cases of organized crime and terrorism, since these affect the EU directly.²²³ They also mentored, monitored, and advised their national counterparts and provided training. In addition, EULEX had the authority to revise decisions taken by national courts in case of procedural errors. This was perceived as a major impediment to the autonomy of the Kosovar judiciary and has aroused public protests. The Assembly of the EULEX Judges was entrusted with the allocation of crime cases to international or national judges. The allocation of cases is regulated in the Law of Jurisdiction, which was passed by the Kosovo parliament. By special request, the allocation can be repealed; the decision is taken by the President of the Assembly of the EULEX Judges.²²⁴

Although the international judges and prosecutors are part of the Kosovar judicial system, they are formally subordinated to the President of the Assembly of the EULEX Judges, which again is part of the EULEX Justice Component. Hence, although national and international judges and prosecutors are working side by side, they are integrated into completely distinct administrative structures and are responsible to different institutions, which makes cooperation difficult sometimes.²²⁵

1.3.3.8. Economic Policies

In the economic sector, the intrusiveness of UNMIK was all-encompassing in the beginning. UNMIK Pillar IV under EU leadership was explicitly tasked with the creation of conditions for a liberal market economy (Kellermann, 2006: 124f). This included the establishment of

²²² The Departments of Judicial Affairs (later re-designated as Department of Justice) and the Police were transferred from Pillar II (Civil Administration); see UNMIK Pillar I Presentation Paper of June 2004.

²²³ Interview with an expert on international law and KIPRED board member.

²²⁴ Interview with an international Supreme Court judge.

²²⁵ Interview with an international Supreme Court judge.

the central bank (officially Banking and Payments Authority of Kosovo, BPK; UNMIK/REG/1999/20) and other institutions and rules in the areas of taxation, customs, the banking system and privatization. The EU introduced a trade and financial law according to European standards, founded a customs agency, and set up the Kosovo Trust Agency (KTA)²²⁶ for the winding-up and privatization of formerly socially-owned properties. One of the first and most intrusive measures in the economic sector was the introduction of the Deutschmark (later the Euro) as legal tender by SRSG Kouchner (UNMIK/REG/1999/1, Sec. 11; also UNMIK/REG/1999/4 and UNMIK/DIR/1999/2). The Yugoslav Dinar was not abolished as official currency but an extra fee had to be paid for transactions in dinar.

Under the JIAS structure, the EU Pillar IV headed four ministerial departments with economic responsibilities: The Department of Trade and Industry, the Department of Reconstruction, the Central Fiscal Agency (CFA) and the Public Utilities Department. The CFA oversaw the budget, collected taxes, and coordinated international financial aid. Therefore, Pillar IV at that stage continued to hold all functions in the areas of economy and finances (Kellermann, 2006: 124; Rossbacher, 2004: 151).

In the PISG phase, some economic competencies of UNMIK Pillar IV were transferred with the creation of the PISG Ministry of Trade and Industry and Ministry of Finances and Economy. These worked in close cooperation with the EU and were monitored by it. The Constitutional Framework reserved control over the Kosovo Trust Agency (KTA) and the Central Regulatory Unit (CRU) to the EU (Kellermann, 2006: 124f). Also, the EU retained final authority to set the parameters for and to approve the Kosovo budget (acting on the advice of the Economic and Fiscal Council) and to formulate overall monetary policy (Constitutional Framework, Ch. 8).

After independence, the Kosovo government is in charge of all economic matters in Kosovo, with EULEX and ICO retaining monitoring and advisory capacities.

1.4. Intervention Society – Kosovo as a Case of Friendly Takeover

“We played statehood, [...] we behaved like a government. [...] It was an experiment under vague conditions”, says Daxner (2010).²²⁷ The level of intrusiveness of UNMIK is best reflected in the authorities of the SRSG. As head of the entire civil administration, he was the highest decision-making authority in Kosovo. Unlike the Office of the High Representative (OHR) in Bosnia that was tasked to “facilitate the Parties’ own efforts” (General Framework Agreement, Annex 10, Art. 1.2.), the SRSG in Kosovo assumed full responsibility for the administration of the territory. It was the first time that the UN was entrusted with such a comprehensive mandate. Although UN Resolution 1244 was very vague in its formulation of the SRSG’s powers, the subsequent SG reports²²⁸ outlined his competencies in great detail. According to these documents, the SRSG combined in his office all executive and legislative powers and the administration of the judiciary (S/1999/779, Art. 35). This means that he was the highest legislative body and could issue binding legislation in the form of UNMIK

²²⁶ For a very critical discussion of KTA's performance see Hofbauer (2008: 179ff) and King and Mason (2006).

²²⁷ Daxner was head of the Department of Education and Science and international administrator of the University of Prishtina under JIAS. During the PISG, he was principal international officer for the Ministry of Education, Science and Technology. Subsequently, he became special counselor to the UNMIK office in Belgrade.

²²⁸ S/1999/672 and S/1999/779

regulations²²⁹ that precede all national legislation. Additionally, the SRSG decided on the applicable law in Kosovo. In the Constitutional Framework of 2001, the SRSG was also given the authority to annul any legislation passed by national institutions if it was incompatible with the UNMIK mandate and international human rights standards and the power to remove any national office holder. Another main task of the SRSG was the coordination of other international organizations that were part of the four pillar structure of UNMIK. In this coordinating function, the SRSG was heading all other organizations which were subordinated to him and reported to him. This extremely centralist concentration of power in one person (Kramer and Dzihic, 2006: 244) clearly violated the democratic principle of separation of powers. Even when a system of checks and balances was introduced in the PISG system in 2001, the SRSG was not embedded in this system but was outside or rather above it (Tielsch, 2006: 80).

UNMIK faced harsh criticism from academia as well as from practitioners for trying to impose peace and statehood – and ultimately sovereignty and democracy – by introducing a system of benevolent autocracy that neglects these very principles. The main problem of such an intrusive mission like UNMIK was that it was not democratically legitimized and not accountable to the people of Kosovo; it had obviously not been approved of in a direct or indirect democratic voting procedure. UNMIK officials enjoyed immunity from national legislation in Kosovo and also in their home countries. The only appeal mechanism was the institution of the ombudsperson but the ombudsperson itself was appointed by the SRSG. There was no reviewing mechanism of any action or decision of the ombudsperson and, if in doubt, the final decision-making on cases brought before the ombudsperson rested with the SRSG (see above).

What was more crucial for the Kosovo Albanians was that UNMIK had the ownership of the reform process itself (Knaus and Cox in Kramer and Dzihic, 2006: 234). The SRSG formally controlled the process of transfer of competencies. This often caused tremendous friction between him and the national representatives who wanted to accelerate the process but were legally refrained from doing so (see below).

To what degree the SRSG used the powers given to him depended a lot on the individual office holder. While Kouchner and Steiner were very progressive and used their competencies to promote empowerment of the national institutions, Haekkerup, for example, had a very hierarchical understanding of his office and the UNMIK structure and did not demonstrate much sensitivity for the concerns of the Kosovo people (Kramer and Dzihic, 2006: 145ff).

Many words were being used to describe the omnipotence of UNMIK and the SRSG in Kosovo: benevolent depotism (Kramer and Dzihic, 2006: 248), dictatorial powers (Kramer and Dzihic, 2006: 244), soft-colonialism and tutor's style of international governance (Reka, 2003: 153), protectionism, paternalism etc. Apparently, there is a critical contradiction when an externally-led democratization process relies on autocratic means. The criticism of the Kosovo Albanians directed at UNMIK, and most notably of the oppositional civil society organization Vetëvendosje, needs to be taken seriously. Hofbauer (2008) goes as far as to argue that the establishment of UNMIK was an end in itself rather than the means: with their exorbitant salaries, great privileges and a charitable outlook the UNMIK staff occupied itself with administering their own structures rather than the territory of Kosovo (Hofbauer, 2008:

²²⁹ In his first Regulation UNMIK/REG/1999/1, the mother of all regulations, SRSG Kouchner assigned all legislative, executive and judicial competencies in Kosovo to „himself”.

17). This harsh criticism will be rejected by all UNMIK staff who invested a lot of efforts and energy in their jobs.

The highly intrusive mandate raises questions concerning the legal and political legitimacy of such undertaking. While the legal legitimacy of UNMIK was largely undisputed, its political legitimacy was quite controversial. UNMIK derived its legal legitimacy directly from the UN Charter (Tielsch, 2006: 86ff; Wirth, 2007: 67ff). There is general consensus among experts on international law that a threat to international peace and security – which is the requirement for a peace mission with a robust Chapter VII mandate according to article 39 of the UN Charter – was given in the case of Kosovo. Internal displacements, refugee flows to neighboring Albania and Macedonia and the infiltration of Albanian guerrilla fighters into Kosovo (Judah, 2002; Perritt jr., 2008) put the regional stability at risk and hence justified the application of article 39. Although the temporary take-over of state functions is not originally foreseen in the UN Charter as a type of conflict resolution mechanism, it is also not explicitly excluded as a measure for the maintenance or restoration of international peace and security (UN Charter, Art. 41 and 42).²³⁰ Consequently, the unrestricted scope of measures that the UN could employ did also include the establishment of an interim administration like UNMIK and all the competencies that were entrusted to the mission and its representatives.

Technically, the UNMIK mission did not temporarily suspend the sovereignty of the Kosovo people but rather that of the Federal Republic of Yugoslavia which Kosovo was still part of at that time. SC Resolution 1244 as the basic legitimizing document for the deployment of UNMIK did not require the consent of Serbia and would never have received it. One might argue, however, that Serbian consent to the resolution and to the deployment of UNMIK would have attributed additional political legitimacy to the mission. The fact that the membership of the Federal Republic of Yugoslavia to the UN was suspended at that time was problematic. Yet, Rossbacher (2004: 90ff) argues that the enforcement character of the resolution was diluted by its annexes: the G-8 agreement of 6 May 1999 and the Tschernomyrdin-Ahtisaari agreement of 28 May 1000, in which the Federal Republic of Yugoslavia endorsed its general commitment to end the war in Kosovo (Kellermann, 2006: 103). Likewise, the Military Technical Agreement, which in combination with resolution 1244 provides the legal basis for the stationing of KFOR troops in Kosovo, was signed by Serbia.

Considerably more controversial than the deployment of the UNMIK transitional administration was the NATO intervention. The reference to the ‘Responsibility to Protect’ as the legitimizing principle of NATO’s bombing campaign Allied Force was fervently debated in academia and in the political discourse (e.g. Allin, 2002; Daalder, 2001; Henriksen, 2007; Ramet, 2005; Saariluoma, 2004; Wilson, 2009; Ziegler, 2009). NATO justified its military intervention with the need to stop gross human rights violations committed against the Kosovo Albanian minority population in Kosovo by the Yugoslav security forces. Whether these human rights violations actually accumulated to ethnic cleansing or even genocide is still disputed today. Even under the assumption that the number of casualties and refugees indicated an attempted genocide on the Kosovo Albanians, NATO’s reference to the ‘Responsibility to Protect’ is problematic since this concept was devised within a UN framework and the UN had not endorsed a humanitarian intervention since Russia did not give its consent to a military intervention in the Security Council. Many international legal

²³⁰ Tielsch (2006: 82ff) and Wirth (2007: 71f) discuss in detail why neither a protectorate status of Kosovo under the UN nor its subordination under the UN trusteeship system were legally feasible. Muharremi (2005) provides an analysis of UNMIK and its status under international law.

experts, therefore, argue that the NATO military operation was a war of aggression against Yugoslavia and violated international law.

Malmvig (2006) suggests the appealing argument that instead of restricting the sovereignty of the intervened state, an external intervention can indeed strengthen and reproduce that sovereignty. He bases his argumentation on the NATO intervention Allied Force and claims that the very act of military interference in the internal affairs of the sovereign Federal Republic of Yugoslavia and the public discourse it inflamed reinforced Serbia's sovereignty. By the need of NATO to justify the legitimacy of its intervention before the international community, the meaning of Serbia's sovereignty was recognized and reproduced. To extend this argumentation to UNMIK would mean to institute Kosovo's sovereignty as "the good and the normal" while the intervening mission "belongs to the problematic and pathological" (Malmvig, 2006) and requires justification. Any discourse that critically examines UNMIK's intrusion into the internal affairs of Kosovo therefore fosters Kosovo's perception as a sovereign entity. Even though Kosovo was not declared independent until February 2008, the very discourse on the legitimacy of UNMIK encouraged its perceived sovereignty.

1.4.1. Interaction between the Kosovo Representatives and UNMIK

Since 1999 and throughout the different phases of UNMIK, the patterns of interaction between international and national actors have been tightly intertwined with the status question. The Kosovo elites continuously pushed for an acceleration of the process with the ultimate objective of finally being granted independence from Serbia. While the national political actors were keen on cooperating with UNMIK in the transitional phase in order to achieve that goal, their patience was put to the test with a final solution to the status question being delayed for years and the imposition of ever new hurdles, like UNMIK's Standards Before Status policy. The violent eruption of the March riots in 2004 sent a clear signal to UNMIK and the international community that the process had to move forward if it were not to collapse altogether.

The Constitutional Framework that was devised in 2001 with substantial input from national actors gave considerable powers to the elected Kosovar politicians. The Framework foresaw that administrative tasks relating to day-to-day issues would be in the hands of the national authorities, like education, health, social affairs, culture or environment. Only powers in sensitive areas, such as defense, external affairs, economic policies and minority rights, remained reserved to the SRSG. But notwithstanding these provisions, Kosovo representatives wanted to take on more authorities than had been agreed on in the Constitutional Framework. The Albanian politicians were greatly dissatisfied with being in charge of only the 'soft sectors', describing them as "peanuts", but having no control over the 'hard sectors' (see remarks made by Prime Minister Bajram Rexhepi in King and Mason, 2006: 176f). The internationals would reply that before the national authorities were to take responsibilities in the hard sectors, they would have to prove that they are capable of managing those issues that are of greater concern to the population in their everyday lives.

Indeed, "most Kosovars were incapable of distinguishing between formal authority and actual power" (King and Mason, 2006: 161, 176). Instead of tackling the tasks that already were in their competence and using their powers in these fields to demonstrate their governmental and administrative capacities to their constituents and to UNMIK, the government representatives would attempt to take on responsibilities outside their formal authorities, hoping to accelerate

the process of a further transfer of competencies and a decision on the status question. The SRSG had to annul legislation passed by the Assembly in at least one instance (King and Mason, 2006: 160f). This problem of authority versus power and form versus substance is still immanent in Kosovo's political system today.

At the same time, Kosovo authorities were generally reluctant to take on political responsibilities and the blame but also the credit that would come with it. By formally transferring a range of competencies, UNMIL had passed on ownership of the Kosovo institutions to the elected officials, thereby allowing for trial and error. But many Kosovo representatives had become accustomed to passing the blame on to UNMIK and other international actors. UN-bashing was very common and had increased since 2002 when the first competencies were transferred. Instead of taking the initiative and using the powers they already had, the national officials retained their rather comfortable position of criticizing UNMIK for everything that went wrong in Kosovo. In the absence of popular democratic activism and a parliamentary opposition in the all-party coalition (until December 2004) and with a mal-functioning media system, there were no checks on the government which would make it accountable (King and Mason, 2006: 164f). On the contrary, most Kosovars turned to UNMIK with their complaints and were at that stage not aware of the responsibilities that their own government already had.

Part of the problem that national representatives were prevented from taking on political responsibilities was also that UNMIK's overall transfer policy was often half-hearted and tentative and did not provide much room for domestic political innovation (Kramer and Dzihic, 2006: 102). Some UNMIK staff was also reluctant to yield political influence and continued to take unilateral decisions in areas that were clearly in the competence of the PISG (Dehnert, 2004; King and Mason, 2006: 167). Overall, UNMIK sometimes found it hard to hand-over responsibilities and Kosovo representatives often found it hard to accept them.

Even with a new political system formally in place, which allowed for vivid democratic competition, the local officials demonstrated a significant lack of democratic culture. The election campaign prior to the first post-war parliamentary elections in November 2001 was characterized by a uniformity of party programs. The three main Kosovo Albanian parties "invested little energy in developing a distinctive political agenda" (King and Mason, 2006: 120) but instead focused on the single issue that dominated Kosovo's society at that time, independence and self-determination. To attract votes, the parties did not have to make the effort of addressing other issues of domestic importance. The final status of the territory was the priority political agenda of all parts of society and voters attached great salience to it.

Additionally, the Kosovo representatives lacked political experience and expertise for autonomous and accountable governance.²³¹ In the Yugoslav system before 1999, the Kosovo Albanian elites were impeded from developing democratic aptitudes and administrative expertise as they were effectively excluded from taking any positions of influence. Equally, the Kosovo Albanian parallel system in the 1990s was more of a symbolic system that would foster the social tradition of patronage networks rather than dismantle these structures.²³² And considering that many of the rising political leaders had successfully used violent resistance in the UÇK as a means to achieve their political objectives, democratic values and procedures were unfamiliar to most of Kosovo's new political leaders.

²³¹ Interview with the national Co-head of the JIAS Department of Education and Science 2000-2002.

²³² Interview with the Head of the ICO Political Affairs Unit.

1.4.2. Effects of the UNMIK Presence on State-Society Relations

State-society relations in Kosovo were shaped by the legacy of Yugoslav paternalism and experiences of the Kosovars with state institutions in history: The state was always perceived as a threat. Since Kosovo Albanians were effectively excluded from governmental and administrative posts and proceedings until the end of the war in 1999, public life had been shaped by the attitude to avoid all state structures and to regulate public life within clan and family structures.²³³ The people traditionally perceived themselves to be at the mercy of state institutions instead of being the constitutive power.²³⁴

Kosovo's public sphere is characterized by strong personalization. The party system of post-war Kosovo was not defined by party programs but rather by strong, influential and vociferous leaders (Kellermann, 2006: 208; Kramer and Dzihic, 2006: 64f). "The political climate breeds strong leaders and weak political parties" (UNDP, 2004). Instead of voting for a party and a party program, voters cast their ballots for their patriarchal leaders and according to clan and regional affiliations. Clans, i.e. extended families with several hundred members, are the backbone of Kosovo's society. Due to a historical mistrust in the state, the clan structures are the basis on which the Kosovo society functions in all aspects, social and economic. The Kosovo Albanian political elites which started to emerge in the late 1980s evolved from these clan structures as well.

However, with all the criticism directed at the political parties and the party leaders, one needs to keep in mind the immense challenges they were faced with: the international community expected them to build up democratic expertise and experience almost instantaneously – a process that normally takes decades. The pressure exerted on the national elites by the international actors and also by their constituents put them in a double accountability crisis. The Kosovo population expected the provision of public goods and an improvement of the economic situation while the international community demanded compliance with democratic standards without giving the Kosovo institutions all the competencies needed to fulfill those (Kramer and Dzihic, 2006: 102f).

The international trusteeship under UNMIK and the effective withholding of sovereignty has significantly shaped state-society relations. For almost a decade, the status question was the one political issue that dominated the political system and led to a homogenization of interests. All parts of the Kosovo-Albanian society unanimously and exclusively supported independence. The focus on the status question was the only way for the parties to generate political capital, i.e. to attract votes. In the parliamentary elections of 2004, people voted exclusively according to their regional and clan-based affiliations because the political landscape did not offer any alternative bases for voting.

Turnout rates in the first municipal elections in 2000 and the first parliamentary elections in 2001 were unusually high with 79.0% and 64.3% respectively (Kramer and Dzihic, 2006: 59ff). These rates dropped to 53.9% at the municipal elections in 2002 and to 53.6% at the

²³³ Interviews with the Head of the ICO Political Affairs Unit, an international Supreme Court judge, and the Director of the Dutch NGO "Spark".

²³⁴ Interview with the Head of the ICO Political Affairs Unit.

parliamentary elections in 2004²³⁵, which indicates a diminishing political interest of the voters. Voters were increasingly aware that there was no dynamic in the party system and that results were predictable since they were based on clan affiliations.²³⁶ The allocation of seats was nearly identical in all elections. With the notable exception of publisher Vetton Surroi and his party ORA, representing a new citizenry in Kosovo, that won seven parliamentary seats in 2004 and thereby modestly contributed to invigorating Kosovo's limited political pluralism, the parties acted in a stable system of homogeneous interests.

The dominant independence issue and the lack of political pluralism created a one-level game between national and international actors (Putnam, 1988). The negotiation process in the years before the formal status talks under Ahtisaari was characterized by an interaction process between a unity of national actors pushing for independence on one side and UNMIK being careful to slow down the process on the other side. The fact that there was an all-party coalition governing Kosovo from November 2001 to December 2004 did not help to turn this one-level game into a two-level game with an active role of a domestic opposition and civil society. Formally, UNMIK was in control of the process and could dictate its development but it also had to attend to domestic demands. The beginning of the negotiation process under Ahtisaari, seven years after the end of the war, was the equilibrium outcome of this one-level interaction process.²³⁷

Judging by the number of NGOs that were established after UNMIK's deployment in 1999, Kosovo's civil society should be strong and active as hardly anywhere else. USAID estimates that since November 1999, an average of 380 NGOs, associations and foundations has been registered annually (USAID, 2001: 87). This figure cumulated to approximately 3,800 registered NGOs in 2006, but with only 150 to 200 of them being reputable and active (USAID, 2006: 124; USAID, 2008: 129).

Kosovo's very favorable registration laws under UNMIK protected NGOs from unwanted 'state' control (USAID, 2001: 87) but also favored an unrestrained NGO boom. USAID found that these newly-formed NGOs were mostly inexperienced, had low operational capacities, and were founded primarily to meet the needs of the large community of international development and relief agencies operating in Kosovo to spend international donor money. Consequently, few NGOs had clearly defined missions and objectives and were mostly comprised of small groups of people who carried on project by project, without consistent links to constituencies. Since these local NGOs were dependent on foreign donor funding, many of these faced financial challenges after about one year of a massive influx of money when the international donors reduced their financial support (USAID, 2001: 88). For many Kosovars, NGOs were a welcomed employment opportunity rather than a form of political engagement.²³⁸

With the same rigor that the Kosovo Albanians fought for Kosovo's independence, the Kosovo Serbs opposed it and advocated for the integration of Kosovo into Serbia. Hence, the party system of the Kosovo Serbs was equally non-pluralistic: For all parties, the upholding and safeguarding of the Serbian political and economic influence in Kosovo were key. In October 1999, the Kosovo Serb community following an initiative of its religious leaders

²³⁵ See final election results as recommended by the CED and certified by the SRSG:

<http://www.osce.org/kosovo/13208.html>.

²³⁶ Interview with the Head of the ICO Political Affairs Unit.

²³⁷ Interview with a Kosovar political economist and UNDP official.

²³⁸ Interview with a Kosovar political economist and UNDP official.

founded the SNV (Serb National Council of Kosovo and Metohija) as an umbrella organization for all Serbian groups in Kosovo. Led by bishop Artemije, the Council fought for the return of Serbian refugees. Initially, it cooperated with UNMIK and enjoyed the respect of the international administration but later it heavily criticized the KFOR troops for failing to protect the Serbian population. In the divided town of Mitrovica, a splinter group of the SNV was founded as the Serb National Council of North Kosovo. This council took a more confrontational stand on UNMIK (Kellermann, 2006: 211f). While the Kosovo Serbs participated in the political system of Kosovo during the JIAS phase, they also continued to vote at the elections held in Belgrade. Following orders from Belgrade, they boycotted municipal elections in Kosovo in 2000 and the parliamentary elections in 2004 but participated again in the parliamentary elections in 2001 and the municipal elections in 2002 with turnouts of more than 50% and 20% respectively.²³⁹

1.4.3. Interaction between UNMIK and the People

The attitude of the Albanian majority in Kosovo towards the interveners and UNMIK is ambiguous and changed over the course of the mission. At first, especially NATO and the US were greeted as liberators who freed the Kosovo people from the Serbian repression. A 10-foot high statue and a large banner of former US president Bill Clinton on the main boulevard in Prishtina, also named after him, became a symbol of the Albanian gratefulness.

Regular opinion polls conducted by UNDP indicate that approval ratings of KFOR were generally much higher than of UNMIK and the SRSG. In its first Early Warning Report, covering the period May to August 2002, UNDP found that only about a quarter of all respondents in Kosovo were satisfied or very satisfied with the performance of UNMIK; almost half of all respondents were satisfied or very satisfied with the performance of the SRSG, Michael Steiner at the time. KFOR, by contrast, enjoys very high approval ratings by almost 70 percent of all respondents (Table 18). One needs to keep in mind, however, that these figures reflect the entire population of Kosovo, where the different ethnic groups might diverge considerably in their opinion.

²³⁹ See final election results as recommended by the CED and certified by the SRSG:
<http://www.osce.org/kosovo/13208.html>.

Table A.3. The opinion on the performance of different institutions in Kosovo* (in percentages)

	Do not know/ No answer	Not Satisfied at all	Not quite satisfied	Satisfied	Very satisfied	Total
UNMIK	3.1	21.6	48.1	21.2	6	100
The Assembly	2.6	11.9	35.9	39	10.6	100
SRSG	3.8	12	40.4	33.4	10.4	100
Courts	19.1	20.7	38.3	18.6	3.3	100
Government	1.5	9.2	29.1	41.2	19	100
KFOR	2.6	7.7	19.8	38.9	30.9	100
CIVPOL	1.7	14	32	33.4	18.9	100
KPC	1.2	8.5	12.1	36.3	41.8	100

** -The data are considered according to percentage of community participation in the total population of Kosovo (88% Albanians, 6% Serbs and 6% others)*

Table 18: Opinions on the Performances of Different Institutions in Kosovo²⁴⁰

Figure 27 shows the trend of the performance ratings of UNMIK, the SRSG, KFOR, and the Kosovo government. Of all institutions, KFOR continuously received the highest satisfaction rates. The trends for UNMIK and the SRSG vary over time. When the “Standards Before Status” policy was concretized over the year 2002, the majority of Kosovars had their hopes up that the status of Kosovo would be settled soon and satisfaction rates with UNMIK and the SRSG went up. They declined rapidly over 2003 and 2004 because this was a period of political stagnation and general frustration. When the transfer of competencies from UNMIK to national institutions was accelerated again after the second parliamentary elections in late 2004 by SRSG Jessen-Petersen, his satisfaction rates increased again to an all time high in mid-2005. Since independence, only between 12 and 33 percent of the respondents were satisfied or very satisfied with the performances of UNMIK and the SRSG. This is an expression of the widespread discontent with UNMIK’s presence and its role after 2008.

²⁴⁰ UNDP Early Warning Report No. 1, 2002: 28



Figure 27: Satisfaction of Respondents with the Performance of UNMIK, the SRSG, KFOR, and the Kosovo Government²⁴¹

Before independence, most Kosovars turned to UNMIK with their complaints and were at that stage not aware of the responsibilities that their own government already had. The rapidly dropping rates of satisfaction with the PISG beginning in 2005, when many competencies were transferred, illustrate this (Figure 27). Also, Figure 28 shows that far more respondents held UNMIK responsible for Kosovo’s political situation than the PISG institutions, although the trend was slightly going up for the PISG until 2006.

²⁴¹ Graph based on data in UNDP Early Warning Reports No. 1 (p.28), No. 2 (p.32), No. 4 (p.30), No. 5 (p.29), No. 8 (p.32), No. 18 (p.7), and No. 28 (p.6). The survey was based on face-to-face interviews, and included more than 1,000 respondents from all ethnic groups. In order to increase the reliability of opinions of the minority groups, the number of respondents belonging to minorities was chosen to be higher than their percentage participation in the entire population of Kosovo. The sample was stratified on the basis of seven geographic regions, and urban to rural population ratio (1:1). The target population was over 18 years of age (UNDP Early Warning Reports <http://www.ks.undp.org/?cid=2,169>). For a figure that includes the Assembly, the Prime Minister, and the President of Kosovo see UNDP Early Warning Report 28: 11.

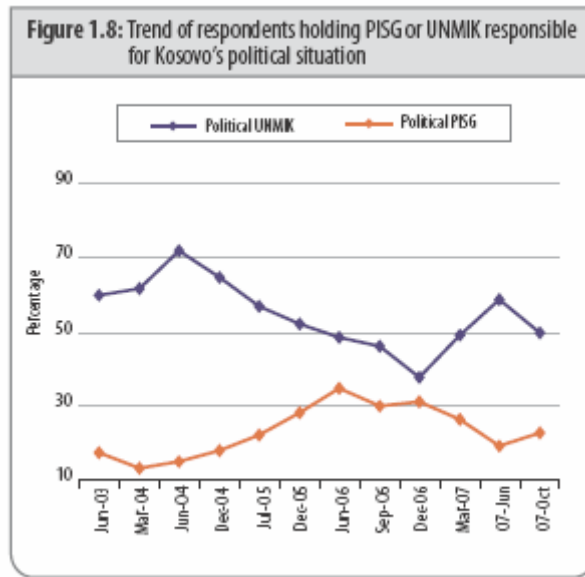


Figure 28: Trend of Respondents Holding PISG or UNMIK responsible for Kosovo's Political Situation²⁴²

The student movement 'Vetëvendosje' (Self-determination) under the leadership of Albin Kurti was a critical stimulus to public opinion. It perceived UNMIK and other international actors as occupiers and unwanted foreigners who hinder self-determination. Vetëvendosje soon became an institutionalized third actor next to the national party system and the international presence. Its predecessor, the Kosova Action Network (KAN), was founded in 1997 as a student organization that fought against the "occupation and dictatorship of Serbia in Kosova"²⁴³. In 2005, KAN transformed into 'Levizja Vetëvendosje' (Movement for Self-Determination). The name originated from the Vetëvendosje graffiti that can be found on the walls in almost all urban areas in Kosovo. It expresses the organization's fierce opposition to UNMIK which it saw as an occupational force that is "looting our country."²⁴⁴ Vetëvendosje's main activities to propagate its increasingly radical ideas are public protests and spectacular activities (often resulting in vandalism or bodily injury), the distribution of pamphlets and newspapers, and the broadcasting of a radio program. Vetëvendosje established a network of 18 offices throughout Kosovo and also opened nine branches abroad. Although it has only 1,000 active members²⁴⁵, its demonstrations against the UNMIK administration regularly attracted several ten thousand protesters (figures range from 10,000²⁴⁶ to 50,000²⁴⁷). Kurti was put under house arrest by UNMIK for several months during a trial held against him for inciting violence at several mass demonstrations in 2006 and 2007; 198 Vetëvendosje activists in total have been arrested until today. Nonetheless, Vetëvendosje's popularity has steadily grown in Kosovo. Around 60% of the respondents in an opinion poll said that they trusted the movement (Index Kosova November 2007: 6)²⁴⁸.

²⁴² UNDP Early Warning Report No. 18, 2002: 20

²⁴³ History of Levizja Vetëvendosje: <http://vetevendosje.org/>.

²⁴⁴ <http://vetevendosje.org/>

²⁴⁵ Interview with a Vetëvendosje activist.

²⁴⁶ Interview with the Executive Director of the Kosovo Stability Initiative (IKS).

²⁴⁷ Interview with a Vetëvendosje activist.

²⁴⁸ <http://www.indexkosova.com>

1.5. Analysis of Statehood

Two years after independence, in 2010, statehood in Kosovo is not locally owned. Kosovo finds itself in a situation of ‘supervised independence’ with competing and ambiguous mandates of the supervisors. There are five main actors on the ground in Kosovo who all (want to) have a say in the governing of Kosovo: UNMIK, ICO, EULEX, KFOR, and the Kosovo government. The governance system in Kosovo is even “more muddled” (IKS, 2008a: 3) than before independence. This section will disentangle the competing sources of statehood in Kosovo after independence and evaluate the quality of statehood.

1.5.1. Ownership of the Outcome: Who Provides Statehood?

The highest legal document of Kosovo is not the Constitution but in fact the Ahtisaari Plan of March 2007, which takes precedence over all other legal provisions in Kosovo.²⁴⁹ When the status talks failed in November 2007 due to Russia’s strict opposition to Kosovo’s independence, and, consequently, a UN framework for Kosovo’s status independence became unfeasible, “Plan B” came into being, i.e. the implementation of the Ahtisaari Plan without a Security Council backing. This bypassing of the Security Council was intended to leave more room for maneuver than an unmistakable Russian ‘njet’. “The idea was that it was better to coordinate Kosovo’s independence under the Ahtisaari Plan than to allow self-proclaimed independence which would result in chaos, fighting, and more riots”, says the special advisor to Prime Minister Thaçi.²⁵⁰ The final Ahtisaari Plan had been jointly drafted by the Quint states (Contact Group without Russia) and the Kosovo Albanian delegation.

Without a P5 consensus on the final status of Kosovo, there is no Security Council Resolution to bring the UNMIK mission to a close, but UNMIK’s presence became in effect obsolete.²⁵¹ This unclear role of UNMIK led to disagreement among the organizations whether or not ICO and EULEX would operate under the general framework of the UN and of Resolution 1244.²⁵² ICO and EULEX do not see themselves as successors or substitutes of UNMIK and

²⁴⁹ Chapter XIII, Article 143 of the Kosovo Constitution states: “Notwithstanding any provision of this Constitution: 1. All authorities in the Republic of Kosovo shall abide by all of the Republic of Kosovo’s obligations under the Comprehensive Proposal for the Kosovo Status Settlement dated 26 March 2007. They shall take all necessary actions for their implementation. 2. The provisions of the Comprehensive Proposal for the Kosovo Status Settlement dated 26 March 2007 shall take precedence over all other legal provisions in Kosovo. 3. The Constitution, laws and other legal acts of the Republic of Kosovo shall be interpreted in compliance with the Comprehensive Proposal for the Kosovo Status Settlement dated 26 March 2007. If there are inconsistencies between the provisions of this Constitution, laws or other legal acts of the Republic of Kosovo and the provisions of the said Settlement, the latter shall prevail.”

²⁵⁰ Interview with the Special Adviser to Prime Minister Hashim Thaçi and former Chief Legal Adviser to UNMIK.

²⁵¹ Public opinion polls show that approval ratings of UNMIK and the SRSG have decreased significantly since independence to levels of around 20% (UNDP Early Warning Report 23: 1). These findings are supported by another UNDP poll, according to which more than 70% of the Kosovo Albanian respondents do not agree with a continued UNMIK presence, while only 20% support it. Among the Serb population the agreement ratings are reversed: the majority agrees with a continued presence of UNMIK and just over 20% favor withdrawal. Other minority groups show equal preferences for both options (UNDP Early Warning Report 23: 5).

²⁵² While the Secretary-General stated in one of his reports that “EULEX will fully respect Security Council Resolution 1244 (1999) and operate under the overall authority and within the status-neutral framework of the United Nations.” (S/2008/692, para. 50; also para. 23), EULEX claimed that it would not take orders from the UN and would not be subordinate to Resolution 1244 (IKS, 2008a: 8). Still, EULEX issued reported on its work

they do not perform tasks of an international administration.²⁵³ Their role is to monitor, mentor, and advise the government of Kosovo. Their powers are oriented towards the functions of the OHR in Bosnia (Evenson, 2009).

According to the Head of the ICO Political Affairs Unit²⁵⁴, the post-independence situation could hardly have been any more chaotic regarding the different mandates of the organizations, which seriously hampers coordination between them. The crux is the status question of Kosovo: Resolution 1244 is status-neutral, i.e. it does neither explicitly foresee an independent Kosovo nor the integration into Serbia. The EU is not status-neutral because the majority of its members recognize the independence of Kosovo, while five EU members²⁵⁵ do not. The ICO and its oversight body, the International Steering Group (ISG), fully support Kosovo's independence and external sovereignty. Relations between the EU and ICO are complicated by the fact that their incompatible positions have to be formally reconciled in the position of the International Civilian Representative who is at the same time acting as the European Special Representative (EUSR) – an impossible task.⁷ The result is a universe with two idiosyncratic and concurrent power centers in Kosovo: EULEX and its head being accountable to the Council of the EU; and the ICO, headed by the ICR/EUSR, being accountable to the ISG (Hofbauer, 2008: 230ff; IKS, 2008a: 15f). There are no clear hierarchies between the two organizations and no regular mechanisms for information exchange, although cooperation was good on the working level.⁷

The ICO is the highest decision-making authority in post-independence Kosovo. It has the specific task of ensuring that the government of Kosovo implements the Ahtisaari Plan. But the authorities of the ICR are not limited to merely giving support to the government. The Ahtisaari Plan gives him the power to take corrective measures on any action taken by the Kosovo authorities, i.e. to annul laws or decisions adopted by Kosovo authorities and also to sanction and to appoint or remove public officials (Annex IX, Art. 2.1.c). The ICO has additionally reserved the authority of the interpretation of the Ahtisaari Plan and hence the Constitution.²⁵⁶ Some argue that these formal powers make the ICO the “protector of Kosovo” (Hofbauer, 2008) and view Kosovo as the “first colony of the EU” (Wagner in Hofbauer, 2008: 232). According to many critics, the absence of an effective independent reviewing mechanism²⁵⁷, the lack of democratic legitimacy and accountability, and the lack of an explicit exit strategy²⁵⁸ clearly violate democratic standards and undermine the very principles the ICO was established to oversee (Hofbauer, 2008: 240).

However, the ICO has, until the time of writing, refrained from formally using its veto powers. The rhetoric is that Peter Feith will “make sure that there is no need to use them”.²⁵⁹

to the Security Council every six months (interview with the Executive Director of the Kosovo Stability Initiative IKS).

²⁵³ Interviews with the Head of ICO Political Affairs Unit and the Special Adviser to Prime Minister Hashim Thaçi and former Chief Legal Adviser to UNMIK.

²⁵⁴ Interview with the Head of the ICO Political Affairs Unit.

²⁵⁵ So far, Spain, Romania, Slovakia, Cyprus and Greece have not recognized Kosovo as an independent state.

²⁵⁶ The vague and ambiguous formulation of the obligation of the ICR to exert his powers in line with “the spirit of the document” even increased his discretion in interpreting his own authorities (KIPRED: 7).

²⁵⁷ The oversight mechanisms of the international presence are “vague and obscure”, according to IKS (2008a: 14).

²⁵⁸ The ISG was given the right to determine the duration of his mandate (Ahtisaari Plan, Art. 12.6.). The Plan did not, however, specify any measurable indicators or milestones for reviewing the implementation of its terms (KIPRED: 4).

²⁵⁹ Interview with the Executive Director of the Kosovo Stability Initiative (IKS).

There is a vivid internal debate whether these instruments should be applied if needed or not. Some in the ICO want to articulate explicitly that the ICO has these veto powers and would not hesitate to use them; others argue that it would be problematic to use them because the ICO was deployed by consent and upon the invitation of the Kosovo government. If the veto powers were formally used, the relations between ICO and the other international actors and the Kosovo officials would be strained. Conversely, a failure to use the veto powers effectively, i.e. if the Kosovo government did not act upon the veto, would severely hamper the future work of the ICO.²⁶⁰ The day-to-day collaboration of the ICO with the Kosovo government is said to be very cooperative. ICO members have regular weekly meetings with representatives of the government and participate in parliamentary sessions. They offer advice on various issues, oversee the occupation of posts in the administration and monitor the performance of certain institutions, e.g. of KEK, the local electricity provider.²⁶¹

The role of EULEX is even more problematic for Kosovo's national ownership and sovereignty. EULEX enjoys executive powers and immunities according to its own legal basis, the Joint Action Plan.²⁶² This mandate has not been endorsed in any way by national institutions and is not manifested in the Constitution. So, unlike the ICO, EULEX does not draw its mandate from a document that was (indirectly) approved by national actors but has formulated its own mandate, which does not allow for authorization or repeal by national institutions. EULEX is therefore only responsible and accountable to itself and its oversight body, the Council of the EU. De jure, EULEX has only monitoring, mentoring, and advising functions ('MMA') and limited executive authorities in the security and judicial sector – but de facto it exerts significant influence behind the scenes. Although laws are passed by the appropriate Kosovar institutions, they are in most cases 'pre-cooked' by international EULEX legal experts.²⁶³

Generally, Kosovars demonstrate an ambiguous attitude towards the international presence. On the one hand, it is appreciated that the ICO takes a reserved stand and does not actively interfere in the decision-making; on the other hand, there are requests for a more active engagement. When the ICO takes visible actions, it is often faced with the criticism that it 'behaves like UNMIK', while at the time it is accused of mingling with the government when it does not actively interfere. The plan to withdraw ICO successively after two years is not welcomed by all Kosovo representatives who are aware of the important role the ICO plays with regard to a future EU integration. The informal exit strategy was intended to enhance cooperation with the national representatives and to exert pressure on them to energetically move forward with the political process. The limited media presence and the location of the ICO office outside the city center of Prishtina underline the strategy of the ICO to take on a supportive role, with the government "taking center stage".²⁶⁴

Concerning the substantial review powers that ICO and EULEX have, there was no objection by the government to this 'supervised independence' and the limited sovereignty. The reason is that the strong role of the EU and the ICO as highest decision-making powers in Kosovo is "self-inflicted".²⁶⁵ The Kosovo Albanians had fully and unanimously, both in Parliament and

²⁶⁰ Interview with the Head of ICO Political Affairs Unit.

²⁶¹ Interview with the Head of ICO Political Affairs Unit.

²⁶² Council Joint Action 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission in Kosovo, EULEX Kosovo; <http://www.eulex-kosovo.eu/?id=2>.

²⁶³ Interview with the Director of the Dutch NGO "Spark".

²⁶⁴ Interview with the Head of ICO Political Affairs Unit.

²⁶⁵ Interview with the Director of the Dutch NGO "Spark".

on the streets, endorsed the Ahtisaari Plan which had determined the final status of Kosovo and had spelled out the form and principles of the newly independent state. Kosovo's Declaration of Independence of 17 February 2008 explicitly respected the Ahtisaari Plan and invited an international civilian presence. The international presence with its formal competencies was seen as a concession that allowed Kosovo to gain independence.²⁶⁶ Although this was a very high price to pay, the Kosovar leaders were pushed towards it both by the people and by the internationals and accepted it pragmatically as the only feasible compromise.²⁶⁷

More than two years into independence, there is consensus between the Kosovar and the international representatives that international supervision will be needed for some time to ensure the functioning of the multi-ethnic state that Kosovo is on paper.²⁶⁸ Without the strong KFOR military presence and the political backing of the international presence, Kosovo would be vulnerable to the powerful Serbian neighbor and to political, possibly violent, unrest among the Serb population. Many analysts argue that long-term support of the Kosovo institutions would be needed to avert a collapse of the nascent political structures. In that regard, they refer to the experience in Bosnia which was brought to the brink of conflict again when the OHR was reduced in numbers.²⁶⁹

Also, there is a general understanding that continued external economic assistance is badly needed for economic development²⁷⁰ which is again a pre-condition for long-term sovereignty and statehood.²⁷¹ The level of dependency on foreign money coupled with the need for external advice is very high in all public sectors.²⁷² The enormous dependency of the Kosovo state on international resources and expertise to improve its performance is at the same time undermining its own long-term development and sustainability. An additional problem is that the need to channel enormous resources through or around national structures that have little capacity generate a system of parallel structures based on an external budget that undermine accountable policy-setting by national institutions. Although most of the foreign money is being spent through Kosovo's regular budget since 2008, critics argue that foreign assistance is "money for Kosovo but not money in Kosovo" and that it does more harm by fostering a system of dependency instead of encouraging autonomy and sustainability.²⁷³

Many observers made out an 'obeying attitude' of the Kosovo government towards the international presence. The national leaders are often hesitant to argue strongly for their positions and their national interests for fear of affronting the internationals who instituted democratic structures, gave them independence, and whose money they are dependent on.²⁷⁴ There are strong sympathies towards the US among the general population and also among the elites who tend to agree with many US propositions without questioning them and even

²⁶⁶ Interview with the Head of ICO Political Affairs Unit.

²⁶⁷ Interview with the Special Adviser to Prime Minister Hashim Thaçi and former Chief Legal Adviser to UNMIK.

²⁶⁸ Interview with the Special Adviser to Prime Minister Hashim Thaçi and former Chief Legal Adviser to UNMIK.

²⁶⁹ Interview with the Director of the Dutch NGO "Spark".

²⁷⁰ Interview with a Kosovar architect.

²⁷¹ Interview with the Director of the Dutch NGO "Spark".

²⁷² Interview with a Kosovar architect.

²⁷³ Interview with a Kosovar philosopher, sociologist and writer.

²⁷⁴ Interviews with the Head of ICO Political Affairs Unit, the Executive Director of the Kosovo Stability Initiative (IKS), and the Special Adviser to Prime Minister Hashim Thaçi and former Chief Legal Adviser to UNMIK.

when they might not be in Kosovo's best interests.²⁷⁵ Some claim that UNMIK has created that factitious role for the Kosovars that does not allow them to develop a sense of responsibility and to make their own mistakes.²⁷⁶ In an interview, a civil society activist, in line with the oppositional position of Vetëvendosje and a small number of other civil society groups, critically argues that the 'Newborn' phenomenon attributes to Kosovo the status of being a baby that needs fostering and nurturing. He sees Kosovo as being even more colonized since independence than under UNMIK and denies the international presence any right to be further engaged in post-independence Kosovo. These statements have a certain resonance among the population who blames the internationals for pursuing their own power interests instead of effectively tackling everyday problems like electricity provision and corruption.²⁷⁷ The fact that no referendum was held on the Ahtisaari Plan and on the international presence aggravated public condemnations of 'colonization for democratization.'

The interaction of the Serbian population in Kosovo with the international presence is ambivalent. Before Kosovo's independence, Belgrade had strictly rejected UNMIK's presence in Kosovo – and especially in the Serb areas – on the grounds that SC Resolution 1244 was status-neutral and therefore violated Serbia's sovereign right to territorial integrity. When independence was unilaterally declared by the Kosovo Albanian leaders and the majority of the EU countries had recognized it, perceptions shifted: the UNMIK presence is now seen as the last link to Resolution 1244 and is preferred as the lesser evil to an EU presence that (partially) recognizes Kosovo's independence. Now, there are assertive demands for UNMIK to remain in Kosovo.²⁷⁸ EULEX was explicitly invited by Belgrade to implement international jurisdiction based on the Six-Points-Plan. The EU mission subsequently attempted to expand its legal authority to Serb-populated North Kosovo. As Belgrade, however, continues to support Serb parallel structures with massive financial contributions, the international presence and the Kosovo administration have little influence in these areas. Courts in North Kosovo continue to apply Serbian or UNMIK law and do not recognize decisions taken by the Kosovo authorities, so that two judicial systems are effectively in place, one Serbian and one international in which international EULEX judges preside over cases of serious crime.²⁷⁹

A rare example of a functioning working relationship between Serbian authorities and UNMIK is the establishment of the Advisory Body in May 2008. It is made up of Serb representatives of various parties and liaises with the UNMIK administration office in North Mitrovica. This allocates to it a proportional share of the Kosovo municipal budget for Mitrovica. This budget is devised in the south of the city by the Mitrovica municipality which is not seen by the Serbs as an administrative body of the Republic of Kosovo.²⁸⁰ Also, OSCE continues to be in charge of training the Kosovo Police Service in North Mitrovica which is composed of Albanian and Serb officers.

²⁷⁵ Interview with the Special Adviser to Prime Minister Hashim Thaçi and former Chief Legal Adviser to UNMIK.

²⁷⁶ Interview with an international Supreme Court judge.

²⁷⁷ Interview with the Head of ICO Political Affairs Unit.

²⁷⁸ Interview with the Programme Director of the Center for Civil Society Development and Civil Rights Activist in North Mitrovica.

²⁷⁹ Interview with an international Supreme Court judge.

²⁸⁰ Interview with the Programme Director of the Center for Civil Society Development and Civil Rights Activist in North Mitrovica.

The UNMIK strategy to introduce formal institutional conditions in order to initiate a trickle-down process in terms of statehood and democracy has been only partially successful. Technically, the basis for local ownership of political institutions and political processes has been established by the international presence. However, the one-sided focus on formalities has failed to meet the optimistic expectations that the gradual transfer of competencies and the exemplary role of the international presence in terms of political standards would create a lively democratic culture and amplify civic participation (Kramer and Dzihic, 2006: 248). Even after independence, Kosovo finds it difficult to act as a sovereign state. For centuries, the elites had to bow to orders from above, first from Belgrade, later from UNMIK. This sense of dependency has shaped the attitudes of the political elites and has reinforced the psychological and factual dependence on external actors.²⁸¹

Effectively, the government is in charge of all governmental institutions and processes. All international actors in Kosovo agree that the national authorities have emerged as the primary administrators in Kosovo after independence; they have the main responsibility to provide services for the people.²⁸² This also means that the Kosovo institutions are being made responsible for political, economic, and social grievances.²⁸³ Although blame is still rhetorically assigned to the international presence, there is a growing understanding among the population that the Kosovo government is officially in charge.²⁸⁴

Yet, popular trust in the Kosovo institutions is very low as a direct effect of the low vertical accountability. Formal and informal means to hold elected representatives accountable for their policies are either non-existent or are not being used by the constituents: unions or associations of professional groups are practically missing, petitions and public hearings are not heard of, the media generally reports along party lines and has a noticeable ethnic bias; critical journalists have often been intimidated (Narten, 2009a: 130). Civic participation in the form of NGO activism is limited to the spectacular actions and mass demonstrations organized by Vetëvendosje. The majority of small local NGOs is financed by external donors and serves more as a source of income than as a means for political participation. The low turnouts in the 2002 and 2004 municipal and national elections were indicators that “voters are tired and exhausted and do not expect to see a change in the system after elections.”²⁸⁵ Much in the political system of Kosovo still depends on personalities and networks and less on institutions. Societal and political thinking does not go beyond clan structures.²⁸⁶ The ‘verbal’ culture – as compared to a ‘written’ culture – is prevailing, which fosters patronage and corruption.²⁸⁷ All this has contributed to the widespread impression that Kosovo is run by “a lawless political elite in control of every aspect of society” (ICG, 2010: executive summary).

The lack of a political culture can be attributed to a general lack of experience with democratic principles and a lack of political expertise in society. Kosovo’s society does not have a strong middle class as the backbone of civic participation, and only has a very small

²⁸¹ Interview with an expert on international law and KIPRED board member.

²⁸² Interviews with the Special Adviser to Prime Minister Hashim Thaçi and former Chief Legal Adviser to UNMIK, the Executive Director of the Kosovo Stability Initiative (IKS), the Head of ICO Political Affairs Unit, and a Kosovar architect.

²⁸³ Interview with the Head of ICO Political Affairs Unit.

²⁸⁴ Interview with a Kosovar architect.

²⁸⁵ Interview with a Kosovar philosopher, sociologist and writer.

²⁸⁶ Interview with an international Supreme Court judge.

²⁸⁷ Interview with the Director of the Dutch NGO “Spark”.

group of intellectuals due to the large emigrations waves to Western Europe in the 1980s. Under UNMIK, there was no room for democratic discourse like in a truly democratic framework. Although the settlement of the status question should have paved the way for a lively democracy and the opening-up of the unified party structures, there is a great discrepancy between form and substance. In form, all the institutions of a parliamentary representative democracy are in place in Kosovo, which some consider the greatest achievement of the international presence.²⁸⁸ In substance, however, the political culture is so weak and the influence of external actors is still so strong that the local political elite lavishly waives its competence in many tedious sectors (like electricity provision and the rule of law) and thereby also diverts blame for mismanagement to the internationals.²⁸⁹

Since “independence did not mark a point zero”²⁹⁰ but was rather just another step on the long way from international administration to true autonomy and self-determination, the old Kosovo Albanian elites are the bearers of the new institutional system. The democratic system is not yet strong enough to promote young, educated experts who are perceived as rivals to the old political order. Patronage systems foster continuity instead of political innovation.²⁹¹ Although the unifying element of the status question had in effect become obsolete after independence, the political spectrum of Albanian parties remains relatively cohesive.²⁹² The unified party system prevails because the parties can generate political capital from focusing on national issues and overstating the external security threat.²⁹³ As long as there is great uncertainty among all Kosovo Albanians regarding security and economic issues, these structures cannot be deconstructed for new issues, like education, gender, or ecological problems. The process of an unfolding democratic system, in which the national elites interact with the international presence in a two-level game that takes into account the diverse preferences of the constituency, will take time and the stimulus for its initiation needs to come from below, i.e. from the people of Kosovo.²⁹⁴

1.5.1.1. Is Kosovo a Sovereign State after Independence?

Assessing the sovereignty of Kosovo after its independence is not a straightforward task. The legal status of the territory under the UNMIK administration had been disputed among experts of international law, and the situation has become even more ambiguous since. 62 countries have so far recognized Kosovo as an independent state, among them the three UN Security Council permanent member states US, Great Britain, and France; 22 out of the 27 European Union member states (not including Spain, Greece, Cyprus, Slovakia, and Romania); and 24 out of 28 NATO member states.²⁹⁵ The implications of this inconsistency for the EULEX and ICO missions have been discussed above. But in addition to the operational difficulties of its uncertain status, Kosovo presents a legal challenge for the international community of states and might serve as a long-standing precedence.

²⁸⁸ Interview with the Special Adviser to Prime Minister Hashim Thaçi and former Chief Legal Adviser to UNMIK.

²⁸⁹ Interview with a Kosovar philosopher, sociologist and writer.

²⁹⁰ Interview with a Kosovar philosopher, sociologist and writer.

²⁹¹ Interviews with a Kosovar architect and a Kosovar journalist, philosopher and political analyst.

²⁹² In the 2010 parliamentary elections, one new party has been relatively successful: The Self-Determination Party, led by Albin Kurti, received 16 per cent of the vote and became third-strongest party.

²⁹³ Interview with a Kosovar political economist and UNDP official.

²⁹⁴ Interviews with a Kosovar political economist and UNDP official and the Special Adviser to Prime Minister Hashim Thaçi and former Chief Legal Adviser to UNMIK.

²⁹⁵ <http://www.kosovothanksyou.com/statistics/>

Krasner's (1999) distinction of four readings of the concept sovereignty seems useful to classify and clarify Kosovo's status. First, "international legal sovereignty refers to the practices associated with mutual recognition, usually between territorial entities that have formal juridical independence" (Krasner, 1999: 3). According to this understanding of sovereignty, recognition of states in the anarchical international system is not regulated by formal rules but is habitually a political decision (Hill, 2002: 15) – and the decisions made by states to recognize Kosovo or not were very political indeed. With only about a third of all states having recognized Kosovo's independence, its international legal sovereignty is very limited. The Kosovo Albanians hope that the successive recognition by more and more states, however small and politically marginal they might be, will diminish the current legal complications and create a reality on the ground which will take the process forward.²⁹⁶ International legal sovereignty, however, cannot only be granted within the universe of sovereign states but also in terms of UN membership. Membership to the UN is based on a decision of the General Assembly upon the recommendation of the Security Council (UN Charta, Article 4.2.). For Kosovo, this option was out of reach at the time of writing since the two permanent members of the Security Council Russia and China determinedly reject Kosovo's admission and only a minority of the General Assembly members would support such a proposition. In answer to Kosovo's declaration of independence, Serbia has sought legal opinion of the International Court of Justice (ICJ) on whether Kosovo's unilateral declaration of independence was abiding by international law. On July 22, 2010, the ICJ found that the declaration of independence by Kosovo did not violate international law. Yet, the fact that the Court's decision is only advisory and not binding prolongs Kosovo's awkward situation of having an unclear and undefined legal status which causes additional instability in the Balkan region.²⁹⁷

The second type of sovereignty, Westphalian sovereignty, refers to "the exclusion of external actors from authoritarian structures within a given territory" (Krasner, 1999: 4). In that regard, Kosovo is by no means sovereign. The heavy influence of external actors in domestic affairs, both de jure and de facto, continues after its declaration of independence.

Third, domestic sovereignty refers to "the formal organization of political authority within the state and the ability of public authorities to exercise effective control within the borders of their own polity" (Krasner, 1999: 4). Since the Kosovo authorities cannot exercise effective control in the areas populated by a Serbian majority, Kosovo's domestic sovereignty is limited to those regions with an Albanian majority. But even there, domestic sovereignty is not unrestricted: The Constitution of Kosovo guarantees external actors decisive veto powers and thereby de facto limits the ability of the national authorities to exercise effective control in its sole and absolute discretion. Thus, the nonexistent Westphalian sovereignty also limits Kosovo's domestic sovereignty.

Finally, interdependence sovereignty refers to "the ability of public authorities to regulate the flow of information, ideas, goods, people, pollutants, or capital across the borders of their state" (Krasner, 1999: 4). Following from the above, Kosovo's interdependence sovereignty is limited on the one hand by the strong role of external actors who have the final legal authority over customs and border traffic and who assist in border control with the international security presence and on the other hand by the inability of the authorities to exert control over

²⁹⁶ Interview with the Special Adviser to Prime Minister Hashim Thaçi and former Chief Legal Adviser to UNMIK.

²⁹⁷ Interview with the Special Adviser to Prime Minister Hashim Thaçi and former Chief Legal Adviser to UNMIK.

the entire territory. The fact that Kosovo's borders are not recognized by the majority of states and specifically not by its neighbor Serbia, with whom it shares about half of its total border length, also restricts its interdependence sovereignty.

All in all, Kosovo does not enjoy full sovereignty based on any of the four criteria. It presents a unique case in the international system and only time will tell whether it will remain a case *sui generis* or whether it is currently in a phase of an unfolding political process that will lead to full and unconditional sovereignty.

1.5.2. Quality of Statehood

The following section will analyze the quality of statehood in Kosovo after independence and the output that is generated for the citizens. Large parts of this output are still provided by the international presence, most notably external security. The national institutions lack effectiveness and are riddled with corrupt and inexperienced officials. The main deficiency of high-quality statehood is that national institutions do not exercise control over the entire territory of Kosovo: the Serb populated areas are still controlled by Belgrade. The political reconciliation process has utterly failed in Kosovo.

1.5.2.1. Provision of Security – UNMIK as a Security Guarantee

With 13,829 KFOR troops²⁹⁸, 1,499 UNMIK police officers²⁹⁹ and 8,270 Kosovo Police officers, Kosovo “probably has the highest concentration of security personnel in the world” (UNODC Report May 2008 in IKS, 2008b: 39). The overall security situation in Kosovo after independence has been calm and stable; violent crime is relatively rare (ICG, 2010: 3). Although a number of low-level, inter-ethnic security incidents have occurred across Kosovo³⁰⁰, these did not have any strategic impact on the political process. Organized crime, especially human trafficking and illegal trade and smuggling of weapons and drugs, remain major problems that run through all levels of society (IKS, 2008b: 9ff, 17ff, 21ff). Many observers were not surprised when a report by the Council of Europe revealed in late 2010 that former UÇK leader and now Prime Minister Hashim Thaçi had been involved in organ-trafficking and had exerted violent control over the heroin trade in the Balkans in the wake of the 1999 war.³⁰¹

Only very few quantitative measures are available that give an impression of the security situation in post-independence Kosovo. The Conflict Barometer of the Heidelberg Institute for International Conflict Research (HIK) sees no improvement of the security situation in Kosovo since 2001; the conflict intensity level dropped from ‘war’ in 1999 to ‘severe crisis’

²⁹⁸ For a map of KFOR troops in Kosovo in June 2009 see http://www.nato.int/kfor/structur/nations/placemap/kfor_placemat.pdf.

²⁹⁹ UNMIK Fact Sheet July 2008

³⁰⁰ For a detailed list of security incidents see the monthly reports of the UN Secretary-General to the United Nations on the operations of the Kosovo Force (S/2008/362, S/2008/477, S/2008/549, S/2008/600, S/2008/638 etc.).

³⁰¹ Parliamentary Assembly of the Council of Europe, Committee on Legal Affairs and Human Rights, 2010: Inhuman treatment of people and illicit trafficking in human organs in Kosovo. http://assembly.coe.int/CommitteeDocs/2010/20101218_ajdoc462010provamended.pdf

in 2000 to ‘crisis’ from 2001 on and stagnated there.³⁰² According to the conflict barometer report of 2008, “the conflict between the Albanian majority in Kosovo and the Serbian government over the status of the province gained new momentum after Kosovo’s unilaterally declared independence” (HIIK, 2008: 22).

The situation in the Serb-populated areas, especially in northern Mitrovica, is certainly more critical than in the rest of Kosovo. In the weeks after the declaration of independence, tensions flared up again between the Kosovo Albanian and Kosovo Serb communities. The most notable incident was the forceful occupation of the UNMIK courthouse in northern Mitrovica by hundreds of Kosovo Serbs on 14 March 2008 (S/2008/458). During the violent escalation of the police operation, an exchange of gunfire left one UN policeman dead and 64 UNMIK police officers, 24 KFOR soldiers, and 70 protesters injured (S/2008/458, HIIK, 2008: 23). This led to a 36-hour withdrawal of UNMIK police from North Mitrovica. On 19 March, UNMIK police, supported by KFOR, was able to re-establish UNMIK control over the court. Another particular issue of conflict was the effort of Kosovo Albanians to begin with the reconstruction of their conflict-damaged homes in northern Mitrovica without UNMIK authorization, which led to several clashes with a group of Kosovo Serbs. The Kosovo Police and UNMIK Police had to intervene on several occasions to prevent violence (S/2008/692, S/2009/149, and S/2009/300). The Humanitarian Law Center found in a study based on Kosovo Police data and qualitative interviews³⁰³ that during the period covering December 2008 and January 2009 there were a total of 42 potentially ethnically motivated incidents reported throughout Kosovo, with 32 of them having occurred in Mitrovica (HLC, 2009: 65-66).

The underlying reason for the tense security situation in Mitrovica and other Serb enclaves is the lack of authority of the Kosovo government. Due to the parallel Serb structures that are sustained with massive support from Belgrade, the Kosovo institutions are not able to extend their control to these areas.

Since independence, the command over security for the Mitrovica region has been transferred from UNMIK to the Kosovo Police Service which is the only Kosovo institution that is present in North Mitrovica. There is close cooperation between the police station in North Mitrovica and the regional police station located in the southern part of Mitrovica (HLC, 2009: 65). Serbian policemen serve in the KPS in North Mitrovica (HLC, 2009: 67) and “they are on the streets”³⁰⁴ but their loyalty to the KPS and allegiance to their Albanian superiors is potentially limited: Serb members of the KPS police receive a double salary, from the Kosovo institutions and from Belgrade. As a result, some Serb police officers have (temporarily) quit their duties (Narten, 2009a: 133). Additionally, informal Serbian police that is directed by Belgrade, seized some control in the Northern municipalities (ICG, 2008). Neither the Kosovo Police nor the Serb parallel security structures, however, were to this day successful in establishing a secure environment for the population in North Mitrovica and the other Serb enclaves. “The security situation in North Mitrovica is unacceptable and unbearable,” says Bajram Rexhepi, mayor of Mitrovica (HLC, 2009: 67).

³⁰² HIIK defines a crisis as “a tense situation in which at least one of the parties uses violent force in sporadic incidents”. http://hiik.de/en/methodik/methodik_ab_2003.html

³⁰³ Interviews were conducted with representatives of local municipal authorities, the judiciary, police, civil society and citizens of all ethnic backgrounds (HLC, 2009: 65).

³⁰⁴ Interview with the Programme Director of the Center for Civil Society Development and Civil Rights Activist in North Mitrovica.

KFOR has played a vital role in keeping up a certain level of stable security and in containing unrest or violence in northern Kosovo. However, as KFOR spokesman Colonel Jean-Luc Cotard says, “soldiers can, at best, limit the violence. We are not going to solve political issues.”³⁰⁵ Yet, KFOR is not only a valuable guarantor for physical security in northern Kosovo but also in the rest of the territory.³⁰⁶ The Report of the UN Secretary-General on the operations of the Kosovo Force of May 2008 (S/2008/549) appreciates KFOR’s efforts to “conduct Kosovo-wide framework operations to help maintain a safe and secure environment and freedom of movement for all in Kosovo.” Generally, effective security provision in Kosovo has been highly dependent on NATO’s military presence to re-establish public order since 1999, and this situation has not changed after independence. Kosovo has not been given the authority to establish a national army.

1.5.2.2. Institutional Capacities and Quality of Welfare

1.5.2.2.1. Government Effectiveness, Bureaucratic Quality, and Corruption

The effectiveness of the Kosovo government depends largely on the degree of influence of the external actors and the interaction of the national institutions with them. The great number of institution-building programs that were carried out by international organizations were in so far successful as Kosovo’s state capacities have increased as compared to the parallel underground system before and shortly after the war. However, even after independence “a well-established, effective and competent bureaucratic state apparatus is still not present in Kosovo” (Narten, 2009a: 134). Implementation of governmental decisions through local structures is hardly practicable without external assistance. This not only impedes effective service provision to the population but also hampers further external capacity building due to low absorption capacities of international financial assistance.

The primary cause of the low level of bureaucratic efficiency is the lack of professional skills in the public sector. Although efforts were made already in 2003 to establish the Kosovo Institute for Public Administration (KIPA) as a central training institution for civil servants within the Ministry of Public Services (UNMIK/DIR/2003/25), this institute never became operational (Narten, 2009a: 134).³⁰⁷

Corruption and nepotism were major drawbacks for an independent and effective national administration in Kosovo. Corruption is widespread at all levels, up to high-level government. The ICG reports that of the 175 complaints received by the Kosovo Anti-Corruption Agency (KAA) in 2009, 53 were related to judges and court officials and 34 to government officials (ICG, 2010: 4). Some observers even argue that the government prefers a weak judiciary because in an unregulated society and economy they can cultivate its shadow economy and ward off other foreign investment (ICG, 2010: 1). Poor salaries in the public and the judicial sector keep more ambitious experts from entering the public service and make it prone to pressure and corruption. The ICO, EULEX, and the international community in general have so far failed to deal with politically sensitive cases of high-level corruption.

³⁰⁵ http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2008/08/08/feature-01

³⁰⁶ For a detailed list of KFOR activities see the monthly reports of the UN Secretary-General to the United Nations on the operations of the Kosovo Force.

³⁰⁷ Interview with the former Head of Public Services of UNMIK in Kosovo.

However, a detailed analysis of several studies on corruption in Kosovo by the Kosovo Stability Initiative showed a clear discrepancy between the perception and actual experience of the people with corruption (IKS, 2008b: 25ff). The latest data provided by the Transparency International Global Corruption Barometer of 2009 reveal that Kosovo ranges among the 19 least corrupt countries in the world of 69 countries under study.³⁰⁸ With an average corruption score of 3.4 and between 13 and 22 per cent of respondents reporting that they had paid a bribe in the previous 12 months (TI, 2009: 8), the country actually performs better than the other countries in the Western Balkans, including Turkey (TI, 2009: 29). The World Bank Governance Indicators³⁰⁹ give a more pessimistic estimate and rank Kosovo among the 26% of countries most affected by corruption (208 countries under study, data for 2007), a score that is poorer than for the other countries in the Balkan region. Regarding government effectiveness, Kosovo ranks much better at 45% of all observed countries.

While the figures are contradictory and the true dimension of corruption in Kosovo is unknown, it remains a major problem in almost all sectors. In response to the Anti-Corruption Action Plan for Kosovo of 2006 that examined the problem and listed possible remedies, Kosovo has introduced a number of anti-corruption measures, specifically the establishment of the Kosovo Anti-Corruption Agency (KAA) with a staff of 30 and an annual budget of 456,000 Euros. So far, its impact has been limited (IKS, 2008b: 31).

1.5.2.2.2. Rule of Law

Despite enormous investments in the sector³¹⁰, many analysts describe the rule of law as the weakest of Kosovo's public institutions. Transparency International found in a poll that 39% of respondents view the judiciary to be most affected by corruption.³¹¹ According to Index Kosova, it is the second most important priority of the Kosovo Albanians for the Kosovo government just after the energy sector.³¹² The World Bank is equally pessimistic: Kosovo was only able to improve its rating on the rule of law indicator from -1.14 to -0.84 between 2003 and 2007 (i.e. from the lowest 12% to the lowest 23% of all countries under study).³¹³ The International Crisis Group has published a very disparaging report on the rule of law in Kosovo two years after independence which finds that "Kosovo struggles with uneven rule of law and a weak justice system that is failing its citizens" (ICG, 2010: executive summary).

Kosovo's law sector is afflicted with a number of problems. Although the institutional structure has been set up with substantial international assistance and is functioning on paper, one of the main problems is that the judiciary draws on old personnel – and thus on old habits. There has been almost no recruitment of new judges and prosecutors since 2001, and there are lengthy vacancies at the higher levels (ICG, 2010). Despite judicial training provided by the OSCE and other external actors and supervision of national judges by international judges, the

³⁰⁸ The survey for Kosovo had a sample size of 1012 respondents and was conducted by BBSS Gallup International (Transparency International, 2009: 21).

³⁰⁹ <http://info.worldbank.org/governance/wgi/index.asp>

³¹⁰ For a number of specific projects see ESI's Technical Background Paper Rule of Law Sector, 2008: 10. http://www.esiweb.org/pdf/kosovo_Rule%20of%20Law%20Technical%20Paper.pdf.

³¹¹ Followed by political parties 28%, parliament/legislature 11%, business/private sector 11% and public officials/civil servants 10% (no multiple answers; Transparency International Global Corruption Barometer 2009: 31).

³¹² www.indexkosova.com

³¹³ <http://info.worldbank.org/governance/wgi/index.asp>. Note that these ratings are based on only one or two sources.

professional and educational standards are still very low. A national law which foresees that every judge must have passed a special exam came into force only in 2008. The confusing situation that there are several competing sources of applicable law increases the chance of arbitrary verdicts (IKS, 2008b: 31f).

The second defining problem is the “ethnicized” nature of the judiciary in Kosovo (Narten, 2009a: 128f). Impartial jurisdiction on matters relating to disputes among members of different ethnic communities is not the norm. Verdicts of Albanian judges against members of their own Albanian community are generally milder than against Serb defendants. To avoid that cases of war crimes and other serious offenses that involve ethnic issues are heard by Kosovo nationals, these are referred to EULEX judges.³¹⁴

Another major obstacle to impartial jurisdiction is the interwoven clan structure of the Kosovar society where everyone knows everyone. In cases where the local mafia or the political elite is involved, neither the judge nor the witnesses can be fair and just without fearing the consequences. Many court cases have been suspended because witnesses had been murdered or have withdrawn their testimonies. The fact that there is no provision of personal security for national judges and prosecutors and the extremely low salaries of about 300 to 420 Euros per month³¹⁵ do not support courageous rulings and leave judges vulnerable to pressure and bribery.³¹⁶

The figures for pending cases and cases of backlog may amount to 1.5 million cases, which overstretches and paralyzes both the criminal and the civil law system (ICG, 2010).³¹⁷ The Supreme Court alone has to manage a backlog of more than 2,000 cases (IKS, 2008b: 39).

Jurisdiction in northern Kosovo is performed by the Serb parallel system which applies Serbian legislation and works under the aegis of the Serb Ministry of Justice. The efficiency is evaluated inconsistently according to different sources: some say that the parallel system functions very efficiently³¹⁸, others state that the various Mitrovica courts have not functioned at all since February 2008³¹⁹ (HLC, 2009: 71). The ICG found that Kosovo Serbian judges hear civil cases but not criminal cases because the Serbia-run courts do not cooperate with the UN-mandated Kosovo Police (ICG, 2010: 19). Although Belgrade has explicitly invited international judges to the region in the Six-Point-Plan, it later blocked international jurisdiction.³²⁰

1.5.2.2.3. Democracy

The first parliamentary elections in Kosovo after the declaration of independence were not much of a democratic stimulus for the country. The early election had to be held in December 2010 when the LDK pulled out of the government coalition with the PDK following the

³¹⁴ Interview with an international Supreme Court judge.

³¹⁵ IKS (2008b: 30) mentions 350 to 620 Euros per month.

³¹⁶ Interview with an international Supreme Court judge.

³¹⁷ Technical Background Paper Rule of Law Sector, 2008: 7 available at

http://www.esiweb.org/pdf/kosovo_Rule%20of%20Law%20Technical%20Paper.pdf.

The Kosovo Judicial Council (KJC) speaks of between 213,967 and 300,000 unresolved cases, mostly at the municipal court level, that date back to 1991 (ICG, 2010: 13-14).

³¹⁸ Interview with an international Supreme Court judge.

³¹⁹ Interview with the Director of the Dutch NGO “Spark”.

³²⁰ Interview with an international Supreme Court judge.

resignation of Fatmir Sejdiu as President of Kosovo. Sejdiu had resigned after accepting the ruling of the constitutional court that he could not simultaneously hold the offices of the presidency and the leadership of LDK party. Hashim Thaçi (PDK) was re-elected as Prime Minister with 31 per cent of the vote. Election observers deplored widespread electoral fraud. A political culture persists in Kosovo that is characterized by low public participation, low accountability of the government, and a continuously cohesive party system. Democratic norms and structures are in competition with clan structures and criminal mafia structures. In its 2010 report, Freedom House assigns Kosovo the status of ‘Partly Free’ with a Political Rights Score of 5 and a Civil Liberties Score of 4.³²¹ This is the first slight improvement in the democracy trend since 2004.

1.5.2.2.4. Service Provision and Social Welfare

The low level of professional skills in the country is a result of the quality of the educational system. Although great efforts were undertaken during the UNMIK administration to reform the educational sector, it is still weak. Teaching in public schools is done in daily shifts because there are not enough teachers and school facilities for all students; the summer breaks are three months long, which is exceptionally long compared with other European states.³²² Therefore, the actual time a primary student spends in the class room is minimal. And the quality of the teaching does not make up for that as a result of low educational standards for teachers.³²³ The higher education sector is equally under-equipped despite massive financial contributions from external actors (specifically the Agency for European Integration³²⁴). The University of Prishtina is Kosovo’s only public university with 28,757 students enrolled in the academic year 2007-2008.³²⁵ About 15,000 additional students are enrolled at various private universities.³²⁶ This rate of roughly 4% of all people aged 10 to 35 attending higher education is far lower than in all European Union member states.³²⁷

Service provision in the health sector is equally low. In a detailed assessment of Kosovo’s health system, the Balkan Investigative Reporting Network (2009) found that critical problems are “inadequately supplied pharmacies, limited and poorly-maintained medical equipment; the inconsistent and often delayed work of medical staff, as well as their widespread engagement in both public and private institutions; staff redirecting patients to private clinics without acceptable reasons, and various other forms of corruption.”

Since unemployment rates are high in Kosovo (Figure 29) and price levels are close to those in Western Europe, many families rely on social welfare and remittances for income. According to the Statistical Office of Kosovo (SOK), the number of families and family members who benefit from social assistance has slightly decreased over the last years from 184,974 individuals in 2004 to 161,049 individuals in 2007 (equaling a decrease of 12.9%).

³²¹ <http://www.freedomhouse.org/template.cfm?page=439>

³²² Interviews with a Kosovar architect and the Head of Research and Outreach at the European Stability Initiative (ESI) in Kosovo.

³²³ Interview with the Head of Research and Outreach at the European Stability Initiative (ESI) in Kosovo.

³²⁴ <http://www.aei-austria-kosovo.com>

³²⁵ <http://web.uni-pr.edu/repository/docs/formulariperjokosovarsipasnationalitetit.pdf>

³²⁶ http://www.aei-austria-kosovo.com/?The-Project:Targetgroups_of_the_project. For the total number of students at all levels from primary school to university see figures provided by the SOK at http://www.ks-gov.net/ESK/eng/index.php?option=com_content&view=article&id=64&Itemid=55.

³²⁷ For figures on higher education rates in the European Union countries see Eurydice, 2007: Key data on higher education in Europe. Brussels. http://eacea.ec.europa.eu/ressources/eurydice/pdf/0_integral/088EN.pdf

This is hardly good news, however: monthly welfare schemes and pensions are usually below 50 Euros per person and do not even provide a basic income.

1.5.2.2.5. Economic Performance

Reliable economic data for post-independence Kosovo are difficult to obtain. Kosovo's point of departure was that of the poorest region in Europe. It experienced one economic crisis after the other with the final crash in the late 1990s. The general post-war trend indicates a continuous stabilization of the economic situation following a sudden economic boom after the war, which lasted for three to four years and was fuelled largely by donor money (King and Mason, 2006: 232).

The Statistical Office of Kosovo (SOK) published the following national accounts data (Table 19).³²⁸ Kosovo's GDP per capita after independence is the second lowest in the whole of Europe; only Moldova performs worse.³²⁹

	2004	2005	2006	2007	2008 ³³⁰
GDP at current prices (in Euro)	3006.1	3068.3	3191.6	3433.6	3857
Final consumption expenditure	3298.1	3434.6	3560.3	3913.1	
Final consumption of households	2539.1	2705.7	2864.7	3248.4	
Final consumption of Government	735.5	705.2	670.8	641.6	
Government of Kosovo	355.5	329.2	340.8	327.3	
Donor (wages)	380.0	376.0	330.0	314.4	
Expatriates	248.0	258.0	213.0	196.9	
Local employees	132.0	118.0	117.0	117.4	
Final Consumption expenditure of NPISH	23.5	23.7	24.8	23.1	
Gross capital formation	701.3	722.2	798.3	892.6	
Gross fixed capital formation	583.6	592.8	657.1	744.3	
Changes on inventories	117.7	129.4	141.2	148.3	
Net export	-993.3	-1088.6	-1166.9	-1372.0	
Exports of goods and services	212.4	214.7	285.6	356.8	
Exports of goods	56.9	56.3	110.8	165.1	
Exports of services	155.5	158.4	174.8	191.7	
Imports of goods and services	1205.7	1303.3	1452.5	1728.8	
Imports of goods	1028.7	1100.2	1251.9	1506.2	
Imports of services	177.0	203.1	200.6	222.6	
Population (in million)	2.041	2.070	2.100	2.130	2.162
GDP per capita (in Euro)	1473	1482	1520	1612	1784

Table 19: National Accounts Data of Kosovo 2004 to 2008³³¹

³²⁸ For more recent data on selected economic indicators see <http://www.ks.gov.net/ESK/eng/dmdocuments/Quarterly%20Bulletin%20Januar%202009.pdf>

³²⁹ For precise data see <http://www.earthtrends.com>.

³³⁰ Data from IMF; no other data available.

³³¹ Statistical Office of Kosovo: http://esk.rks.gov.net/eng/index.php?option=com_content&view=article&id=42&Itemid=32.

The main reasons for Kosovo's poor economic performance are the high unemployment rate due to scarce resources, local and international mismanagement regarding the main industries (e.g. the Trepça mines and large-scale agriculture), a low skills base and almost half of the Kosovo-Albanian population being under 18 years old. The best perspective for young people to obtain higher education and to generate an income which supports the extended family is legal or illegal work migration to Western Europe. It is estimated that 25% of all Kosovars are partly or fully dependent on remittances today.³³²

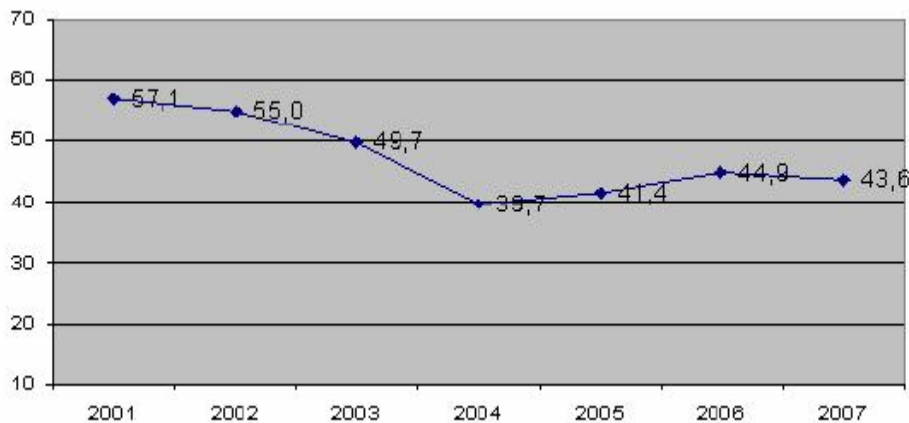


Figure 29: Unemployment Rates in Kosovo³³³

After independence, Kosovo remains highly dependent on foreign aid. Although precise data are unavailable because most donors still record their aid to Kosovo under aid to Serbia, many analysts argue that Kosovo is in a state of structural dependency and that the ministries could not deliver their public services without massive external support in nearly all sectors of state responsibility, including security, rule-of-law, public order, welfare, infrastructure and others (Narten, 2009a: 135). The Kosovo Ministry of Finance and Economy (MEF), however, published figures according to which 87.3% of the 2008 total budget revenue of 862.1 million Euros were generated by tax revenues.³³⁴ Similarly, the IMF estimates that foreign assistance (excluding capital transfers) made up only 374 million Euros of Kosovo's total GDP of 3,857 million Euros (equivalent to less than 10%) in 2008.³³⁵

³³² Interview with a Kosovar journalist, philosopher and political analyst: The 1980s were characterized by a process of „decapitalization“ during which the Kosovo-Albanian intelligentsia left the region for Western Europe (at that time there were no visa requirements for citizens of the Republic of Yugoslavia). This emigration wave continues to generate the bulk of remittances sent to Kosovo.

³³³ Source: Statistical Office of Kosovo. http://esk.rks-gov.net/eng/index.php?option=com_content&view=article&id=59&Itemid=50

³³⁴ <http://www.mfe-ks.org/old/Shqip/English/mefwww/departamentet/buxhetikk/buxheti2008.html>

³³⁵ <http://www.imf.org/external/np/ms/2009/062409.htm>

1.5.2.3. Shared Political and Ethnic Identity

The institutional structure of a state in terms of the level of centralization is often used intentionally in post-conflict situations to facilitate the cooperation among formerly hostile groups. It is assumed that greater decentralization, like federalism or autonomy arrangements, provides conflicting groups and especially minority groups with policy-making influence in their regions which guarantees them greater control over their own affairs and less influence from the power at the center. Following this reasoning, Kosovo's municipal structures were established first after the war and their central counterparts second. Today, Kosovo is divided into 33 municipalities.³³⁶ A comparison of the ethnic composition of Kosovo and the administrative division shows that the delineation of the municipalities is based on the ethnic composition of the regions (Figure 30). The municipalities of Leposavić, Štrpce, Zubin Potok, Zvečan have a significant Serbian majority.³³⁷

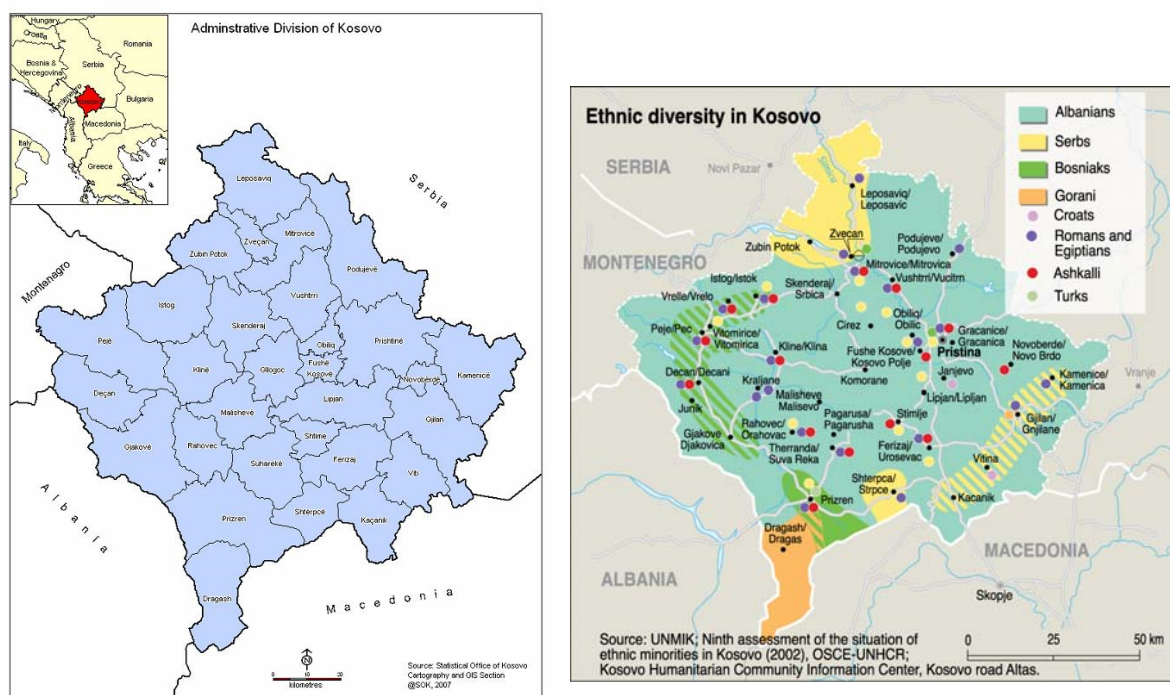


Figure 30: Comparison of the Administrative Division and the Ethnic Composition of Kosovo³³⁸

Although specifically formulated in the Ahtisaari Plan, the objective of facilitating cooperation between conflict groups and decreasing the stakes of political competition by fostering a system of local self-government has not been achieved in Kosovo – on the

³³⁶ For a detailed overview of all municipalities see <http://www.osce.org/kosovo/13982.html>.

³³⁷ Before the war, the municipality of Novo Brdo also had Serbian majority but today it has an Albanian majority due to ethnic expulsion. Wikipedia: http://en.wikipedia.org/wiki/Municipalities_of_Kosovo.

³³⁸ Graph on the left: Statistical Office of Kosovo at http://www.ks.gov.net/ESK/eng/index.php?option=com_content&view=article&id=37&Itemid=27; graph on the right: UNMIK Ninth assessment of the situation of ethnic minorities in Kosovo (2002), OSCE-UNHCR, Kosovo Humanitarian Community Information Center, Kosovo road Atlas at <http://maps.grida.no/go/graphic/ethnic-diversity-in-kosovo>.

contrary.³³⁹ The Plan guarantees wide-ranging competencies to the municipalities³⁴⁰ and specifically grants the Serb municipalities a range of enhanced competencies³⁴¹, especially in the field of education³⁴², and explicitly permits the cooperation with institutions in the Republic of Serbia³⁴³. However, this strategy of guaranteeing the Serb minority comprehensive authority over their own affairs in order to integrate them into the multi-ethnic polity of Kosovo had backfired: instead of alleviating the conflict potential, this approach separated the two groups even more. The Serb communities established their own administrative system parallel to the Kosovo institutions and increased ties with Belgrade. Daxner (2010) argues that ethnic and religious divisions have even increased after the UNMIK intervention “due to the interveners’ policies and misperceptions.” Thus, the post-independence state of Kosovo fails to fulfill the task of providing effective mechanisms to solve internal conflicts and of being accountable to *all* citizens in the polity due to provisions introduced by international actors.

In Kosovo, the distinction between statehood based on a shared political identity and nationalism as a form of dissociation against other groups is crucial. On the one hand, as outlined above, the political culture is very weak among the Kosovo Albanians. They do not feel an “attachment to their state” (Hill, 2002: 7). Interactive state-society relationships are developing only slowly. Legitimacy and authority is based more on tradition and charismatic leadership than on bureaucratic structures (Weber, 1922).

On the other hand, nationalism in the form of an attitude of unity and solidarity within the own group and hostility and mistrust against other groups is still predominant in Kosovo. Ethnic hatred and prosecution were the causes of war and are still the cause of continuous tensions in Kosovo. The Kosovo Albanians liberated themselves from the domination of the Kosovo Serbs and fought for an independent Kosovo to realize their nationalist unity.³⁴⁴ The cheerful independence celebrations, the wide-spread use of Albanian and Kosovo flags and the public demonstrations of gratitude towards other countries for recognizing Kosovo’s independence³⁴⁵ are expressions of national pride.

The problem in Kosovo, like in other multi-ethnic countries, is that nationalism refers to the individual ethnic groups living in that country but not to the whole citizenry. The Kosovo Albanians express their nationalism not as the people of the state of Kosovo, which includes the Kosovo Serbs and other minority groups, but as the dominant ethnic group in the polity. Instead of using the nationalist identity to unite the whole constituency of Kosovo, it is used specifically for the opposite – to distinguish and distance the own group from other ethnic groups. The result is that the Kosovo Serbs, which were the dominant ethnic group before Kosovo’s independence when the territory was part of Serbia, are now a minority group and feel repressed by the Kosovo Albanians who are the ‘owners’ of the new state institutions. As

³³⁹ Annex III of the Ahtissari Plan states: “To address the legitimate concerns of the Kosovo Serb and other Communities that are not in the majority in Kosovo and their members, encourage and ensure their active participation in public life, and strengthen good governance and the effectiveness and efficiency of public services throughout Kosovo, an enhanced and sustainable system of local self-government in Kosovo shall be established [...]” (Ahtissari Plan S/2007/168/Add.1 Annex III).

³⁴⁰ Ahtissari Plan S/2007/168/Add.1 Annex III, Art. 3 and 5

³⁴¹ Ahtissari Plan S/2007/168/Add.1 Annex III, Art. 4

³⁴² Ahtissari Plan S/2007/168/Add.1 Annex III, Art. 7

³⁴³ Ahtissari Plan S/2007/168/Add.1 Annex III, Art. 10

³⁴⁴ Independence of Kosovo was a satisfactory compromise since unification with Albania was not feasible.

³⁴⁵ An example of public demonstrations of gratitude are display panels in front of public buildings which list the countries that have recognized Kosovo’s independence (e.g. in Prizren); <http://www.kosovothanksyou.com>.

long as the institutional structure of Kosovo has not achieved true ethnic reconciliation and Kosovo has not become a genuine multi-ethnic society, as stated in the constitution, any opposition of minority groups towards the state will be interpreted as an affront towards the dominant group of Kosovo Albanians. Kosovo, therefore, certainly needs statebuilding than nation-building in the short run, which will at best foster true nation-building in the sense of one multi-ethnic nation of Kosovo in the long run.

2. Case Study Liberia

2.1. Historical Background

Liberia is the oldest republic in Africa. It has been declared an independent state in 1847 by freed US-American slaves who had been re-settled at the West African coast by the American Colonization Society since 1820. These settlers became known as Americo-Liberians and were to dominate the state system until the coup of 1980. After a number of violent clashes between the settlers and indigenous tribes in the 19th century, the country was relatively stable for almost a century. Yet, the state was highly centralized and authoritarian: In 1904, President Barclay instituted the colonial practice of a system of indirect rule by which elite commissioners governed and ‘pacified’ the hinterland of Liberia (Ellis, 2007: 206ff). The legacies of the separation of the Liberian state into an urban sector where the settler elites enjoy genuine rights of citizenship and a rural sector characterized by quasi-traditional chieftainship and customary law are felt in Liberia until today (Ellis, 2007: 211)

The period between 1931 and 1979 is referred to as peaceful oligarchic democracy (Levitt, 2005: 181ff). Politically, the True Whig Party ruled the country as a one-party state, and the coastal Americo-Liberians controlled the government system and dominated the indigenous peoples. Only gradually, suffrage and citizenship were extended to native Liberians³⁴⁶ (and women). When President William V. S. Tubman died in 1971 after 27 years in office, he was succeeded by William R. Tolbert who continued his predecessor’s deceptive strategy of appeasing native Liberians by granting them a larger political stake in the country without giving them enough economic and political influence to overthrow the settler oligarchy (Levitt, 2005: 185). In the 1970s, a number of civil rights movements³⁴⁷ emerged which later registered as political parties and intended to challenge the True Whig Party’s grip on power.

After the Rice Riots in April 1979 – a violent uprising in reaction to drastic increases in rice prices in which up to 140 people were killed – the destabilization of the country took its course: On April 12, 1980 General Samuel K. Doe, an underprivileged ethnic Krahn and master sergeant in the Liberian army, assassinated President Tolbert and overthrew the government in a military coup. Thirteen cabinet members were executed in a public act at the beach behind the Executive Mansion in Monrovia. Doe and the other coup plotters established the military People’s Redemption Council (PRC) as the new central organ of the state. Despite assurances to swiftly return the country to civilian rule, elections were only held in October 1985. With 50.9% of the votes, Samuel Doe was elected President in these evidently flawed elections. The Doe regime was the most repressive and violent in Liberian history; the

³⁴⁶ However, voting rights were only given to native hut owners who paid taxes – which most did not.

³⁴⁷ The Movement for Justice in Africa (MOJA) and the Progressive Alliance of Liberia (PAL) later transformed into three competitive political parties: the Liberian Action Party (LAP), the Liberian People’s Party (LPP), and the United People’s Party (UPP).

Americo-Liberian oligarchy was replaced by a Krahn-based military oligarchy³⁴⁸ and ultimately a Doe autocracy. After a number of plots to overthrow him had failed, Doe cracked down on all opposition against him, perceived or real. He thwarted the emergence of a unified front against him by emphasizing and manipulating ethnic divisions in the country.

On Christmas Eve 1989, the rebel group National Patriotic Front (NPFL) led by Charles Taylor, a US-educated Americo-Liberian who had served as head of the General Services Agency under Doe, launched an insurgent attack from Côte d'Ivoire on government posts in Nimba County. Within six months, Taylor's rebels advanced toward Monrovia and initially enjoyed widespread support from many Liberians who were frustrated with the Doe regime. Very soon, however, the insurgency turned into a brutal civil war and the country descended into chaos, leading to the first military intervention of the Economic Community of West African States (ECOWAS). With a contingent of more than 15,000 mostly Nigerian peacekeepers³⁴⁹, the ECOWAS Ceasefire Monitoring Group (ECOMOG) mission prevented Charles Taylor from capturing Monrovia. Early in 1990, a faction of the NPFL split away to form the Independent National Patriotic Front of Liberia (INPFL). INPFL leader Prince Yormi Johnson captured, tortured, and killed Samuel Doe on September 9, 1990.³⁵⁰

While the fighting continued, an interim government (Interim Government of National Unity, IGNU) was established in The Gambia with Amos Sawyer as Chairman, a prominent Liberian academic and activist. A number of new factions became involved in the ongoing civil war and a series of peace talks with varying membership were held over a period of three years. In July 1993, a peace deal was signed between Taylor's NPFL, the United Liberation Movement for Democracy in Liberia (ULIMO; a rebel group formed of Mandingo Muslims and Krahn refugees in Freetown, Sierra Leone) and Sawyer's interim government in Cotonou / Benin. The Cotonou Agreement called for the establishment of the UN observer mission UNOMIL which would be the first UN mission to be co-deployed with a peace mission of another international organization. The peace agreement vaguely outlined the relationship between ECOMOG and UNOMIL: While EOCMOG was tasked with the primary implementation measures and had a strong focus on disarmament and the creation of buffer zones along the Liberian borders, UN's role was designed to monitor, verify, and report on this process (Cotonou Agreement, Art 4(3)). However, due to lack of effective coordination and consultation between the two missions and often unclear competencies, the endeavor was not regarded successful (Adibe, 1997; Kabia, 2009; MacQueen, 2002; Olonisakin, 2003; Tuck, 2000).

In the 1997 general elections, Charles Taylor's National Patriotic Party gained a landslide victory and Taylor became President. His victory was not an expression of his popularity but rather of people's war fatigue and their expectations that he would resume the civil war if he did not win the presidency. The interwar years between 1997 and 1999 were "nothing more than a continuation of Liberia's legacy of authoritarian rule" (Levitt, 2005: 215). Taylor ruled by means of predatory autocracy and built up a tense political climate by intimidating the population and violently suppressing any opponents. He engaged in illicit diamond trading to supply the forces of the Revolutionary United Front (RUF) with arms for the ongoing civil war in Sierra Leone.

³⁴⁸ The Krahn make up only 4% of the population.

³⁴⁹ ECOMOG landed in Monrovia in August 1990 with a troop strength of about 3,000; its peak strength in 1993/1994 was about 15,000 (Kabia, 2009: 74; Tuck, 2000: 2).

³⁵⁰ Johnson filmed the brutal act; the film is widely available in Liberia and online.

In April 1999 – before the ECOMOG and UNOMIL withdrawal in October the same year – the rebel group Liberians United for Reconciliation and Democracy (LURD; mainly Mandingo ethnics) attacked Liberia from Guinea to challenge Taylor's forces and his presidency, and another four years of bloody civil war devastated the country. Yet, LURD was unable to secure the capital Monrovia. April 2003 saw the formation and involvement of another rebel group, MODEL (Movement for Democracy in Liberia), which was backed by Côte d'Ivoire and was made up of loyalists of former president Doe.

Finally, in June 2003, peace talks were held in Accra, Ghana. But despite a formal ceasefire reached on June 17, heavy fighting continued, which prompted the UN to authorize another Nigerian-led ECOMIL peacekeeping mission with 3,600 troops in early August 2003. Two weeks later, on August 18, the Comprehensive Peace Agreement was signed by Taylor, LURD, and MODEL representatives. It was a power-sharing agreement that granted the former rebel factions posts in the National Transitional Government of Liberia (NTGL) under Chairman Charles Gyude Bryant. Taylor was pressured to step down as President and was later handed over to the Special Court for Sierra Leone in The Hague, Netherlands, where he was indicted for war crimes and crimes against humanity. In September 2003, the UN Security Council unanimously approved the establishment of UNMIL to secure the peace with 15,000 troops and assist the transitional government in peacebuilding; the ECOMIL troops were integrated into the UNMIL force.

The two civil wars in Liberia had left the country in shambles. State structures had completely collapsed; the security forces had been involved in the fighting as one of the factions. The UN estimates that almost 150,000 people were killed in the first phase of the conflict between 1989 and 1997 alone, while Ellis (2007: 312ff) corrects this figure to 60–80,000 deaths directly caused by the war. About half of the population was internally displaced or fled to neighboring countries.³⁵¹ In the second phase from 1999 to 2003, another few 100,000 people were killed, again mostly civilians. Additionally, up to one million people out of a pre-war population of 2.2 million were displaced, both internally and beyond the Liberian borders. The Liberian wars were extremely cruel and brutal and involved the drafting of child soldiers into the rebel forces who committed unimaginable atrocities against civilians while being on drugs. Killings, torture, amputations, (mass) rape, and looting were common methods of warfare. Although each of the factions had an ethnic background, the conflict was mostly about state control and economic gains. Despite UN embargoes, the country's natural resources iron ore, timber, rubber, and diamonds were looted and traded.

2.2. UNMIL Scale

2.2.1. Duration

Security Council Resolution 1509 of 19 September 2003 provided an initial authorization of UNMIL for a period of 12 months. UNMIL personnel were deployed swiftly after the adoption of the resolution in mid-October 2003. The Security Council formulated no conditions for the periodic renewal or for the termination of UNMIL and renewed the mandate every year without much debate. By its resolution 1938 of 15 September 2010, the

³⁵¹ Arbeitsgemeinschaft Kriegsursachenforschung at the University of Hamburg (AKUF): http://www.sozialwiss.uni-hamburg.de/publish/Ipw/Akuf/kriege/168_liberia.htm.

Security Council voted to extend the mandate again until September 2011 to assist with the planned 2011 presidential and parliamentary elections.

Although UNMIL has been undergoing a drawdown process since 2007 and an Integrated Transition and Design Team has been created in September 2009 to manage the transition from UNMIL to national entities or United Nations agencies, it is widely expected that UNMIL will remain in Liberia until after the successful completion of the elections in late 2011, which are considered a “critical milestone for Liberia” by both Liberians and the international community (S/2009/411, para. 77). At the time of writing, in June 2010, the mission had been on the ground for almost seven years.

2.2.2. Manpower

In Resolution 1509, the UN Security Council authorized the deployment of a 15,000-member peacekeeping force, including 250 military observers and 160 staff officers. Up to 1,115 civilian police officers, including Formed Police Units (FPUs), were mandated to warrant the maintenance of law and order throughout Liberia. As UNMIL took over peacekeeping duties from the ECOMIL forces that had been stationed in Liberia for six weeks prior to the UNMIL arrival, some 3,500 West African peacekeepers, mostly Nigerians, were integrated into the UNMIL force. UNMIL reached its authorized troop strength in 2004/2005; as of 31 December 2005, it stood at 14,824. The size of the civilian component was not specified further in the resolution.

Four years into the mission, in August 2007, UNMIL announced a drawdown plan for its military component. The drawdown process consisted of three consecutive stages and would be subject to the completion of certain security benchmarks. “The objective [...] is to gradually reduce the force while still maintaining a presence in all counties of Liberia but at a reduced density.”³⁵²

In September 2005/2006, the first stage of the drawdown plan began with the withdrawal of 2,450 UNMIL troops, despite an assessment by the UN Security Council that the peace in Liberia remained fragile (Figure 31). At the end of the first stage, in September 2008, UNMIL troop strength stood at 11,649. During the second drawdown stage, from October 2008 to March 2009, the number of military personnel was reduced further to 10,231 personnel (S/2009/411, para. 56). Upon completion of the third stage, from October 2009 to May 2010, the military strength of UNMIL stood at 8,202 personnel (S/2010/88, para. 65). According to UN Secretary-General Ban Ki-moon, it would remain at that level until the 2011 elections. If the benchmark of free and fair, conflict-free elections is met, the exit of UNMIL will accelerate (S/2009/411, para. 78).

³⁵² <http://unmil.org/1content.asp?ccat=military&zdoc=1>

UN Peacebuilding
– Light Footprint or Friendly Takeover?

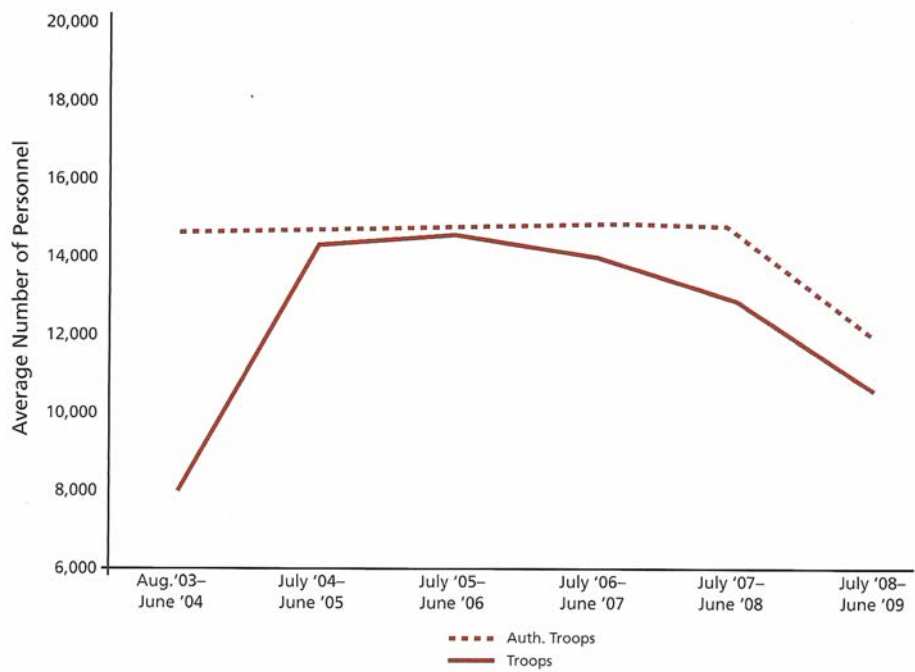


Figure 31: UNMIL Troops since 2003³⁵³

Parallel to the military drawdown, UNMIL police even received an authorization for an increase in strength by the Security Council (S/RES/1835 of 2008; Figure 32). As of February 2010, there were 1,351 UNMIL police officers, including 462 police advisers, 844 officers in seven Formed Police Units (FPUs), 31 corrections officers, and 14 immigration officers (S/2010/88, para. 66). The UNMIL police component would remain at its authorized strength of 1,375 personnel until the successful completion of the 2011 elections (S/2009/411, para. 78).

The civilian staff of UNMIL was not directly affected by the drawdown. Positions that became vacant due to normal fluctuation were not being refilled.³⁵⁴

³⁵³ Annual Review of Global Peace Operations 2010: 304

³⁵⁴ Interview with UNMIL Chief Civilian Personnel Officer and Head of UNMIL Civil Affairs.

UN Peacebuilding
– Light Footprint or Friendly Takeover?

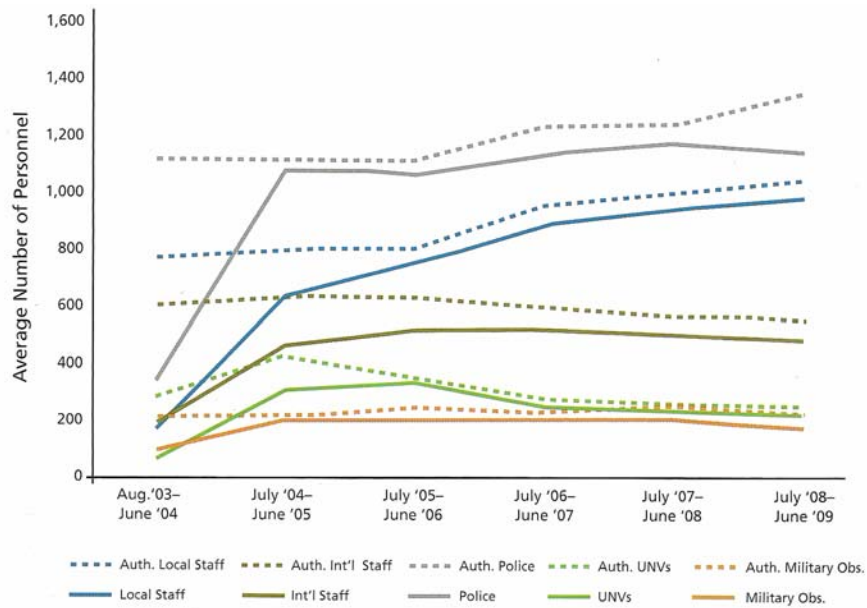


Figure 32: UNMIL Staff since 2003³⁵⁵

2.2.3. Resources

Over the eight years of its deployment since 2003, the budget of the mission amounted to a total of US\$ 5.03 billion; that is an annual average of US\$ 629.2 million and a monthly average of US\$ 52.43 million. The detailed figures are listed in Table 20.

Fiscal year	Expenditures (in million US\$)	Source
2003 /2004	548.3	A/59/624
2004 /2005	741.1	A/60/645
2005 / 2006	707.4	A/61/715
2006 / 2007	676.3	A/62/648
2007 / 2008	649.5	A/63/588
2008 / 2009	593.5	A/64/601
2009 / 2010	593.5 (budgeted)	A/63/734
2010 / 2011	524.1 (approved)	A/C.5/64/19

Table 20: UNMIL Expenditures 2003 to 2011

These figures are not comparable to the UNMIK budget because they also contain the expenditures for the military contingent of UNMIL, which was not the case in Kosovo, where KFOR had its own budget. The budget of UNMIL by far exceeds the national budget of the government of Liberia. This was US\$ 182.4 million in the fiscal year 2007/2008 (Economist Intelligence Unit 2007), US\$ 298 million in 2008/2009, and US\$ 371.91 million in 2009/2010

³⁵⁵ Annual Review of Global Peace Operations 2010: 304

(both from S/2010/88, para. 17). The national budget for 2010/2011 was projected at US\$ 369.4 million for 2010/2011.³⁵⁶

2.3. UNMIL Scope

Compared to the mission in Kosovo, the United Nations Mission in Liberia (UNMIL) was less intrusive in terms of the range of competencies and authorities that the international actors took on. Although UNMIL was tasked with peace enforcement under Chapter VII of the UN Charter, its civilian competencies were limited to providing assistance to the Liberian government in all aspects of the peacebuilding process.

The core objective of UNMIL was to provide support to the National Transitional Government of Liberia and to assist in the implementation of the 2003 Comprehensive Peace Agreement (Liberia Comprehensive Peace Agreement, Art. IV and XXIX). These included specifically the classical tasks in the immediate post-conflict phase, like monitoring adherence to the ceasefire; disarmament and demobilization of forces; humanitarian assistance to displaced persons, refugees, returnees, and other war-affected persons; assisting with the conduct of elections; and also the provision of advice on the formation of a new and restructured Liberian Army (Liberia Comprehensive Peace Agreement, Art. IV.3.) but also all other political, social, economic, and security aspects of the agreement.

From its inception, UNMIL was designed as an assistance mission without formal executive authorities or provisions for an international interim administration. The UN Secretary-General stressed in his 2003 report that the UN would play only a facilitating role in post-conflict Liberia: While the organization would provide substantial support and assistance to the peace process, “the effective and successful implementation of the Peace Agreement remains the primary responsibility of the Liberian parties themselves” (S/2003/875, para. 105).

UNMIL was not a statebuilding or institution-building mission either. Since the mid-19th century, Liberia had been an independent and sovereign state that possessed all the institutional characteristics of a sovereign state, however flawed its institutions might have been. Although state structures had completely collapsed during the war and state representatives were the very initiators of violence and destruction, the structures of sovereign Liberia were officially still in place at the time of the signing of the peace agreement. UNMIL was not mandated to replace or create institutions at its own initiative but instead only provided governance assistance to the existing national institutions.

Hence, the notion that ownership of the peace process rests with the national authorities was one of the guiding principles of the mission. The role of UNMIL was restricted to assist the parties’ own efforts. Yet, such assistance can be very intrusive if some governmental functions are performed by external actors directly, yet informally. The indirect influence of the international presence is considerable owing to the massive amounts of funds that flow into such a small country like Liberia and the informal, yet powerful, conditionalities that can be attached to them.

³⁵⁶ www.emansion.gov.lr

2.3.1. Technical Analysis

UNMIL was designed as a multidimensional peacebuilding mission. It consisted of “political, military, police, criminal justice, civil affairs, human rights, gender, child protection, disarmament, demobilization and reintegration, public information and support components as well as an electoral component [...]” (S/2003/875, para. 53).

The UNMIL mandate was based on Security Council Resolution 1509 of 19 September 2003 (S/RES/1509). It assigned five core responsibilities to the peace mission:

- (1) Support for the implementation of the ceasefire agreement, incl. monitoring of ceasefire and DDRR;
- (2) Protection of United Nations staff, facilities and civilians;
- (3) Support for humanitarian and human rights assistance;
- (4) Support for security reform; and
- (5) Support for the implementation of the peace process.

While these responsibilities were very broad and read like an “operational checklist” (ICG, 2004) for post-conflict reconstruction, the wording of the mandate clearly indicated its limitations: UNMIL only *supported* the Liberian government in this process. The fifth point – support for the implementation of the peace process – was the most intrusive one because it was governance-focused and had the greatest potential for exerting influence on state structures and national institutions. The implementation of the peace process specifically included assistance of the government in:

- the reestablishment of national authority throughout the country, including the establishment of a functioning administrative structure at both the national and local levels;
- developing a strategy to consolidate governmental institutions, including a national legal framework and judicial and correctional institutions;
- restoring proper administration of natural resources; and
- preparing for national elections scheduled for no later than the end of 2005 (S/RES/1509, para. 3.p to 3.s).

So, apart from the provision of security, for which UNMIL had executive functions, all other aspects of statehood were to be performed by the Liberian institutions, with UNMIL support.

Like all other UN peace missions, UNMIL was headed by the SRSG. He was assisted by two Deputy-SRSGs: one in charge of Rule of Law and one of Recovery and Governance (see UNMIL organizational chart in VII.5.). The latter was also the Resident Coordinator and Humanitarian Coordinator, which meant that he was head of the UN Country Team Liberia and coordinated the activities of UNMIL and all other UN entities working in the country. The motto “Delivering as One” expresses the ambition of enhancing the impact of a “unified UN [in Liberia] which jointly carries out planning and implementation of activities”.³⁵⁷ Following an initial report by Eide et al. (2005), who introduced the notion of integrated peace missions, Liberia was the first post-conflict case where the concept of an integrated mission was applied.³⁵⁸ The intention was to bring together various humanitarian and

³⁵⁷ Delivering as One in Liberia fact sheet: <http://www.unliberia.org/doc/DaO%20Fact%20Sheet.pdf>

³⁵⁸ For a short overview of the history of integrated missions see Blume (2008: 3-4).

development agencies of the UN system and other donors under the common leadership of the SRSG and to integrate them into the overall mission structure (S/2003/875, para. 100-101). Additionally, UNMIL coordinated closely with ECOWAS and the African Union.

The following analysis will describe the competencies of the international actors and the national institutions respectively according to the indicators of intrusiveness used in the fs/QCA analysis above. This will include both *de jure* and *de facto* competencies and activities. The section will describe what ‘assistance of the government’ meant on the ground, in which governmental sectors international actors had influence, and how important that influence was. Although, strictly, only UNMIL was limited in its authorities to providing assistance to the government while other international organizations outside the framework of the integrated mission were absolved from that principle, there was general consensus among donors that ‘local ownership’ was the guiding principle of any engagement. However, there were notable exceptions to that, notably GEMAP. The analysis will include any significant engagement of various international actors, focusing on but not being restricted to UNMIL.

2.3.1.1. Peace Enforcement

The only area where UNMIL had executive functions was the provision of security. The military component of UNMIL has received a Chapter VII mandate to enforce the peace agreement (S/2003/875, para. 117). This robust mandate for classical peacekeeping was granted in order to “create a credible deterrence to anti-peace elements by ensuring visible presence all over Liberia.”³⁵⁹

At their peak strength of 15,000, UNMIL troops were deployed in four regional sectors across Liberia which were each composed of a brigade size force with full combat. In the course of the drawdown process, these were reorganized into two sectors with four battalions in each sector. Troops were provided by 49 UN member states.³⁶⁰

UNMIL peacekeepers closely collaborated with other UN and Liberian security institutions, like the Formed Police Units (FPUs), the Emergency Response Units (ERUs), the Police Support Units (PSUs), and also the Liberian National Police (LNP) to maintain peace and stability and to establish the rule of law. They also monitored the trafficking of drugs and light weapons (S/2009/411, para. 15). Unarmed UN military observers operated side by side with the formed troops; they monitored and identified any disturbance to peace and security in mobile and aerial patrols and reported back to the force headquarters.

Outside their classical peacekeeping duties, UNMIL troops were engaged in road rehabilitation projects. The maintenance and rehabilitation of roads, bridges and airport runways throughout the country served the primary purpose of securing supply routes, but at the same time they were an important peacebuilding and development assistance measure for the population. Also, UNMIL field hospitals and medical units provided basic health care to Liberians. UNMIL military medical staff has extended its responsibilities to building capacity in Liberian health care and medical institutions.³⁶¹

³⁵⁹ <http://unmil.org/1content.asp?ccat=military&zdoc=1>

³⁶⁰ <http://unmil.org/1content.asp?ccat=military&zdoc=1>

³⁶¹ <http://unmil.org/1content.asp?ccat=military&zdoc=1>

2.3.1.2. Executive Policing

UNMIL did not have a mandate for executive policing. The main responsibility of UN Police (UNPOL) was to provide support for security sector reform, i.e. the restructuring, training and monitoring of the Liberian police (S/RES/1509, para. 3n). As part of the police monitoring mandate, the Operations Section of UNPOL provided direct operational support to the Liberian National Police (LNP) in the form of joint patrols, capacity building through co-location with LNP officers at police stations throughout Liberia and advisory support to various LNP sections, including arrest and detention, crime analysis, traffic, or the planning of police operations.³⁶² Since LNP officers were not carrying weapons and were inadequately equipped with vehicles and communication devices, they were in their day-to-day activities highly dependent on operational support and advice from UNPOL.

Before the newly created Emergency Response Unit (ERU) – a unit of 500 armed LNP officers that deals with severe security and crime issues – was operational, the UN provided seven armed Formed Police Units (FPUs)³⁶³ with a total of 844 officers to assist in the maintenance of law and order throughout Liberia. This was the only component of UN Police with a limited executive mandate. Their number was increased from five to seven units, together with an increase in the authorized number of UN police to 1,375 (S/RES/1836) following a request by the Secretary-General in 2008 who noted that “United Nations police advisers and formed police units are daily called upon to support the Liberian National Police in mounting operations critical to the maintenance of law and order and to sustain the emerging peace and stability in Liberia” (S/2008/553, para. 30). Especially the two all-female Indian FPU contingents have attracted worldwide attention.

2.3.1.3. Security Sector Reform

The responsibilities for reforming the army and the police, as the most important elements of the security sector, were shared between the UN and the US. The reform and restructuring of the Armed Forces of Liberia (AFL) were undertaken by the private US military companies DynCorp and Pacific Architects and Engineers (PAE). DynCorp was contracted for providing boot camp and human rights training to the recruits, while PAE was in charge of refurbishing the military site and providing training for officers. Before DynCorp could begin the vetting process and actual military training, it arranged the demobilization payments for almost 14,000 AFL soldiers and more than 400 employees of the Liberian Ministry of Defense (ICG, 2009: 9-10). The vetting and recruitment procedures to the new AFL were very strict and have in fact been valued by international observers as one of the best in the world: 2,000 recruits were selected from around 40,000 applicants. None of them were to have any affiliation with former military or rebel groups (CPA, Art. VII, Sec. 2a-d and 3).³⁶⁴

By September 2008, 2,000 troops had been trained at a total cost of US\$ 2 million. The whole training process was considered successful although there was criticism that aspects of human rights and rule of law were neglected in the basic training of the recruits (ICG, 2009: 11-14). DynCorp and PAE transferred responsibility for the ALF to the Liberian Ministry of Defense in January 2010.

³⁶² <http://unmil.org/1content.asp?ccat=unpolo>

³⁶³ two contingents each from India, Jordan, Nepal, one from Nigeria

³⁶⁴ Interview with US JAG military lawyer and advisor to the AFL.

After the war, the Liberian National Police (LNP) also had to be rebuilt from scratch (Kabia, 2009). UNMIL was in charge of reform and restructuring of the LNP, which included the development of structures and procedures to ensure operational effectiveness and also training of police officers. UN Police began police training at the National Police Training Academy (NPTA) in Paynesville / Monrovia in July 2004 with 80 to 150 students per semester. In order to build up an operational police force swiftly, the first 30 classes received a shortened training program of 23 weeks.³⁶⁵ Since January 2007, the recruits received a six-month basic training followed by a six-month field training, were deployed for three to five months, and they subsequently received special training in one of various sectors of law enforcement. In spring 2010, class 37 with 150 students was undergoing basic training with 95 male and 55 female students. Altogether, over 4,000 LNP officers have received basic training and, of those, more than 1,000 have received specialized training in corrections, crime investigation, drug investigation, women and child protection, traffic management, and other specialized training programs until spring 2010.³⁶⁶

Since 2007, the police training program is under Liberian command and has been conducted by 34 Liberian instructors, with UNPOL officers only advising and mentoring. Hence, UNPOL staff for police training was reduced from originally 160 to only 17 in March 2010. Within the three basic units at the NPTA – Basic Training, Field Training, and General Support – each sub-section is staffed with one UNPOL advisor who works along a national counterpart. Cooperation between the UNPOL advisors and their LNP counterparts is generally considered very good.³⁶⁷ UN funding for the NPTA facilities has come to an end by March 2010 but much of the infrastructure and facilities would continue to be provided by bilateral donors, including Norway, Germany, and the Netherlands. The UN continued to provide funding to the LNP for police stations and equipment, such as vehicles and uniforms.³⁶⁸

2.3.1.4. Executive

The 22 national ministries and numerous government agencies at the national and county levels were Liberian-led. It was laid down in the 2003 peace agreement that the Liberian government would be in charge of policy formulation and implementation at all levels and that the UN would merely provide assistance. Since all state structures had collapsed during the war, that assistance focused primarily on the reestablishment and consolidation of state authority throughout the country and therefore necessitated a “significant civil affairs component” in the UN mission (S/2003/875, para. 79).

The restoration of functioning administrative structures at both national and local levels was a demanding and far-reaching task for the Civil Affairs department of UNMIL. The main problem was the lack of qualified and experienced Liberians who could run the ministries and agencies, especially during the incumbency of the transitional government. State authority was very weak after the end of the war, and due to the highly centralized Liberian government system, the outreach of the government into the counties was even weaker. Beginning in

³⁶⁵ 9 weeks basic training, 4 weeks in-service training, 8 weeks in an outpost, and 2 weeks at the NPTA. Classes started every nine weeks.

³⁶⁶ Figures and Projected Training Plan 2010 provided by UNPOL.

³⁶⁷ Interviews with UN Police Field Training Advisor and Liberian Deputy Police Commissioner.

³⁶⁸ All information were obtained during the author’s visit at the NPTA in March 2010.

2003, the Civil Affairs department therefore embedded more than 50 UNMIL experts in the national ministries in Monrovia to assist the national administrative personnel. Additional UN staff was based at different county ministries and agencies to support the county administrations.³⁶⁹

“The level of assistance was very deep at that stage”, says the Head of UNMIL Civil Affairs. The role of the Civil Affairs officers was not just to advise but to help in drafting documents, constructing policy plans, revising the structure of the ministries, drawing up personnel rosters and much more. It was also to provide on-the-job training for Liberian staff. As a very practical matter, Civil Affairs also organized all salary payments to public officials. When the new administration under President Johnson Sirleaf was installed in early 2006, this form of assistance was continued for some time because the newly appointed staff was very inexperienced. Overall, Civil Affairs contributed to the return of more than 2,000 government officials at all levels to their duty stations since 2004³⁷⁰ and could then gradually withdraw its own staff from the ministries. Up to June 2009, Civil Affairs officers visited all the ministries on a daily basis, for example to attend staff meetings, but as of 2010 they only visited the ministries when they are called upon in cases of specific needs.

Since Civil Affairs was the only UNMIL department that was present in all 15 counties, it was also leading, managing and staffing the County Support Teams. These were part of a strategy devised by UNMIL and various UN agencies to support decentralization and restore capacity at the regional level. Each county had a support team; their responsibilities included the installation of basic infrastructure, like the restoration of the functionality of administrative buildings and the provision of office equipment, IT, generators and transportation; capacity-development of country officials, including civic education training and skills-based training; and strengthening data and information management.³⁷¹ Infrastructure and logistics were in fact of vital importance in the often inaccessible counties. Transportation to the counties and between towns is very difficult since roads are in a bad shape. Donors have constructed a number of roads and the UN provided for helicopter movements to the south-east, especially during rainy season when many roads are impassable.

Because of its wide-ranging competencies in the extension of state authority and its heavy presence in the ministries at the central and at county level, the Civil Affairs department was often referred to as the “backbone of the mission”.³⁷² Other important responsibilities of Civil Affairs included government assistance in the proper management of natural resources (after the removal of UN-backed sanctions on the export of diamonds and timber)³⁷³ and engagement with civil society.

³⁶⁹ Interview with the Head of UNMIL Civil Affairs.

³⁷⁰ UNMIL Civil Affairs <http://unmil.org/1content.asp?ccat=civilaffairs&zdoc=1>.

³⁷¹ Brief on County Support Team (CST) Project:

<http://www.unliberia.org/doc/BriefonCountySupportTeams.pdf>

³⁷² Interview with the Head of UNMIL Civil Affairs and an UNMIL Civil Affairs Officer.

³⁷³ Interview with an UNMIL Civil Affairs Officer who works with the Liberian Forestry Development Authority (FDA).

2.3.1.5. Legislature

UNMIL's assistance of the legislature was not merely a technical process but often politically very sensitive. Even facilitating measures have an impact on political processes. The UN department in charge of assisting the legislature was Political Affairs. While Civil Affairs worked on the micro level, focusing on capacity building at the staff level, UNMIL Political Affairs was working on the macro level, on structures and institutions.

Under the Transitional Government until 2006, Liberia had no legislature. UNMIL's role since the installation of the government under President Johnson Sirleaf is to support the build-up of strong and independent legislative institutions and to strengthen legislative capacities. This was specifically done by providing legal advice on the structure of bills, monitoring and assisting in the drafting process of bills, advising on developing internal protocol and procedures, and enhancing and building institutional memory.³⁷⁴

The monitoring of legislative processes was mostly an internal procedure within UNMIL. Political Affairs examined the socio-economic implications of bills and issued reports to the mission leadership and to UN headquarters. The concrete findings were not transferred back to the legislature. If there were controversial bills in the process of being adopted that do not fulfill certain international standards and/or violated the Liberian constitution, UNMIL would use its strong informal influence on a higher political level, i.e. between the SRSG and the President, and attempt to discontinue the implementation process.³⁷⁵ At the working level, the interaction between UNMIL Political Affairs officers and the MPs was very much based on personal relationships and varied among different office holders.

As another means for providing assistance to the legislature, UNDP has initiated a program in which graduate students were assigned as research assistants to legislatures. They were to assist the MPs in their daily work, to communicate the expectations of the international community, and to ensure that international procedures and standards are followed. Although the MPs are not obliged to take that advice, “[they] usually pay lip service, if you talk in the name of the international community.”³⁷⁶ Another UNDP initiative, the Joint Legislature Modernization Strategy, focused on capacity building. It accentuated the reform of the constitution of the legislature and offered advice to the Speakers of the Senate and the House of Representatives on their capacities and constitutional rights. The Strategy also included the establishment of a legal office at the legislature.

On a more technical level, UNMIL was very engaged in the preparation of the national elections in 2011 and political party development. In terms of pre-electoral measures, UNMIL Political Affairs fulfilled three mandates: the establishment of the legal electoral framework; the coordination of donor funding for the elections; and the provision of electoral infrastructure. The first part of the mandate was the most political as it may influence the electoral outcome: setting the legal parameters for the elections, i.e. ensuring that the legislature passes the relevant bills on voting rules (simple or absolute majority rule) and on

³⁷⁴ Interview with the Head of UNMIL Political Affairs.

³⁷⁵ In the case of the amendment of the New Penal Laws of Liberia by President Johnson Sirleaf in 2008, which made rape, armed robbery, terrorism, and hijacking capital offenses, international protest and pressure exerted by UNMIL had no effect. The law was passed but has not (yet) been applied.

³⁷⁶ Interview with the Head of UNMIL Political Affairs.

the population thresholds for each electoral district³⁷⁷, may indirectly affect the composition of the next government and thus policy formulation.

UNMIL also had a quasi-official role in shaping the political climate for the elections. UNMIL used the Inter-Party Consultative Committee (IPCC) to bring together the National Electoral Commission (NEC), political parties, and civil society in order to ensure consultation and free flow of information among these actors. Although in that forum, again, UNMIL was only an observer and its role was formally limited to facilitation, UNMIL gave technical advice which made the whole process very political. The NEC itself received training by UNMIL on electoral procedures and infrastructure, which was seen as merely technical capacity development with a long-term focus.

According to the Head of UNMIL Political Affairs, “the process of party development has been very positive.”³⁷⁸ UNMIL did not have a direct influence on party programs but its contributions to a reform of party funding procedures and its oversight of the application of the existing party law gave it considerable political leverage. UNMIL was aiming at reducing the number of political parties in an effort to strengthen the legislature and democratic processes. Through the merger of some parties and their constituencies, a smaller number of registered parties will have more capacities and resources at their disposal and political competition will be increased, UNMIL expects. At the elections in 2005, there were 33 presidential candidates and more than 40 parties registered; as of mid-2010, there were only 17 registered parties.

2.3.1.6. Constitution

Liberia has not adopted a new constitution after the war. The 1986 version that replaced the original constitution of 1847 following a referendum is still in place. UNMIL was, however, providing limited assistance to the Liberian Law Reform Commission, which was established in June 2009 to review all existing legislation, including the constitution. By summer 2010, this commission had not yet commenced its work. In parallel, a constitutional reform task force was created by the Liberian government in early 2010 but concrete tasks and schedules are unclear.³⁷⁹

2.3.1.7. Judiciary

The strengthening of the judiciary – and generally the rule of law with all its justice and security aspects – was a priority of UNMIL and international donors (Blume, 2008). After an evaluation of the status of the courts in all 15 counties, the Legal and Judicial System Support Division (LJSSD) of UNMIL concentrated its efforts on mentoring and assisting the Liberian judiciary by co-locating UNMIL staff at various judicial institutions in all counties. LJSSD also provided assistance for the improvement of infrastructure like courthouses and material resources, for the initiation of wide-ranging reform processes, and for training programs for legal personnel.³⁸⁰ The Judicial Training Institute was opened in June 2008 to offer training

³⁷⁷ A compromise has been reached in fall 2010 (Economist Intelligence Unit Report Country Report Liberia, September 2010).

³⁷⁸ Interview with the Head of UNMIL Political Affairs.

³⁷⁹ Interview with the Head of UNMIL Political Affairs.

³⁸⁰ <http://unmil.org/1content.asp?ccat=ljss&zdoc=1>

programs for judges, magistrates, justices of the peace, and customary law officials. Due to funding problems, however, it was not fully operational as of 2009.³⁸¹ Donors like UNDP were providing funding for the employment of Liberian lawyers in the various counties outside Monrovia.³⁸² In 2006, UNMIL provided consultants and technical expertise for the establishment of the Law Reform Commission.

UNMIL has no authority for the administration of justice, i.e. to install international judges or other international legal personnel. The debate of having international judges presiding over Liberian courts, as was done in Kosovo, was disregarded by the Liberians without much controversy because the Liberian law, manifested in the constitution, does not permit non-Liberians to practice law in Liberia.³⁸³ Therefore, UNMIL confined itself to giving legal advice and technical assistance only. Yet, UNMIL and international donors still exerted informal influence: A high number of legal documents were drafted by international lawyers and legal experts from organizations like UNDP or the Carter Center.

2.3.1.8. Economic Policies

The most intrusive measure of the international community in post-conflict Liberia was GEMAP, the Governance and Economic Management Assistance Programme. It was established in October 2005 through an agreement signed between the National Transitional Government of Liberia (NTGL) and the International Contact Group for Liberia³⁸⁴. Although the UN Security Council has endorsed GEMAP, it was not linked to UNMIL.

In response to frustrations of international donors with the levels of mismanagement, corruption, and straightforward theft of state resources by the NTGL, GEMAP was installed as an economic oversight mechanism to improve public finance management and to enhance transparency and accountability.

Internationally recruited advisors were placed in the financial offices of key government ministries, agencies, and state-owned enterprises.³⁸⁵ There they were vested with co-signing authorities, so that no decision or major transaction could be completed without international approval. Formally, the international advisors worked alongside their Liberian counterparts but their effective veto powers gave them ultimate decision-making powers.

³⁸¹ Bertelsmann Transformation Index 2010 Liberia Country Report: <http://www.bertelsmann-transformation-index.de/index.php?id=76>

³⁸² Interview with a Liberian Lawyer and Legal Consultant.

³⁸³ Interview with a Liberian Lawyer and Legal Consultant.

³⁸⁴ The International Contact Group for Liberia was composed of the UN, ECOWAS, the AU, the EU, the World Bank, the IMF, the United States, Ghana, and Nigeria.

³⁸⁵ International GEMAP advisors were assigned to 18 Liberian institutions: the Ministry of Finance (MOF) Cash Management Committee (CMCo), the Central Bank of Liberia (CBL), the Bureau of the Budget (BOB), Ministry of Lands, Mines, and Energy (MLME), the National Port Authority (NPA), Roberts International Airport (RIA), Liberia Petroleum Refining Corporation (LPRC), the General Auditing Commission (GAC), the General Services Agency (GSA), Bureau of Customs and Excise (BCE), the Public Procurement and Concessions Commission (PPCC), the Governance Reform Commission (GRC), and the Forestry Development Agency (FDA).

GEMAP consisted of six components intended to improve economic governance:

- (1) Securing Liberia's revenue base by ensuring that funds generated by customs, charges, fees, and taxes are directed into government accounts and are not lost in the pockets of corrupt officials;
- (2) Improving budgeting and expenditure management by overseeing budget formulation, execution procedures and financial management processes;
- (3) Improving procurement practices and granting of concessions by ensuring that concessions, contracts and licensing procedures are transparent and criteria for tenders are publicly accessible and that they are compliant with international standards and serve the interests of Liberia;
- (4) Establishing processes to control corruption, including the establishment of the Anti-Corruption Agency and Commission;
- (5) Strengthening national oversight and auditing institutions to promote accountability;
- (6) General capacity building of Liberian institutions and professionals.³⁸⁶

The Economic Governance Steering Committee (EGSC) was installed to oversee the implementation and functioning of GEMAP itself. The board was chaired by President Johnson Sirleaf and drew together three groups of members: representatives of the international partners, of the Liberian government, and one of the Liberian civil society.³⁸⁷ It met every month and regularly published bulletins that summarized these meetings.³⁸⁸

One of the most critical tasks that the EGSC dealt with since late 2006 were the review of all existing concession agreements entered into by the NTGL, including the mining, timber, and diamond sectors (Economist Intelligence Unit 2007: 22). The invalidation of all timer contracts was implemented against the opposition of the civil society representative who had argued that from a legal standpoint, this procedure would violate existing Liberian law, which would ultimately infringe upon national ownership.³⁸⁹

GEMAP formally ended on 30 September 2009, one year later than originally foreseen. Reno (2008: 397) estimates that it cost about US\$ 500 million in the first three years. Co-signature arrangements for the USAID-funded advisers were suspended at that point, but the IMF and the World Bank continued for some time to fund advisers with co-signature authority at the Ministry of Finance and at the Central Bank of Liberia (S/2009/411, para. 49).

2.3.2. Spatial and Temporary Variation of Intrusiveness

Although Liberia is a small country, which should make it easier for peacebuilding measures to reach remote areas, the impact has not been even across the country. Most of the peacebuilding activities focused on the capital Monrovia and most of the UNMIL staff was based there. Especially the Rule of Law section of UNMIL never aimed at introducing statutory law in the rural areas where traditional law is prevailing (von Carlowitz, 2008). However, efforts to support the overall decentralization process included the County Support Teams (CST) of the UN system that were deployed to all 15 counties. Also, UNMIL Civil

³⁸⁶ http://www.gemap-liberia.org/about_gemap/index.html

³⁸⁷ International members of the EGSC included the US Ambassador, ministers of the Government of Liberia, representatives of the World Bank, the IMF, the EU, and USAID.

³⁸⁸ The website that published these documents was closed as of fall 2010.

³⁸⁹ Interview with a private lawyer, legal consultant, and GEMAP civil society representative.

Affairs officers were based in the counties to improve governance at the local level. Overall, the poor shape of the infrastructure and the inaccessibility of many regions during the rainy season made it very difficult for UNMIL to implement its measures in the counties. The UN relied on helicopters for most of the time to reach remote areas.

Unlike in Kosovo, the intrusiveness of UNMIL varied only slightly over time. UNMIL was more or less barred from executing its assistance mandate in the first three years of its operation due to the fact that the National Transitional Government of Liberia (NTGL) had no interest in reform and rehabilitation and paralyzed the public governance system. At that time, UNMIL focused on peacekeeping and the provision of security and on DDDR. Development assistance measures were provided mainly by international donors. After the 2006 presidential elections, the reform-oriented government under President Johnson Sirleaf proved to be a very cooperative interaction partner for UNMIL, so that the mission could fully execute its assistance mandate.

2.4. Intervention Society – Liberia as a Case of Light Footprint

For one and a half decades, Liberia had been a sovereign and mostly functioning – although autocratic and highly discriminatory – state. Most Liberians are very fond of their national sovereignty, so that ideas to establish an international administration after the end of the war were hotly debated. Ordinary Liberians and Liberian civil society leaders who were tired of governmental mismanagement and criminality strongly favored a very intrusive international peace mission. International experts, including the first UNMIL SRSG Jacques Klein, also advocated for heavy external oversight and a full-scale international interim administration to stabilize the country and prevent a relapse into war.

Liberian civil society leader Samuel Kofi Woods argued at the time that the source of state failure and war was not the institutions themselves but the grave misuse of the state apparatus by criminals who exploited the state for their own purposes by means of extremely bad governance and looted the national treasury and the country's natural resources. Calls for sovereignty and national ownership of the peace process by former warlords who sat at the peace negotiation table had to be seen as feigned attempts to protect their economic interests and ways of racketeering. Therefore, the peacebuilding process had to start by strictly driving former warlords and criminals out of politics and the administration out of the country. Once criminal activity was dissociated from politics, an international intervention could restore the rule of law, build responsible security forces, and initiate economic recovery and the fair distribution of wealth.³⁹⁰ From these considerations, McGovern (2008: 341) concluded that “it is not the political sphere [...] that need to be put into trusteeship, but the process of revenue collection.” And this is exactly what was done with the introduction of the GEMAP framework. By regulating state revenues and imposing more transparent economic management, the peace mission in Liberia exerted an unusually high level of influence in the economic sector compared to similar cases.

Others, like Liberian scholar Amos Sawyer (2005), claimed that the entire institutional set-up of the country was flawed. He identified an all-powerful presidency and the deficient

³⁹⁰ Interview with Samuel Kofi Woods, Minister of Public Works and former Minister of Labor in the government under President Ellen Johnson Sirleaf and well-known human rights activist. Also McGovern (2008: 341) and Reno (2008).

separation of powers as the root causes of the war and state failure. In order to rebuild the country and reconstitute political order, a new constitutional paradigm and institutional design (“polycentric governance”) had to be introduced, he said. But while international experts supported the idea of establishing an interim administration to manage this process, Sawyer strongly advocated for a high level of local ownership of the statebuilding and peacebuilding process. He saw a secondary role for the international community to provide security and jump-start the economy.

Regardless of these intellectual debates, the UNMIL assistance mandate was mostly a product of the political circumstances during the planning stage: Charles Taylor was still formally President of Liberia and would not have waived his authority to an influential UN presence. The MODEL and LURD representatives taking part in the peace negotiations were equally keen to secure their positions in the power-sharing agreement.³⁹¹ Another important factor was certainly the supposed lack of international commitment for another large and intrusive peace mission in a small African country after the missions in Kosovo, East Timor, Bosnia, and Afghanistan had already bound enormous resources and had not produced the desired results.

2.4.1. Interaction between the Government of Liberia and UNMIL

Once in office, SRSG Jacques Klein stated: “We are here to be partners with the Liberian government and are here to assist them over the next two years as they rebuild the infrastructure of Liberia.”³⁹² Yet, during the transition period from 2003 to 2005, it was nearly impossible for UNMIL to implement its mandate of assisting the Liberian government. The National Transitional Government of Liberia (NTGL) was established with the power-sharing agreement reached during peace talks in Accra, Ghana in August 2003. It was made up of representatives of the former Taylor government, rebel groups, political parties, and also civil society, with Charles Gyude Bryant as chairman. In the two years of its rule, it “excelled in incompetence and susceptibility to corruption.”³⁹³ As terms in office of the NTGL members were limited until the national elections in November 2005, they did not have a great interest in sustainable reforms but rather aimed at securing economic benefits for themselves. This was a period of government and reconstruction paralysis. This episode of post-conflict administrative standstill allowed the people to return to their homes and pick their lives back up without immediately engaging in the conflict-riddled process of peacebuilding. As the international donor community, however, was eager to spend its funds on rehabilitation, it chose to by-pass the transitional government and “take things into their own hands.”³⁹⁴ The US\$ 520 million pledged for Liberia at the donors conference in Belgium in 2003 did not go through the national budget but were spent directly on rehabilitation projects.

In such an environment of rudimentary government structures, incapable Liberian counterparts, and minimal capacities, UNMIL did not have much room for maneuver. There

³⁹¹ Interview with the UNMIL Head of Political Affairs and the Director of the Kofi Annan Institute for Conflict Transformation at the University of Liberia.

³⁹² Press briefing by SRSG Jacques Klein on 5 November 2003.

<http://www2.reliefweb.int/rw/RWB.NSF/eacea085bacc7974c1256ec40042c62b/0573cc9ccb99fcfe85256dd7006b5ab6?OpenDocument>

³⁹³ Interview with a Western diplomat.

³⁹⁴ Interview with the Director of the Kofi Annan Institute for Conflict Transformation at the University of Liberia.

were just no institutions and responsible government officials that the UN could be assisting and supporting. Consequently, the UN presence pursued the same strategy of by-passing the NTGL and for the first two years took on some basic administrative functions. It is said that SRSG Jacques Klein would be called the ‘President of Liberia’ by Liberians. However, Klein disappointed many hopes people had in him because – restricted by the UNMIL mandate – he took no visible action to improve governance and institutional functioning.³⁹⁵

With the election of Ellen Johnson Sirleaf as President, UNMIL’s presence in Liberia could unfold into an exemplary case of peacebuilding through local ownership. Formally, the government was in the lead and held final decision-making powers in all aspects of policy making and governance. It defined the content and the priorities of the reform process and was responsible for the outcomes. This dictum of Liberian ownership and leadership with UNMIL facilitation was continuously stressed by all involved actors.

On the highest level, the interaction between UNMIL and the Government of Liberia was very cooperative. Both sides had a strong interest in making Liberia a model case of successful peacebuilding: After the debacles in Somalia and Rwanda, the UN wanted to present a successful case in Africa, and the Liberian government was keen to build up a good international reputation in order to attract more funds. UNMIL officials appreciated the government as a reliable partner. The UN’s role in Liberia is a good example of how the UN can support a government and how a government can work with the UN in achieving its priorities. This was mainly because of the professional experience and personality of President Johnson Sirleaf. Not only had she worked at the UN and knew the internal functioning of the organization but she had also been involved in many aspects of the troublesome Liberian history since the mid-1960s: first as banking manager in the Treasury Department in Liberia under President Tubman, then as Deputy Minister of Finance under the Tolbert Administration in 1972 and 1973, as Minister of Finance for a few months before the 1980 coup, and later as civil society activist and vocal critic of the Doe regime (Johnson Sirleaf, 2009). Due to her experiences as an economist in the international banking community during the Doe years and as World Bank and UN official, she enjoyed a good international reputation. It was a very fortunate constellation for UNMIL that she was elected President in November 2005. Her genuine commitment to reform and reconstruction made her a very trustworthy and competent partner to the UN and the international donor community in Liberia, so that the UNMIL mission could strengthen its presence in 2006 and actually perform the tasks assigned to it in the mandate. If former soccer star George Weah, Johnson Sirleaf’s closest rival in the elections, had become head of state and of government, “UNMIL and other UN agencies would have maintained only a skeleton presence, similar to the small peacebuilding office in Sierra Leone”, says the Director of the Kofi Annan Institute for Conflict Transformation at the University of Liberia.

The case of Liberia demonstrates that peacebuilding through local ownership is a risky undertaking since peacebuilders are very much restricted in their choice of local counterparts. Much of the process and of the outcome depends on the level of cooperation and shared objectives between external and domestic actors. As politics in Africa is really about the politics of personality and less about party programs and platforms, election outcomes do not

³⁹⁵ Interview with the Director of the Kofi Annan Institute for Conflict Transformation at the University of Liberia.

always reflect the people's demands for peace and reform. With a different election outcome in late 2005, the entire UNMIL mission could have taken a whole different course.³⁹⁶

The coordination and cooperation at senior levels between the government and UNMIL was regarded as very good by all parties.³⁹⁷ The SRSG and the President had a 'jour fixe' once per week, which took place in a formal setting. Additionally, there were regular meetings as and when required. At the working level, there were also scheduled formal meetings between government officials and UNMIL representatives, and UNMIL staff was based in many ministries and government agencies, both in Monrovia and at the county level. Yet, the exact level of external influence depended to a great degree on informal networks and personal relationships. Publicly, UNMIL officers respected the exclusive ownership of Liberian officers over decision-making processes and overall priorities and only provided strictly technical advice in terms of policy implementation. In politically sensitive areas like political affairs, however, the division between political and technical advice is often blurry. Purely technical assistance always also has implications on political processes. For example, measures applied by UNMIL were formally not directed at individual MPs but at the legislature as a whole. Nonetheless, UNMIL Political Affairs officers interacted with parliamentarians on a regular basis. Political Affairs saw it as its main task to inform and sensitize the legislatures about the political implications of their actions and bills drafted. Two Political Affairs officers, one in the House of Representatives and one in the Senate, routinely attended parliamentary sessions and reported on them. Legislatures were not obliged in any way to approach UNMIL or to report to them but they often sought advice and wanted UNMIL to understand their positions. Since UNMIL was not in a position to influence legislative processes, the officers had to "explicitly turn down requests for legislative advice and support."³⁹⁸

Despite all the rhetoric of Liberian ownership and UNMIL facilitation, there were unquestionably large asymmetries between the two actors. The main sources of these asymmetries were significantly higher financial capabilities and technical expertise of the international actors. The 2010/2011 Liberian national budget was projected at US\$ 369.4 million.³⁹⁹ For the same period, UNMIL alone had an approved budget of US\$ 524.1 million⁴⁰⁰, which is nearly one and a half times as much (although a great share was spent on the military contingent). Additionally, international donors like UNDP⁴⁰¹ and bilateral donors also brought in hundreds of millions US\$ each year in development funding. The UN Peacebuilding Fund has granted US\$ 15 million to Liberia for project work.⁴⁰²

This high dependency on external financial aid and low domestic capacities naturally affected the interaction process between national and international actors and significantly reduced the de facto decision-making powers of the Liberian government. Below the presidential level, the government oftentimes only rubber-stamped UNMIL initiatives since it felt that it had to bow to the interest of the donors to keep aid flows up. Without financial support from UNMIL and donors, many government initiatives could not be implemented, so government

³⁹⁶ Various interviews.

³⁹⁷ Interviews with government and UNMIL officials.

³⁹⁸ Interview with an UNMIL Political Affairs Officer.

³⁹⁹ <http://allafrica.com/stories/201009140817.html>

⁴⁰⁰ A/C.5/64/19

⁴⁰¹ UNDP's budget in 2009/2010 was US\$ 39 million. Interview with a Communications Officer at the Office of the UN Resident Coordinator.

⁴⁰² <http://www.unpbf.org/liberia/liberia-projects.shtml>

officials were cooperative and sometimes obedient to international advice on certain measures.⁴⁰³

The Poverty Reduction Strategy (“Lift Liberia”) illustrates very well the interaction process between the government and UNMIL under the constraint of aid dependency. The PRS reflected the government’s overall vision and major strategies for fostering inclusive and sustainable growth and development during the period 2008-2011. It was based on four pillars: consolidating peace and security; revitalization of the economy; governance and rule of law; and infrastructure and basic services. In the rhetoric, the ambitious plan was under the exclusive leadership and ownership of the Liberian government: „This Poverty Reduction Strategy is truly ours – home grown by all of us.”⁴⁰⁴ The whole process was based at the Ministry of Planning and Economic Affairs. It was preceded by a number of surveys and consultations at the grass-root level to retrieve reliable information on poverty across the country and to identify national priorities. These surveys were also under the direction of the Ministry.

Some observers argue that the initiative for the PRS came in fact from the UN and UNDP and that it was mostly a scheme prepared by the international donor community for the Liberian government. “The actual carving out happened along the way” and involved government officials, other Liberian experts and the international donors.⁴⁰⁵ The UN certainly provided a lot of technical assistance during the PRS planning stage. The fact that the Liberian government ‘promoted’ the PRS and provided direct funding for it from the national budget formally fulfilled the criterion of national ownership. However, the UN and donors provided large amounts of ‘indirect’ funding. Every country, in which the UN is assisting in a national strategy, has a so-called UN Development Assistance Framework (UNDAF). The UNDAF in Liberia reflected the government’s national priorities, hence the PRS.⁴⁰⁶ Any development and poverty reduction measures that were implemented through the UN fed into some component of the UNDAF. That way, donors made sure that their activities were all tied to government priority but they considerably contributed to financing and implementation.

An important objective of UNMIL and international donors to foster local ownership was capacity building, both in terms of human resources and infrastructure. Without local capacities to produce effective and efficient governance and administration, there cannot be local ownership of these.⁴⁰⁷ Capacity building, education, and training were therefore not only development assistance objectives but also important aspects of the political assistance mandate of the UNMIL mission. At the top level of the government, President Johnson Sirleaf was successful at appointing highly qualified personnel, both from within Liberia and from the diaspora. As a measure to encourage educated Liberians to return to the country after the end of the war and to work in public administration instead of accepting better remunerated jobs in private enterprises, the government has devised the Senior Executive Service (SES). It

⁴⁰³ Interviews with the Director of the Kofi Annan Institute for Conflict Transformation at the University of Liberia and with a private lawyer, legal consultant, and GEMAP civil society representative.

⁴⁰⁴ Letter from the President in the Poverty Reduction Strategy:
<http://www.emansion.gov.lr/doc/Final%20PRS.pdf>

⁴⁰⁵ Interview with the Director of the Kofi Annan Institute for Conflict Transformation at the University of Liberia who was actively involved in the drafting of the PRS.

⁴⁰⁶ In addition to the four pillars of the PRS, the UNDAF Liberia includes a fifth pillar which concentrates on HIV and AIDS prevention and response. Interview with a Communications Officer at the Office of the UN Resident Coordinator.

⁴⁰⁷ Interview with the Director of the Kofi Annan Institute for Conflict Transformation at the University of Liberia.

provided additional income incentives to those who decided to serve their country. Still, low human resource capacities were a major problem in almost all areas and at all levels of administration and business. UNMIL and international donors have launched a number of strategies and tools for capacity building. One was to co-locate UNMIL staff in the ministries and agencies to provide technical expertise. This was not designed as a formal dual-desk policy with equal decision-making powers of national and international counterparts but – in line with the mandate – merely as an assistance measure. In reality, the influence of international technical advisors and consultants was quite large, and oftentimes local office holders tended to pay lip service to the decisions taken by the international experts because their institutions provided funding for policy implementation.

In the counties, the problem of low capacities was even more critical. The influence and discretion of UNMIL in the counties was therefore even higher than in the capital. UNMIL Civil Affairs officers were co-deployed in all 15 counties to actively support the government at the county level and to strengthen local capacities. A prime example of how the UN system worked at the county level were the County Support Teams (CST) that were engaged in the overall decentralization process, a priority of the government, the UN, and donors. As part of the CST process, a joint UN project ‘Strengthening Capacity of Local Administration’ was launched in September 2006 to build capacity of local administration in “assessing, planning, coordinating and raising resources for, and delivering essential services in support of the consolidation of civil authority and recovery”. One of the three areas of the project focused exclusively on enhancing the performance of county officials by providing specific training in civic education, participatory planning, computer literacy, leadership and governance, and advancement of the Millennium Development Goals (MDGs) in the counties.⁴⁰⁸ Despite these efforts, the Director of the Kofi Annan Institute for Conflict Transformation at the University of Liberia criticizes that more long-term capacity-building was badly needed. He argues that more international oversight and monitoring by UNMIL were necessary to enhance capacities because the existing low level of human resource capacities in the government did not produce local ownership and a responsible and accountable government.

Human resource capacities outside the government sector were equally low after many years of war. Ex-combatants received formal education and vocational training as part of the Disarmament, Demobilization, Rehabilitation and Reintegration (DDRR) process. This was completed by the end of 2004, and the program was merged into the Reintegration, Rehabilitation and Recovery (RRR) section of UNMIL Civil Affairs. Reintegration assistance, which included vocational skills training, formal education, apprenticeship, or employment opportunities, was provided to over 97,000 recipients between 2004 and April 2009.⁴⁰⁹ The main problem was that urgently needed trainings were only provided for the ‘war-affected target population’: ex-combatants, returned refugees, returned IDPs, and the communities that received these groups. Indeed, the victims of the war, mainly women and girls, were to a large extent excluded from these programs although they were equally in need. A high-ranking Western diplomat criticized the usefulness of computer literacy classes in a country that does not even have reliable power supply, much less a network of computers and internet.⁴¹⁰

⁴⁰⁸ Brief on County Support Team (CST) Project - Strengthening the Capacity of Local Administration.

<http://www.unliberia.org/doc/BriefonCountySupportTeams.pdf>

⁴⁰⁹ <http://unmil.org/Icontent.asp?ccat=recovery&zdoc=1>

⁴¹⁰ Interview with a Western diplomat.

The GEMAP framework was the most intrusive and hence the most controversial tool of UNMIL and the international donors in their peacebuilding tool box. International experts were given decision-making powers in economic and fiscal matters. The “economic trusteeship” of GEMAP (Bøås, 2009: 1339) put a strain on the otherwise cooperative relationship between national and international actors because this was the area where local ownership was most restricted. Ideas for an international economic management system were first brought forward by the International Crisis Group (ICG) in 2004. Although generally advocating that the international community should give greater political responsibility to Liberian actors, the ICG experts strongly recommended that international donors should assume responsibility for revenue collection and oversee government procurement to combat corruption, the primary source of state failure and main obstacle to the creation of a stable and sovereign state. The ICG even demanded that the international community would have to take on responsibility for revenue collection for 15 to 25 years in order to discourage “parasitic actors” and raise a new responsible political elite (ICG, 2004: 28). In essence, ICG suggested that such a radical intrusion into the economic sphere of Liberia would in fact foster local ownership and sovereignty since a transparent revenue collection system would facilitate sustainable budgets. This would allow the government to implement its own priorities instead of relying on donor funding and being subject to donor paternalism. “Grand-scale theft” by the NTGL, it was argued, negated any notion of sovereignty (ICG, 2004: 3, 26ff).

GEMAP was welcomed by the international community as a courageous experiment and a very innovative mechanism for taming the culture of corruption that afflicted Liberia like many other fragile and post-conflict states (Dwan and Bailey, 2006). Yet, there were sincere debates about a trusteeship approach to installing good financial governance (Bøås, 2009; Gilpin and Hsu, 2008). Leaders of other African states opposed the introduction of GEMAP in Liberia as they were concerned that it would set a precedent.

The NTGL had serious reservations against GEMAP; it viewed it as a challenge to Liberian sovereignty. Amos Sawyer and also Ellen Johnson Sirleaf at the time supported these views (Bøås, 2009: 1337, 1338). The people of Liberia, in contrast, were equally frustrated as the international donors by the rampant corruption and were generally in favor of the program. During a protracted negotiation process that produced a series of draft documents between May and September 2005⁴¹¹, the international donors grew more and more impatient with the continuing blockade position of the NTGL. Eventually, they threatened to withdraw all foreign assistance to Liberia if NTGL Chairman Bryant did not endorse the GEMAP plan (Dwan and Bailey, 2006: 10ff).⁴¹² The final agreement was signed on 9 September 2009, just a month before the general elections were held after which the NTGL was dissolved.

President Johnson Sirleaf therefore inherited this intrusive oversight mechanism. In her inauguration speech, she stated that her administration would “accept and enforce the terms of GEMAP, recognizing the important assistance which it is expected to provide during the early years of our Government. More importantly, we will ensure competence and integrity in the management of our own resources and insist on an integrated capacity building dimension initiative so as to render GEMAP non-applicable in a reasonable period of time.” To some, it was ironic that “the best and most legitimate government that Liberia has ever had is subject to stronger external control than any of its predecessors” (Bøås, 2009: 1329).

⁴¹¹ See Annex A in Dwan and Bailey, 2006.

⁴¹² Economist Intelligence Unit Country Profile Liberia 2007, p. 26.

Within the GEMAP framework, the input of Liberian experts has been minimal, says one of the two (alternating) civil society representatives who were formally part of the Economic Governance Steering Committee (EGSC), the supervisory body of GEMAP. At the top level of GEMAP, there was only one Liberian expert working with ten international experts, and even on the secondary level, there was mostly international staff. The GEMAP civil society representative criticizes a lack of accountability to Liberian institutions: the government of Liberia and civil society representatives, who were two of the three GEMAP partners, were not at all consulted in the recruitment process of international experts that were embedded in the government ministries, agencies, and state-owned enterprises and had co-signing authorities and therefore veto and decision-making powers. Also, the international experts in the agencies were not responsible to the EGSC as they should have been. They did not report to the EGSC on a regular basis, and the EGSC did not carefully oversee and review their work. This accounted for a serious lack of transparency of GEMAP – when its main objective was to create transparency in public spending. Public expenditures were also controlled by international advisors, so that the very intention of promoting local ownership of public spending by overseeing revenue collection did not materialize directly.⁴¹³

Most decisions in the EGSC were taken by the internationals, yet officially by consensus. Heated debates and crucial topics were carefully avoided. The Bulletins, which summarized the monthly meetings and were published on the GEMAP website, reflect only 20 to 50% of what was actually discussed. The inclusion of one civil society representative in the EGSC was mainly a formal measure intended to legitimize the GEMAP framework. In effect, the GEMAP civil society representative reports that he was perceived as a “trouble maker” when he engaged in debates and discussions. He did not find his own role very rewarding.⁴¹⁴

All in all, GEMAP was intended to strengthen local ownership and enhance sovereignty by the very means of heavy oversight. In addition to this striking – yet well-intended – contradiction, many Liberian observers were frustrated with the personal arrogance of the international GEMAP experts and the fact that they drew their leverage from the massive funding they provided. Reportedly, some international GEMAP experts were inexperienced graduate students, which also did not improve the working relationships between national and international staff.⁴¹⁵ Despite the criticism, GEMAP has undeniably contributed to the notable progress in improving fiscal performance and economic transparency, which is a benchmark for good governance in Liberia. The government under President Johnson Sirleaf was applauded by international observers for running a cash budget with rigorous cuts in expenditure and for bringing public finances under control. This must be seen as a combined achievement of the GEMAP measures and the reform-committed leadership role of President Johnson Sirleaf (Gilpin and Hsu, 2008).

2.4.2. Effects of the UNMIL Presence on State-Society Relations

The UNMIL mission has in some aspects affected state-society relations. For one thing, “UNMIL makes the government look good.”⁴¹⁶ The international presence strengthens the government by providing technical support and funding. And by assisting the government,

⁴¹³ Interview with a private lawyer, legal consultant, and GEMAP civil society representative.

⁴¹⁴ Interview with a private lawyer, legal consultant, and GEMAP civil society representative.

⁴¹⁵ Interview with a private lawyer, legal consultant, and GEMAP civil society representative.

⁴¹⁶ Interview with an UNMIL Civil Affairs Officer in the Reintegration, Rehabilitation and Recovery Section (RRR).

UNMIL at the same time supports the governing party. In principle, this violates democratic norms because Johnson Sirleaf herself and her Unity Party have gained a head start for the next elections.

The international community in Liberia has also aimed at including civil society into the peacebuilding process. Civil society organizations and civil society representatives were consulted for government initiatives and programs: The Truth and Reconciliation Commission, the Human Rights Commission, GEMAP, the Poverty Reduction Strategy and many more. But still, the Liberian Country Director of Search for Common Ground (SFCG), a US-based NGO that focuses on the use of the media as a tool for conflict transformation, claims that the international community has utterly “failed to exert its moral obligation to ensure that the government responds to the issues and concerns raised by civil society obligations.”⁴¹⁷ Many actors from civil society complained that they were included in governmental processes as a polite gesture and in complying with good governance norms introduced by the international development assistance community but that their input was rarely taken seriously. According to them, civil society participation was merely used as a means for legitimizing government processes. UNMIL and the donors would not sufficiently push the government to establish long-term partnerships of genuine mutual recognition with civil society.⁴¹⁸

The capacity building measures of UNMIL and the donors also reinforced the problem of staff retention in civil society organizations. Many civil society activists have been recruited into the government. The incentives to work in the public sector were much higher than in the civil society sector as these positions were much better paid. Four ministers in the 2010 cabinet were former civil society actors.⁴¹⁹ Once in the public sector, they were not likely to return to the civil society sector. The problem is that if an organization loses its guiding figure, it also loses much of its capacity since there are no capacities in the middle management level. The Country Director of SFCG in Liberia argues that it takes two to three years to re-grow this capacity. He says that the argument that these ministers might indirectly bring ideas and issues from civil society into the government did not hold since these were inherently conflicting interests.

2.4.3. Interaction between UNMIL and the People

Public opinion polls are rare in Liberia. The general impression is that, since its establishment in 2003, the UN has not experienced a decline in its positive perception by the Liberian people. The UN is very much welcomed in Liberia. Amongst civil society, there was “not a single voice that speaks out against the international community.”⁴²⁰ Unlike Vetëvendosje in Kosovo, no coherent oppositional group in Liberia critically monitored the work of the international community. This could be attributed to the generally weak civil society structure in Liberia and to the fact that many people did not have access to information. Many people genuinely acknowledged that the UN presence was key for keeping and building the peace.

⁴¹⁷ Interview with the Country Director of the US-based NGO “Search for Common Ground” in Liberia.

⁴¹⁸ Interviews with the Country Director of the US-based NGO “Search for Common Ground” in Liberia and other civil society representatives.

⁴¹⁹ Minister of Public Works Kofi Woods, Minister of Labor Tiawan S. Gongloe, Minister of Information, Culture, and Tourism Cletus Sieh, Minister of Agriculture Florence Chenoweth, and also the Head of the Law Reform Commission Counsellor Philip A. Z. Banks.

⁴²⁰ Interview with the Country Director of the US-based NGO “Search for Common Ground” in Liberia.

A year before the scheduled withdrawal of UNMIL and its military presence, there was a general nervousness among the people about UNMIL leaving. People were worried that the government would not be able to fill the gap that UNMIL leaves behind. Although more than 50% of respondents in a public opinion poll conducted by the International Republican Institute (IRI)⁴²¹ said that, based on what they saw in their community, Liberia has improved in terms of unrest, security remained a major concern to many. UNMIL prepared the transition period by informing people that the UN presence in Liberia would continue even if the UN peacekeeping mission was leaving and that the UN agencies would take over some of the functions that had been carried out by UNMIL. An example was the training of police officers: UNDP had already been supporting this process through provision of equipment. While UNDP would not take on the training of police itself, it would support other aspects of work that had been the responsibility of UNMIL before.

2.5. Analysis of Statehood

Seven years after the start of the UN mission, Liberia finds itself in a situation of negative peace where UNMIL continues to provide a vital security guarantee. The country is stable but social conflicts are still latently present, and the next elections in November 2011 will determine how the reconstruction and reform process will proceed. Although UNMIL's non-executive peacebuilding mandate in many aspects resembles classical development cooperation drawing on consultation and support rather than control and oversight, the UN mission and donors exert a high level of indirect influence on policy making and governance because the target country is highly dependent on external financial aid and technical expertise to implement its own policies.

2.5.1. Ownership of the Outcome: Who Provides Statehood?

The government of Liberia is de jure in charge of policy making and takes the responsibility for its decisions. In effect, however, high aid dependency and low capacities limit its ownership of statehood. Since the end of the war in 2003, official development assistance has gradually increased more than tenfold from 107 million US\$ in 2003 to 1.25 billion US\$ in 2008, with a sharp rise after the 2006 presidential elections. This is an upsurge from about 30 percent of gross national income to more than 185 percent. On a per capita basis, ODA grew from 34 US\$ in 2003 to 330 US\$ in 2008 (Table 21).

	2003	2004	2005	2006	2007	2008
Net ODA (current million US\$)	106.93	213.24	222.44	260.4	698.4	1250.36
Net ODA (% of GNI)	30.53	57.17	53.32	58.66	124.75	185.85
Net ODA per capita (current US\$)	34.08	66.13	66.71	75.02	192.54	329.61

Table 21: Net Official Development Aid (ODA) to Liberia⁴²²

⁴²¹ Surveys were conducted in Grand Bassa, Margibi and Nimba counties in July 2008:

http://www.iri.org/sites/default/files/2008-October-3-Liberian-Public-Opinion-Poll-July-13-18-2008_doc.pdf

⁴²² World Bank Data: <http://data.worldbank.org/>.

These high ODA rates are an expression of the recognition and appreciation of the government under President Johnson Sirleaf by international donors. Her responsible and accountable style of government attracts large amounts of international aid and has also led to a large-scale debt release. Seven years after the start of the intervention and after the conclusion of the bulk of post-conflict recovery measures, Liberia has become a typical development country. These high ODA rates also mean, however, that the government has to take into account the interest of the donors in policy making and governance to ensure that aid flows are sustained. Although both the government and donors constantly iterate that ownership of statehood is in the hands of the government and that the government will not and does not accommodate to outside pressure or interference, donors always have the option of withdrawing financial aid if they do not endorse the government's policies and initiatives. This gives them decisive leverage and limits the government's decision-making powers.

As an indication of how serious her administration is about accountability and corruption, President Johnson Sirleaf has dismissed her entire cabinet in November 2010 in an effort to “start with a fresh slate” into the campaign for the 2011 presidential elections. Although no specific reasons were given for her decision, it came in the wake of recent corruption investigations of some public officials.⁴²³

The high levels of responsibility and accountability of the top government are linked to the high demand of the elites for peace and development. In contrast to the National Transitional Government of Liberia (NTGL) made up of former parties to the conflict, President Johnson Sirleaf has always demonstrated a great concern for peace and the well-being of the Liberian people. This attitude does not trickle down to all levels of the government and the administration but it sends the right signals to the international community and to the people of Liberia. Thereby, President Johnson Sirleaf has contributed to a sense of unity among the Liberian people and to Liberia's improved reputation in the international community. The results of the next presidential elections will critically determine whether Liberia can make further progress or will plunge back into mismanagement, chaos, and even violence.

2.5.1.1. Liberia's Sovereignty

The assessment of Liberia's sovereignty is not quite as difficult as for Kosovo, but the UN presence as such is a constraint to the country's full sovereignty. Drawing on Krasner's (1999) four ideal types of sovereignty, one finds that Liberia has full international legal sovereignty as it is formally and politically recognized as an independent state in the international system. The Westphalian sovereignty and the domestic sovereignty are restricted. The presence of the UN mission and donors on the territory and their exertion of indirect influence in domestic affairs limit the ability of Liberian authorities to exercise effective control – although one has to consider that this control was explicitly invited. Finally, the interdependence sovereignty is given insofar as the Liberian security institutions officially control the borders to neighboring Sierra Leone, Guinea, and Côte d'Ivoire although they are supported by UNMIL troops.

⁴²³ Reuters: <http://www.reuters.com/article/idUSTRE6A273T20101103>

2.5.2. Quality of Statehood

2.5.2.1. Provision of Security – UNMIL as a Security Guarantee

More than seven years after the end of the civil war in Liberia, the country has not relapsed into war and has achieved an absence of large-scale violence. Yet, the security situation in the country remains the most important item on the agenda of both the Liberian government and the international presence. The country still faces a long list of external and internal threats that could jeopardize the whole peacebuilding process. After a rigorous security sector reform, the responsibilities for the provision of security are being transferred to national institutions but the deployment and occasional intervention of 9,150 UN troops, 844 FPU, and 1,320 UN Civilian Police (S/2010/88, Annex) remains critical for the immediate stability of the country.

The UN Secretary-General rates the overall security situation in the country as “generally stable but fragile” (S/2010/88, para. 11). Various security indicators on Liberia confirm that the general security environment has steadily improved since the end of the second civil war in 2003 (Figure 33).⁴²⁴ The fact that most Liberians have returned to their villages, have rebuilt their homes, and have resumed work on the fields is seen by many international observers as a sign of a significantly improved local perception of security.⁴²⁵

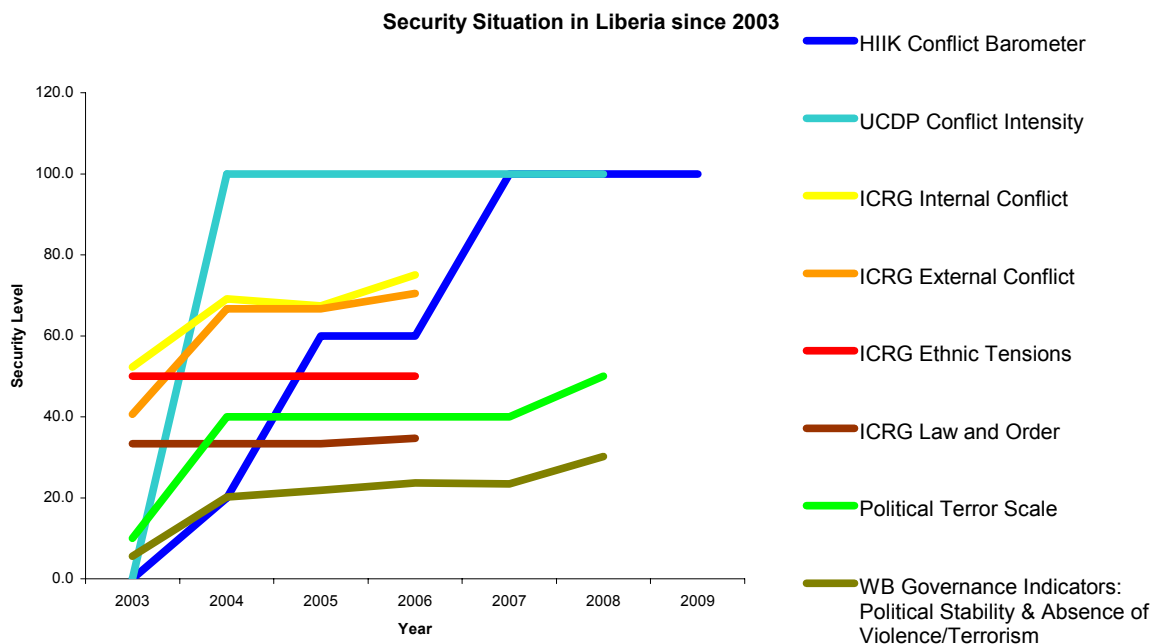


Figure 33: Security Indicators for Liberia

⁴²⁴ All indicators were transformed to a 0 to 100 scale, where 100 denotes the highest level of security.

⁴²⁵ Interview with a Western diplomat.

Despite the general improvement in internal security, riots and violent clashes between different ethnic and religious groupings are still frequent. Most of these instances are not politically motivated but are triggered by singular events that are swelled and distorted by unfounded rumors which have an ethnic or religious undertone. The latest clashes occurred between Christian and Muslim gangs in Voinjama in Lofa County in February 2010: After the mysterious death of an eleven grade school girl, rumors spread among the Christian community that the girl had been murdered as a human sacrifice on the occasion of the opening of the local mosque. In the violence that erupted, five people were killed, several wounded, churches and mosques were burnt and there was a break-out from the county prison. UNMIL troops were sent to control the situation and will also lead investigations of the incident.⁴²⁶

This episode demonstrates that there is still deep mistrust between different ethnic groups that can easily turn violent. The 2007 report by the RAND corporation on the Liberian security sector asserts that “Liberian politics are not entirely settled” and that there is a risk that alienated and dissatisfied individuals and ex-combatants will regroup into rebel forces whose structures and command chains have not been eliminated (Gompert et al., 2007: 9-11). This view is shared by many international experts and Liberians.⁴²⁷ The International Crisis Group, however, found that ex- fighters have indeed been reintegrated into their communities (ICG, 2009: 5-6); many former rebel leaders are today well-respected leaders of society.⁴²⁸

Rather than an expression of political unrest, violence in Liberia is mostly a result of socio-economic frustrations in combination with wide-spread lawlessness. High levels of unemployment among young and uneducated males, whose only experience is armed combat and who have not benefited from the DDDR program, are a major problem. These young men are known as the “lost generation” that has no prospects of an economic take-off (KAIPTC and ZIF, 2007: 45). Due to strict lineage hierarchies in the interior, young men have limited access to land to settle in villages and pursue agriculture (ICG, 2009: 8; McGovern, 2008: 346ff). Many have no other perspectives for making a living and migrate to Monrovia where they roam the streets. Other economic threats that can easily lead to a deterioration of the security situation include the country’s poor agricultural base and dependence on food imports, which can lead to food shortages and rising food prices, and an anticipated decline in remittances (ICG, 2009: 7).

The most pressing concern for most Liberians is poor public safety. Armed robbery, rape, theft, assault, murder, and mob violence are common, especially in the poorer neighborhoods of cities and towns.⁴²⁹ The LNP is not (yet) trained and equipped sufficiently enough to respond quickly to urgent security situations and emergencies. In response to this apparent widespread lawlessness and lack of confidence in the LNP and the public justice system, residents of some Monrovia neighborhoods have reportedly organized civil self-defense

⁴²⁶ Based on reports from various local newspapers in February 2010.

⁴²⁷ Various interviews.

⁴²⁸ Prince Johnson, murderer of Doe and former NPFL leader, was elected as senator of Nimba County in 2005; Sekou Conneh, former LURD leader, contested the presidential elections in 2005 and is now enrolled as a student of peace and conflict studies at the University of Liberia; Jackson E. Doe, ally of Conneh during the war and later a senior figure in MODEL, became Minister of Posts and Telecommunications and Minister of Transports in the government of Johnson Sirleaf and was later appointed Chairman of the Board of Directors of the National Transit Authority (in that position, he was involved in a scandal on the diversion of public funds in early 2010; Liberia Broadcasting System Online of 21 January 2010).

⁴²⁹ No official statistics are available on the crime rate in Liberia.

groups, so called community-watch teams (Mehler, 2009: 61).⁴³⁰ The International Crisis Group (ICG, 2009: 7) warns that “vigilantism may become a security threat in its own right” when these groups become well-organized criminal gangs with an ethnic orientation.

The availability of small arms only exacerbates these problems: In the DDR program run by UNMIL, almost 104,000 combatants that were officially disarmed (Caesar, 2007: 32) but only 28,000 guns were collected (Bertelsmann Stiftung, 2010). Also considering that another 50,000 combatants have not participated in the program at all, one can make a rough estimate at how many weapons are still around.

Although Liberia does not face the immediate risk of a hostile military invasion from its neighboring countries, its porous borders still add to the risk of violence spreading into Liberia. In the many years of war, violence spread back and forth across the borders with Sierra Leone, Guinea, and Côte d’Ivoire. Any turmoil in these countries can affect the stability of Liberia and the whole region.

Sierra Leone is in a post-conflict phase itself with an ongoing UN peacebuilding mission (UNIPSIL) but appears to be moving towards peaceful stability. Guinea experienced a bloody military coup in December 2008 and saw an eruption of violence in September 2009 when Guinean soldiers suppressed a political demonstration against President Captain Camara at the stadium in Conakry; more than 150 demonstrators were shot and several dozen female protesters were raped. In Côte d’Ivoire, the UN and the French Force Licorne run a robust peacekeeping and peacebuilding mission to secure the 2003 peace agreement and to avoid a relapse into civil war; flare-ups of violence are still frequent. Guinea and Côte d’Ivoire had elections scheduled for 2010. The disputed election in Côte d’Ivoire has again lead to unrest that has potentially destabilizing effects for Liberia as its dense forests make it an appealing rear base for fighters.

Porous borders not only facilitate a rebel incursion but also the uncontrolled inflow of refugees and other persons, smuggled goods, drugs, and weapons from the neighboring countries and from the open sea. This again contributes to a rising crime rate and poses a serious challenge to the overall security situation. Border security, therefore, is key in Liberia. At present, multiple competing security agencies are in charge of border security: Customs and Excise, the Liberia Seaport Police (LSP), the Roberts International Airport Base Safety (RIA), and the Bureau of Immigration and Naturalization (BIN; Gompert et al., 2007: 41ff). Liberia, however, does not (yet) have a Coast Guard to control Liberian territorial waters, prevent smuggling, and collect fees and fines (RAND: 51; ICG, 2009: 15).⁴³¹ As with all other Liberian security organizations, the problem of redundancy, incoherence, and corruption (Gompert et al., 2007: 41ff) also affects the effectiveness of border security.

The Liberian security institutions are not yet fully in control of all aspects of internal and external security and do not hold exclusive monopoly on the use of force. According to an adviser to the President, interviewed by ICG in mid-2008: “[Liberia is] about 40 per cent of the way there with the police and 55 per cent with the army” (ICG, 2009: 1). Not only capacity and efficiency are major concerns but also the legitimacy of the security forces: throughout the history of Liberia, they have been misused as the state’s instruments of fear and oppression (Andersen, 2006: 4).

⁴³⁰ IRIN Report of 7 May 2008: <http://www.irinnews.org/report.aspx?ReportID=78095>

⁴³¹ The AFL does have a small navy section.

Liberia has a police rate of 1.05 LNP officers per 1,000 people. Despite efforts to deliver relatively high-quality training and apply strict vetting procedures (although not as rigorous as for the AFL), the everyday performance of the LNP is a source of great frustration for the Liberian people and for international donors. Police officers are perceived to be out-and-out corrupt with low morale and poor discipline (Kabia, 2009). This is partly explained by the acceptance of former police officers into the force who retain dubious habits and practices but is mostly attributed to the low wages paid to LNP officers. Although wages were increased from US\$ 80 per month flat to variable wages depending on rank between US\$ 100 and 150⁴³², these are still too low to avert the temptation of generating additional income through bribery. The deep mistrust of the public undermines efforts to establish effective law enforcement.

The lack of professionalism of the LNP is a consequence of the lack of equipment, logistics, and infrastructure (Liberian Ministry of Justice: Justice and Security Narrative). While it is intentional that police officers are unarmed, the shortage of basic equipment, such as vehicles and fuel, communications equipment, and even handcuffs and torches, renders the police officers generally unfit for service and ineffective in deterring crime. There are no capacities at all for crime scene investigation or forensics, both in terms of facilities and human resources.⁴³³ On the managerial level, ICG has identified “[serious and dire] deficiencies in human resources management, accounting and budgeting, procurement and logistics” (ICG, 2009: 19) which constrain efforts to have a self-dependent Liberian police.

The only police unit that is routinely armed is the newly-established Emergency Response Unit (ERU), a 340-man force trained by international and national police instructors.⁴³⁴ Since the AFL is banned from using force within Liberia and since LNP officers are unarmed, the ERU was established for counter-insurgency defense and riot control. But the ERU is not yet fully functional and in authority: In cases of an outbreak of internal violence, armed contingents of the ERU, of the UN’s Foreign Police Unit (FPU), and of the international Police Support Unit (PSU) “will go out together.”⁴³⁵

The reform and training process of the Armed Forces of Liberia (AFL) by the private US military companies DynCorp and PAE came to a close at the end of 2009. Since January 2010, the Liberian Ministry of Defense has been given full authority over the AFL. The exclusive oversight of the Liberian state over the AFL contributes decisively to national ownership, to the inclusiveness of the state apparatus, and to the extension of state capacity. The main deficit of the AFL is the very weak middle level, i.e. upper-level non-commissioned officers, captains and majors, and military lawyers⁴³⁶, which is based on the fact that the force was rebuilt from scratch and advancement of recruits to higher levels takes time (ICG, 2009: 9). It remains to be seen whether the armed forces can build up legitimacy and earn a reputation of responsiveness to the people in the long run.

Peace and security remain on top of the government agenda. Pillar One of Liberia’s Poverty Reduction Strategy is dedicated to “[...] creating a secure and peaceful environment, both

⁴³² Interview with the Supervisor of Administration at the NPTA.

⁴³³ Interview with an International Legal Advisor at the Sex and Gender-Based Violence Crimes Unit.

⁴³⁴ The targeted strength is 500. Beginning with Class 3, UN Police ran a “Train the Trainer” program.

⁴³⁵ Interview with an ERU Project Manager of UNMIL Civilian Police.

⁴³⁶ Interview with a US military lawyer and advisor to the AFL.

domestically and in the sub-region, that is conducive to sustainable, inclusive, and equitable growth and development” (Republic of Liberia, 2008: 57).

As with other governmental institutions, the influence of the Liberian security institutions, especially of the police, gets “weaker and weaker outside the capital Monrovia.”⁴³⁷ The problems of capacity and efficiency are aggravated in the counties: In Grand Bassa County, for example, there is reportedly only one police car available.⁴³⁸

There is broad consensus – from the ‘man on the street’ to high-ranking diplomats and international experts – that the UNMIL troops remain decisive for the political stability of Liberia. Although Liberians make provisions for taking over responsibility for their own security institutions, one senses a general nervousness in the country about the prospects of a withdrawal of the international troops. Threats by former warlords that they could pull together a rebel force again within just hours⁴³⁹ are generally regarded as exaggerated but the government still takes the risk seriously. These threats also serve as a “general wild card” in the government’s efforts to keep the UN in Liberia.⁴⁴⁰

RAND (Gompert et al., 2007: xvii) makes the need for a residual international military presence contingent upon the completion of the restructuring of the Liberian security forces. Most observers view the national elections in November 2011 as the crucial benchmark: If the elections are conducted successfully, i.e. if the voting process itself is free and fair and does not stir violence and disturbances (S/2009/411, para. 78) and if the newly-elected government proves to be accountable and reliable, the UN will most likely withdraw its blue helmets from Liberia swiftly. As of the time of writing, there were no plans for another international force to take over from the UN as a residual security presence to ensure that violence does not recur. Until late 2011, UNMIL will remain viable not only for stability in Liberia but, together with the missions in Sierra Leone und Côte d’Ivoire, for the stabilization of the whole West African region.

Ultimately, the security issues are closely linked to progress in all other sectors of statehood, including justice and rule of law, economic development, education, natural resources, welfare, institutions, and infrastructure. All gains in security will be lost if the deficiencies in these areas are not tackled. The following part gives an overview of the quality of statehood and governance.

2.5.2.2. Institutional Capacities and Quality of Welfare

2.5.2.2.1. Government Effectiveness, Bureaucratic Quality, and Corruption

“Overall, the Liberian institutions are functioning in a democratic way.” Considering that Liberia’s political and administrative institutions were in shambles at the end of the war, this assessment by a Western diplomat points to the progress the country has made since then. President Johnson Sirleaf’s ambitious agenda to completely reconstruct state institutions and to overcome the legacies of former governments has produced noticeable results. Still, the two

⁴³⁷ Interview with the Head of UNMIL Civil Affairs.

⁴³⁸ Interview with the Head of the UNMIL Field Office Buchanan.

⁴³⁹ See The Vice Guide to Liberia at <http://www.vbs.tv/watch/the-vice-guide-to-travel/the-vice-guide-to-liberia-1-of-8>.

⁴⁴⁰ Interview with a Liberian scholar.

main factors that impede government effectiveness and bureaucratic quality are low capacities – both human resources and technical capacities – and corruption.

When President Johnson Sirleaf selected her new cabinet in early 2006, she appointed highly skilled technocrats to lead the ministries. The Senior Executive Service (SES) launched by the government provided additional income incentives to encourage highly qualified Liberian professionals and members of the diaspora to serve in public administration. Currently, about 100 Liberians are members of this scheme; SES public servants are based in all counties. At the top level, most ministries, therefore, are staffed with qualified technocrats. At the medium and lower level, however, there is a critical lack of qualified personnel, in rural and remote areas even more so than in Monrovia. In the counties, the leverage of the government is minimal to non-existent.⁴⁴¹ With inept officials and defunct infrastructures, government decisions cannot be effectively and efficiently implemented and state authority is generally weakened.⁴⁴² In everyday life, this means that many ministries and agencies are not responsive to citizens' needs because, for one thing, they are not manned for much of the time, and if they are, the officers lack the most basic infrastructure, like computers, office equipment or transportation.⁴⁴³

An additional impediment to policy implementation is the rampant corruption which is cause and effect of an inefficient bureaucracy. In her inaugural address, President Johnson Sirleaf declared that corruption will be “the major public enemy” of her administration.⁴⁴⁴ Whether it is petty corruption – the extra fee to be paid for a doctor's visit or to the police man at traffic controls – or high-profile corruption in the extractive industries, the problem is deep-rooted. For many basic administrative services, procedures and fees are often not even laid down in written form, so that there is a lot of room for ‘negotiation’. Also, payments are generally made in cash as most Liberians do not have a bank account, which makes it difficult to establish formalized and standardized procedures. The government has introduced a range of measures to combat corruption, including the adoption of the National Anti-corruption strategy, the establishment of the Liberia Anti-Corruption Commission, and the GEMAP framework. And although there is a general awareness in the country that donors are highly sensitive to corruption issues and that the influx of donor money is tied to transparent procedures, the fight against corruption is tedious. The weak judicial system does not contribute to an improvement.

2.5.2.2.2. Rule of Law

Despite major efforts of UNMIL and international donors to strengthen the justice sector, the rule of law is extremely weak in Liberia. One problem is the historical lack of impartiality and independence from the executive rooted in the past misuse of the justice system by former presidents and warlords as a political tool to exercise power (Bertelsmann Stiftung, 2010). Another problem is that in the reform and reconstruction process external actors have primarily targeted the formal justice system and have neglected the legal dualism between statutory and customary law that has prevailed in Liberia since its founding (ICG, 2006; Isser

⁴⁴¹ Interview with an UNMIL Civil Affairs Officer in the Reintegration, Rehabilitation and Recovery Section (RRR).

⁴⁴² Interview with a Western diplomat and the Head of the UNMIL Field Office Buchanan.

⁴⁴³ Interview with the Head of the UNMIL Field Office Buchanan.

⁴⁴⁴ Inaugural address of Ellen Johnson Sirleaf on January 16, 2006.
http://www.emansion.gov.lr/doc/inaugural_add_1.pdf

et al., 2009; von Carlowitz, 2008). The formal justice system, which is a copy of the legal system of the United States, was introduced by the Americo-Liberian settlers to govern ‘civilized’ people, while traditional systems and customs for dispute settlement were applied by the indigenous Liberians. Although the Liberian state has in the 1940s attempted to gain executive oversight over the traditional legal system by establishing state-sponsored customary courts (ICG, 2006: 7), the duality exists until today.⁴⁴⁵ Customary institutions are in place and vibrant in all communities and at all levels, first and foremost at the very local level. It is estimated that up to 80 per cent of all disputes in Liberia are addressed by the customary law system.⁴⁴⁶

Most Liberians prefer the main principle of customary law that damaged social relations must be repaired and reconciliation is the objective over the idea of punitive sanctions in formal law, a study conducted by the US Institute of Peace has found (Isser et al., 2009). Customary dispute resolution measures include dialogue, consultation, arbitration and ‘palaver’, a prolonged discussion of community elders with the parties involved and their families. A trial ends with a public apology and the acknowledgement of wrongdoing and restitution or compensation, which are often reciprocal between the two dispute parties. Traditional practices also still involve a trial by ordeal, the ‘sassywood’ procedure, and cleansing ceremonies (von Carlowitz, 2008: 76-77).

Although customary practices have well outlasted the war, massive displacements and migration into the cities have disintegrated the tight social networks in the communities, which facilitate the abuse of customary legal procedures by persons not trained in the traditional practices (von Carlowitz, 2008: 78). Also, gender discrimination, the lack of review mechanisms and certain human rights violations, e.g. torture, arbitrary arrest and detention, make the application of customary law practices problematic according to Western legal standards (Coleman, 2007). Still, many people opt for traditional mechanisms for various reasons, the most important one being that the formal justice system is virtually inaccessible for most Liberians and that its procedures and principles do not reflect the realities of community life (Isser et al., 2009).

The formal justice system itself is performing poorly. According to a renowned Liberian lawyer and legal consultant, “the chances of receiving a fair trial are very slim, even more so for underprivileged people.”⁴⁴⁷ In an evaluation of rule of law programs in Liberia, USAID similarly finds that “in general, over the last three years most rule of law programming implemented in Liberia by both the United States Government and other donors, appears to have had limited impact on citizens’ access to fair, effective and efficient justice” (Henderson et al., 2009: 2).

The main deficiencies are that judicial processes are slow and are characterized by bias, fraud and corruption. There are a huge number of backlog cases. The criminal, civil and administrative laws are outdated and oftentimes not even available in written form.⁴⁴⁸ Since

⁴⁴⁵ The Rules and Regulations Governing the Hinterland of Liberia of 1943 that grant the Liberian Ministry of the Interior – and not the Ministry of Justice – oversight over the customary law system, were revised and reinforced in 2000. This also relates to the major structural problem that the independence of the judiciary was negated by all presidents since Doe in 1980 and was only slowly revived in 2006.

⁴⁴⁶ Piron, Laure-Hélène, 2005: Donor Assistance to Justice Sector Reform in Africa: Living Up to the New Agenda? quoted in International Crisis Group (ICG, 2006: 6).

⁴⁴⁷ Interview with a private lawyer, legal consultant, and GEMAP civil society representative.

⁴⁴⁸ Foreign Policy article of November 12, 2009: He's Got the Law (Literally) in His Hands.

the law school at the University of Liberia was closed for many years during the war, there is also a shortage of qualified legal personnel. When President Johnson Sirleaf took office in January 2006, there were only two fully trained lawyers in the entire prosecution system (Gongloe, 2007: 48). Many law practitioners today have never attended law school but have been trained by professional lawyers. Currently, 60 to 70 law students are graduating from the Liberian law school each year.⁴⁴⁹ Another problem is the low ethical standards of Liberian lawyers: There were cases reported where one lawyer was representing opposing parties.⁴⁵⁰

The link between the court system and the corrections system is very weak. Even if a case has been lawfully closed with a verdict, weak administrative, management and enforcement capacities hamper efficient implementation of court rulings. And many people have not even seen a court from the inside: prolonged pretrial detentions in overcrowded prisons are a serious problem.⁴⁵¹

In an effort to expedite the law reform process, President Ellen Johnson Sirleaf established the Law Reform Commission in June 2009.⁴⁵² It is to assemble and review all existing legislation, including the constitution. After more than one year of “working behind the scenes”, Chairperson Councillor (Cllr.) Philip A. Z. Banks has announced in September 2010 that the Law Reform Commission has commenced the process of compiling more than half a century of the country's laws.⁴⁵³ Despite high expectations, the Law Reform Commission has not yet produced any results.

2.5.2.2.3. Democracy

Liberia is an electoral democracy with a bicameral legislature. It has a legitimate government under President Ellen Johnson Sirleaf; the first general elections after the war in 2005 were regarded as free and fair by international observers. The election campaigns, similar to other countries in Africa, were very much about the individuals running for office, less about party programs. The elections have invigorated political participation: Voter turnout in the first round of the presidential elections was 74.9 percent, 61.0 percent in the second round.⁴⁵⁴ The elections were conducted under the Accra Comprehensive Peace Agreement. The upcoming elections in 2011 will have to be in line with the constitution, and will therefore be a test for the democratic progress made. The National Elections Commission (NEC) is in charge of devising a comprehensive legal framework and administrative strategy.

Since 2006, Freedom House rates Liberia as ‘partly free’, with political rights slightly higher than civil liberties.⁴⁵⁵ The media in the country are considered independent, although low literacy rates, poor internet infrastructure, and a concentration of print media in the capital limit access of the population. Radio stations operate across the country and are the main

http://www.foreignpolicy.com/articles/2009/11/12/hes_got_the_law_literally_in_his_hands

⁴⁴⁹ Interview with a state prosecutor and lecturer of law at the University of Liberia.

⁴⁵⁰ Interview with a private lawyer, legal consultant, and GEMAP civil society representative.

⁴⁵¹ Interview with officials at the Center for International Peace Operations in Berlin (ZIF).

⁴⁵² Government of Liberia Executive Order No. 20

⁴⁵³ <http://allafrica.com/stories/201010010685.html>

⁴⁵⁴ <http://africanelections.tripod.com/lr.html>

⁴⁵⁵ Freedom House Country Report Liberia 2010:

<http://www.freedomhouse.org/template.cfm?page=22&country=7861&year=2010>

means for receiving public information.⁴⁵⁶ The biggest obstacle to political participation in Liberia – especially for women – is extreme poverty.

The civil society sector is reviving. After more than two decades in which civil society groups were intimidated, terrorized, and infiltrated by ruthless presidents Doe and Taylor, Liberians have “politically awakened” (Bashua, 2005: 136). A newly developing human rights movement and groups of marginalized parts of the population, e.g. youth and women groups, are publicly raising their concerns and demands.⁴⁵⁷ Weak and ineffective organizational structures and dependence on donor-funding limit their impact, however.

2.5.2.2.4. Service Provision and Social Welfare

Considerable efforts to increase service provision to the people, both by the government and by the UN system in Liberia, have not been fruitful. Most people, especially in rural areas, cannot rely on the state to attend to their most basic needs. The education system had collapsed entirely during 14 years of war, so that a whole generation has not received any schooling. Since the end of the war, the Liberian government and donors have invested quite some efforts – with “moderate success”⁴⁵⁸ – into education and vocational training for the ‘lost generation’. Yet, school enrolment is still quite low (Figure 34). Almost one third of all children between 6 and 14 are not enrolled in any kind of formal schooling. The figures increase with age: Of all people 19 and older, 20 percent are enrolled at school, half of them at elementary level. Many people try to catch up by obtaining a high school degree, some even at the age of 30. The official literacy rate in Liberia is 58%.⁴⁵⁹ In every day life, this means that most adults can write their names and cell phone number but they hardly read newspapers or send emails.

⁴⁵⁶ According to an opinion poll conducted by the International Republican Institute (IRI) in Grand Bassa, Margibi and Nimba counties in 2008, between 75 and 85% of the people get their information about candidates, political parties, and elections from the radio. http://www.iri.org/sites/default/files/2008-October-3-Liberian-Public-Opinion-Poll-July-13-18-2008_doc.pdf

⁴⁵⁷ Examples are the Catholic Justice and Peace Commission (JPC), the Centre for Law and Human Rights Education (CLHRE), and the Liberian Women’s Initiative (LWI).

⁴⁵⁸ Interview with a Western diplomat.

⁴⁵⁹ World Bank data for 2008: <http://data.worldbank.org/country/Liberia>. Literacy levels are lower for adult women compared to adult men but they are higher for young women between 15 and 24 compared to young men.

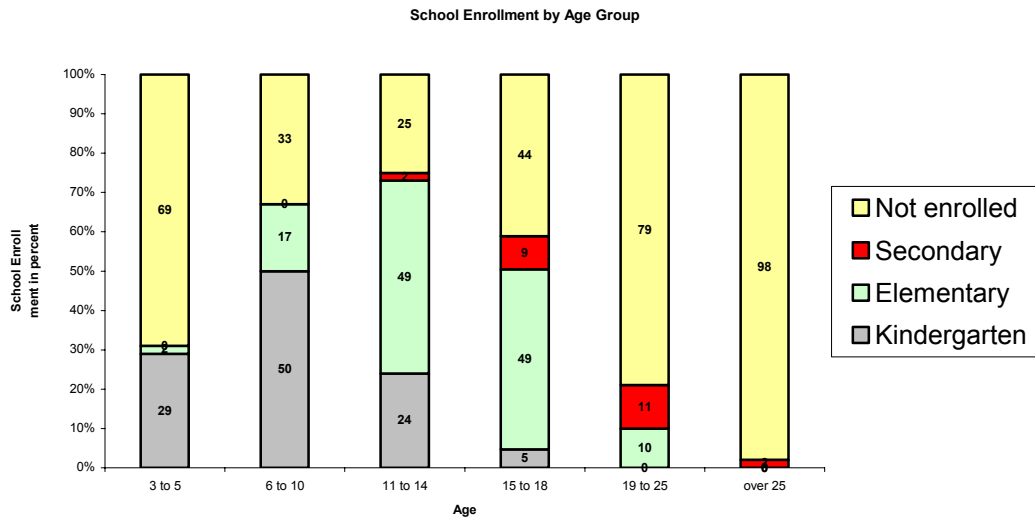


Figure 34: School Enrollment by Age Group⁴⁶⁰

The government under President Johnson Sirleaf has introduced free primary schooling but that does not mean that in fact every child is regularly attending school. Transportation to the school, school uniforms, and stationary still have to be provided by the parents. Conditions in the schools are appalling: Teachers are uneducated themselves, classrooms are overcrowded, and there is a lack of equipment and books. In many rural areas, there are no schools at all.⁴⁶¹ Secondary and private schools, mostly Catholic, often charge US\$ 100 in tuition per month, which is unaffordable for most Liberians.

The health sector is equally problematic as the education sector. There is a wide gap between short-term humanitarian relief that was provided during and immediately after the war by international organizations, such as the Red Cross or Doctors without Borders, and long-term development and capacity building of the national health system (Blume and Brenner, 2008: 44). As of January 2009, there were fewer than 80 doctors – Liberian and international – serving a population of more than three million.⁴⁶² That is on average one doctor for 37,500 people. In rural areas, there is mostly no health care at all. Although life expectancy at birth has gradually increased over the last decades, it was still relatively low at 58.3 in 2008.⁴⁶³

The infrastructure in the country is extremely poor but slowly improving. With major international assistance, roads are being paved to allow transportation at least between some larger towns and within Monrovia. Yet, mobility in the bosky rural areas, especially during the six month rainy season, is still a great challenge. The capital Monrovia runs on electricity from diesel generators and in many rural areas there is no electricity at all.⁴⁶⁴ A good example

⁴⁶⁰ UN Data: At Work Together. United Nations in Liberia, p. 5.

⁴⁶¹ Interview with a Western diplomat.

⁴⁶² Liberian daily newspaper New Democrat of February 23, 2010.

⁴⁶³ World Bank data: <http://data.worldbank.org/country/Liberia>

⁴⁶⁴ 92% of Liberian households use kerosene, candles, palm oil lamps, or wood as their sources of fuel for lighting. 98% of Liberian households use gas, kerosene, charcoal, or wood as their sources of cooking fuel. Data from the 2008 Population and Housing Census by the Liberia Institute of Statistics and Geo-Information Services (LISGIS), p. 271 and 275. Data for both urban and rural regions.

of the dire state of the infrastructure is the distribution of households by the main source of drinking water: 36% of households have a drinking water pump outdoors, followed by 23% who take their drinking water from rivers, lakes, or springs. Only 3% have it pumped or piped indoors.⁴⁶⁵ With no land-line phone system in place, cell phones are the preferred means of communication.

The US Social Security Administration provides a list of the social security programs in Liberia.⁴⁶⁶ Since the majority of the benefits are employment-based and most people in Liberia are not officially employed, it is questionable whether anyone actually profits from these schemes. Also, the current regulatory framework is of 1988 and the civil war started in 1989, hence, one cannot assume that it has in fact been applied at any time. Tight family and social networks, also in the diaspora, and subsistence farming are the backbone of society and absorb the effects of old age and disability.

2.5.2.2.5. Economic Performance

GDP per capita was around US\$ 150 with an annual growth rate of 7.1% in 2008.⁴⁶⁷ Almost two thirds of Liberia's GDP is generated in the agricultural sector which is almost entirely limited to subsistence farming of mainly rice, coffee, and cocoa. Post-conflict reconstruction activity funded by international donors is the main driver of real GDP growth.⁴⁶⁸ The country's wealth in resources like rubber, timber, and iron ore is regaining importance for national income after the end of the war, also due to stronger institutional oversight by the Liberian Extractive Industries Transparency Initiative (LEITI). The revitalization of the mining sector has significantly contributed to an increase of foreign direct investment to Liberia by almost 90% in 2009 to US\$ 378 million.⁴⁶⁹ In June 2010, US\$ 4.6 billion of Liberia's debts were cancelled under the Heavily Indebted Poor Countries (HIPC) initiative.⁴⁷⁰ But still, the country is heavily dependent on aid: as outlined above, official development assistance made up 185% of gross national income in 2008.⁴⁷¹

It is estimated that the formal unemployment rate is at about 80% (Bertelsmann Stiftung, 2010). These figures are not very meaningful, however, because most employment in Liberia is in the informal sector. The formal sector is limited to civil service and a small, yet substantially growing, private sector. There is no middle class in Liberia, no small to medium industries. In the cities, the cohorts of uneducated and untrained youths generate minor incomes as 'entrepreneurs', selling everything from calling cards to watches to food on the streets. Many live on irregular incomes they make from fixing motorcycles or as taxi drivers.

⁴⁶⁵ Distribution of households by main source of drinking water: 2.36% piped or pumped indoors, 36.38% piped or pumped outdoors, 9.56% public tap, 11.74% closed well or protected spring, 12.39% open well, 23.04% river, lake, or spring, 3.22% water ventors, 1.3% other sources. Data from the 2008 Population and Housing Census by the Liberia Institute of Statistics and Geo-Information Services (LISGIS), p. 267. Data for both urban and rural regions.

⁴⁶⁶ <http://www.ssa.gov/policy/docs/progdesc/ssptw/2006-2007/africa/liberia.html>

⁴⁶⁷ In constant 2000 US\$. Data by the World Bank: <http://data.worldbank.org/country/Liberia>.

⁴⁶⁸ Economist Intelligence Unit Country Report Liberia September 2010:

http://www.eiu.com/index.asp?layout=displayIssueArticle&issue_id=127406997&opt=full

⁴⁶⁹ Economist Intelligence Unit Country Report Liberia September 2010:

http://www.eiu.com/index.asp?layout=displayIssueArticle&issue_id=127406997&opt=full

⁴⁷⁰ IMF press release June 29, 2010: <http://www.imf.org/external/np/sec/pr/2010/pr10267.htm>

⁴⁷¹ World Bank data: <http://data.worldbank.org/country/Liberia>

The World Bank estimates that 95% of Liberia's population lives on less than US\$ 2 a day.⁴⁷² The high unemployment rates among young men and extremely low incomes are the most serious security threats in the country (ICG, 2009: 5).

2.5.2.3. Shared Political and Ethnic Identity and State-Society Relations

The national reconciliation process is formally completed; the final report of the Truth and Reconciliation Committee, a 370-page document, was released in June 2009. It is the result of an only three-year process intended to “promote national peace, security, unity and reconciliation.”⁴⁷³ The Committee was established as part of the Accra Peace Agreement to investigate gross human rights violations and violations of international humanitarian law during the period January 1979 to October 2003 and aimed at identifying those responsible as well as determining the impact on victims.⁴⁷⁴ The Liberian reconciliation process is modeled on the one in South Africa and likewise included public hearings that began in early 2008. The fact that the prosecution of Charles Taylor was “outsourced” to the Special Court for Sierra Leone (Blume and Brenner, 2008: 44) facilitated the process, and many Liberians were relieved that societal cleavages were not deepened by prolonged discussions and investigations. An opinion poll conducted by the International Republican Institute (IRI) in Grand Bassa, Margibi and Nimba counties in July 2008 indicated that almost half of the people think that political parties spend too much time talking about reconciliation and healing of the country.⁴⁷⁵ Seven years after the end of the civil war, calls for a Liberian war crimes tribunal, which would be mandated to convict perpetrators, have subsided. However, since the TRC did not have jurisdictional authority, it only formulated recommendations for victim reparations. Hence, the alignment of national reconciliation with justice remains undone.

Due to Liberia's long history as an independent country, Liberians have strong sense of nationalism.⁴⁷⁶ Ethnicity was never the main issue of the conflict. The war was more about access to power and economic gains (Ellis, 2007). Today, there is a nationwide sentiment that Liberians must unite to rebuild their country. Yet, the difficult reconciliation process is ongoing and cleavages undeniably still exist between the formerly hostile groups. State-society relations are tense because the government and other officials are perceived by many indigenous Liberians as an ‘elite group’ of Americo-Liberians. And indeed the current government is in many parts dominated by Americo-Liberians rather than a truly united government. Frustrations with the development of the country, the slow recovery process, and invisibility of international assistance on the ground are directed at them. This, of course, limits the de facto legitimacy of the state and a shared political identity.

Overall, the government rather than UNMIL is perceived responsible for policy outcomes. People are aware that UNMIL will be leaving before long and expect the government to solve their most urgent problems, namely food security, unemployment, and infrastructure. About

⁴⁷² World Bank data: <http://data.worldbank.org/country/Liberia>

⁴⁷³ The TRC mandate: <http://www.trcofliberia.org/about/trc-mandate/>.

⁴⁷⁴ The TRC mandate: <http://www.trcofliberia.org/about/trc-mandate/>.

⁴⁷⁵ http://www.iri.org/sites/default/files/2008-October-3-Liberian-Public-Opinion-Poll-July-13-18-2008_doc.pdf

⁴⁷⁶ The strong sense of nationalism is expressed in heated debates in society on the question of whether people of non-black descent can obtain Liberian citizenship and have the right to own real estate. Especially the national status of Lebanese residents is repeatedly discussed in public.

two thirds of respondents in an opinion poll approve of the job that President Johnson Sirleaf is doing; between 40% and 50% approve of the job that the National Legislature is doing.⁴⁷⁷

3. Conclusion from Case Studies

Kosovo and Liberia have hosted very different UN peace missions. UNMIK in Kosovo was an overly ambitious mission with the technical mandate to establish an international transitional administration and a political mandate to resolve the status question of the territory; UNMIL in Liberia had only an assistance mandate to support the Liberian government in its own peace and reform efforts. They fit very well the latest stage in the evolution of peace missions. In both cases, the peacebuilding and statebuilding processes are not yet terminated. It is not foreseeable exactly when the international actors – the UN, ICO, and EULEX in Kosovo and the UN system and donors in Liberia – will exit and what that will mean for the two countries in the long run. Hence, the conclusions from the case studies have to be read as preliminary.

The analyses sought to resolve the puzzle of how mission design in terms of intrusiveness can foster security and statehood even in bad context conditions and how it can dissipate the bright prospects of good context conditions. Liberia, a country of low socio-economic development, had experienced a brutal 14-year civil war that led to the collapse of all state institutions. By contrast, the war in Kosovo, a European country that was formerly part of industrialized Yugoslavia, was the result of a four-year resistance campaign against the Serbian repression that led to violence in the years 1998/1999. The legacies of the war in Liberia made it difficult for reconstruction and reform efforts to take root. In Kosovo, it was the choice of the international community to build state institutions from scratch in an ambitious institution-building and democratization process, although the context conditions for successful peacebuilding were favorable and institutional and human capacities from the pre-war period could have been reactivated and reformed.

By the quantitative indicators, Kosovo and Liberia have very similar outcome scores. The in-depth study of the cases provided an insight into what is behind the numbers. In terms of security, both countries have achieved a durable cessation of violence, which allowed people to return to their homes and provided the basis for the reconstruction process to unfold. The provision of security and spoiler control by the UN blue helmets was fundamental to this achievement. UN troops were still on the ground at the time of writing in both countries and continued to fulfill their function as an indispensable security guarantee. This indicates that a robust peacekeeping element is indeed a vital component of any peacebuilding effort, as other authors have found (Fortna, 2004, 2008b; McGovern, 2008: 351).

In terms of statehood, both countries have established formally functioning democratic systems. Yet, while the level of statehood is comparable, the substance and quality of that statehood is very different. Kosovo is a façade democracy with weak institutions and state capacities, a feeble political culture, and low popular trust in the political elites. Liberia is a typical developing country with high poverty and unemployment rates, low governmental capacity and effectiveness, and little service provision to the population. What both cases

⁴⁷⁷ Opinion poll conducted by the International Republican Institute (IRI) in Grand Bassa, Margibi and Nimba counties in July 2008, p. 20, 16-17. http://www.iri.org/sites/default/files/2008-October-3-Liberian-Public-Opinion-Poll-July-13-18-2008_doc.pdf

have in common is their extremely unreliable rule of law sector and a rampant culture of corruption. The important difference is that Liberia lacks the human and technical capacities for delivering on the promised peace dividend due to the legacies of the long and intense war, while the Kosovo elites essentially lack in political will for reform and democratization. During the field research stays, it was striking to see that, by European standards, Kosovo performs poorly, while Liberia can be called a success case compared to many other African intervention cases. This study perhaps contributes to challenging implicit assumptions about the prospects for statehood and governance in different cultural contexts.

The case studies described the intervention societies in Kosovo and Liberia by focusing on the patterns of interaction between the mission, the political elites, and civil society. Follow-up conflicts can be identified that shape an intervention society and that do not emanate from the original cause of the armed conflict. The first problem is that intervention societies are structurally dependent on foreign aid and assistance. Both Kosovo and Liberia heavily rely on external assistance in form of aid and expertise until today. That culture of dependency severely limits their decision-making autonomy and state sovereignty because external actors enjoy immense leverage in policy making, even though their formal competencies are limited.

The main conflict in intervention societies is the one between external patronage and domestic ownership. Of course, the higher the level of intrusiveness, the more critical is this dilemma and the more it will affect the peacebuilding progress, but the conflict is immanent in all international peacebuilding missions. The external actors in Kosovo were successful at technically establishing democratic state structures. Over 50 institutions were set up.⁴⁷⁸ These imposed structures were adapted by the national actors as the price to pay for independence. De jure, they hold ownership and are in charge of governance and policy making. De facto, however, government effectiveness and political accountability are low, so that the international actors have reserved some correctional veto powers and have assigned to Kosovo the status of ‘supervised independence’. There was hardly a trickle-down effect of democratic norms and procedures for effective and accountable decision-making. The polity is therefore neither autonomous nor sovereign, which further impedes the development of nationally-owned political responsibilities and a democratic culture. In Liberia, external tutelage was not exercised in the form of a take-over of state functions (except with GEMAP in the economic sector), but there is also a conflict between patronage and ownership, as indicated above: the government’s dependence on external assistance prevents it from making responsible policy decisions – and also erroneous policy decisions –, for which it can be held accountable. All in all, an important finding from the case studies is that the interveners can build a state, but they cannot build a society, because their mere presence averts the development of innate democratic principles.

The two cases studies confirmed the finding from the fs/QCA analysis that demand is a necessary condition for both security and statehood. Kosovo had a relatively high set membership score of 0.8 for demand, which was explained in the case study by the determination of both the Kosovo Albanian elites and the population to achieve independence from Serbia; the institution building process was seen a obligatory measure to that end. When this objective was achieved with the initiation of status talks in 2006, the will to cooperate with the international presence and to submit to their standards and time table decreased rapidly and at times turned into open confrontation. The level of local demand for

⁴⁷⁸ Interview with the Special Adviser to Prime Minister Hashim Thaçi and former Chief Legal Adviser to UNMIK.

peacebuilding was therefore much lower later in the process than the original score in the analysis. Additionally, it was shown that Kosovo has a political elite with preferences for weak institutions and an unregulated society that allows them to pursue semi-legal businesses (ICG, 2010: 1). In Liberia, by contrast, the score for local demand of 0.4 referred only to the National Transitional Government of Liberia (NTGL) in the first three years of the UN mission. Under President Johnson Sirleaf, the country exhibited a strong commitment to the peace process and to good governance. One can conclude that the decreasing level of domestic demand for peacebuilding in Kosovo has led to suboptimal levels of security and especially statehood, while the high demand for peacebuilding in Liberia has produced higher levels of security and statehood than predicted by the conceptual model. Demand for peacebuilding, therefore, seems to make all the difference. Especially responsible and accountable leadership – present in Liberia but absent in Kosovo – can convey the demand for peace and reform to the public. Ellen Johnson-Sirleaf is seen by many as a credible advocate of good governance, and the peace process in Liberia might depend on her re-election in 2011. The result confirms other writings which suggest that the drive for reconstruction and reform must come from the inside and cannot be imposed from the outside (Lederach, 1997; Pouligny, 2006; Pouligny et al., 2007). Further qualitative research on the factors that prompt the elites in some countries to demand peace and externally-led peacebuilding more than in others would meaningfully complement this study. Here, it can only be speculated that personal experiences of the leaders – Hashim Thaçi as a former rebel commander, Ellen Johnson Sirleaf as a former economist and UN official – play a role.

As a final note, both missions have failed to fulfill their core objectives. In Kosovo, this was the establishment of a multi-ethnic society and the formulation of a durable political solution to the conflict; in Liberia it was mainly capacity development. Both were not achieved, despite the enormous resources that were invested. From that, one can conclude that peacebuilding missions and transitional administrations are not a universal remedy to cure all the flaws of a post-conflict state. At the same time, peacebuilding and democratization are not impossible projects – but they are difficult and often protracted. The direct comparison of Liberia and Kosovo shows that a sensitive assistance mission can achieve similar levels of security and statehood compared to a full-scale transitional administration, even under more difficult circumstances. Perhaps it was a very exceptional constellation in Liberia that the UN mission could assist a reform-minded government.

VI. CONCLUSION

Three empirical questions are asked in the study: First, can one observe a trend of interventions and specifically of the intrusiveness of UN peace missions over the last several decades? Second, if peace missions have become more intrusive over time, is that trend justified and can one find that more intrusive peace missions produce better outcomes? Third, what are the causalities behind the relationship of mission intrusiveness and peacebuilding outcomes?

The study is divided into three parts to answer these questions. In the first part, a detailed outline of the evolution of foreign interventions in states shows that the level of external engagement has followed ups and downs. The change over time is best explained by the historical context and the norms and values that prevailed in the international system at the time. Often, singular events or structural circumstances prompted external actors to engage more or less in sovereign states. When the focus is limited to UN peace missions and their involvement in conflict or post-conflict states, a close look at the types of missions and their priorities and objectives reveals that peace missions have indeed become broader and more ambitious over the last decades. Unlike the traditional peacekeeping missions, modern peacebuilding missions not only aim at ending wars but at rebuilding states and reconciling societies. The notion of state sovereignty has been diluted for an international responsibility to protect people from violence and to rebuild countries that have overcome war. An in-depth analysis of the data on UN peace missions confirms these trends. To be able to fulfill their broad mandates, the missions were vested with increasing capacities in terms of military and civilian personnel and financial resources. They also stayed on the ground much longer than traditional missions.

The discourse on peacebuilding in academia as well as among practitioners is generally based on the assumption that more international commitment and more investment of resources in post-conflict states will invariably make these countries more peaceful and stable with better functioning and accountable institutions. The second part of the study puts this assumption to the acid test. It answers the broad research question of whether more international involvement in post-conflict states indeed leads to better outcomes in terms of security and statehood. 22 post-Cold War peacebuilding missions mandated by the UN are selected for the analysis. For this sample, data on mission duration, manpower, expenditures, and on the range of tasks and responsibilities taken on by the peacebuilders are collected and analyzed. These data are then combined into an original index for mission intrusiveness that is composed of two indicators: mission scale based on quantitative data on duration, manpower, and resources; and mission scope based on a qualitative assessment of the competencies of peacebuilders in certain sectors. The depiction of the intrusiveness indicator on a time line reveals that the trend of increasing intrusiveness has reached its peak in the very early 2000s. The missions in Bosnia, East Timor, and Kosovo in the mid to late 1990s were full-scale, expensive transitional administrations with large military contingents and substantial civilian capacities. This massive involvement, however, turned out not to be a universal remedy for post-conflict states. The most recent peacebuilding missions have not only been smaller in scale and scope again but there has also been a general shift towards more civilian engagement and an increased participation of domestic actors in the peace process.

The novelty of this study is that it puts mission intrusiveness into perspective. It is argued that not a certain level of mission intrusiveness per se produces a certain outcome, but that in order to be successful, the peacebuilding design has to be the best response to the demands on the ground. What matters is the context in which missions are deployed. Both the friendly takeover and the light footprint approach may lead to a successful outcome in some contexts but not in others. A systematic fuzzy set analysis of the 22 peace missions in the sample tests a number of hypotheses on how context conditions affect the relationship between the level of intrusiveness and peacebuilding outcomes in terms of security and statehood. Favorable context conditions for successful peacebuilding are identified as a low-intensity war, high local demand for peacebuilding, or high socio-economic development. Unfavorable context conditions, by contrast, are a low domestic demand for peacebuilding or low socio-economic development; the intensity of the previous war has ambiguous effects in unfavorable contexts.

The most interesting results of the analysis are that in favorable contexts, missions of low scale (short duration, little manpower and resource endowments) but with high scope (wide-ranging set of tasks and responsibilities) will produce high levels of security and statehood. By contrast, in unfavorable contexts, missions of both high scale and scope will invariably produce peacebuilding failure. This means that post-conflict countries with good structural prospects for peace do not require expensive, long-term external security guarantees but rather international civilian assistance in the form of a provisional take-over of some state functions. But when the conditions on the ground are poor, massive external engagement can even do more harm than good, presumably because the government may be unable or unwilling to absorb the international assistance. Local perceptions also play a role: domestic actors will not enthusiastically cooperate with peacebuilders who they perceive as being intrusive and invasive. It is found that the demand of the local elites for peacebuilding is a necessary condition for both security and statehood.

The third part consists of two detailed case studies. The fuzzy set method cannot detect how exactly these processes unfold. In order to find out what role agency plays in the relationship between context, mission design, and outcomes, the case studies look at the interaction processes between international and domestic actors. The transitional administration UNMIK in Kosovo and the assistance mission UNMIL in Liberia were chosen because they differ on the context factors and on mission design but have similar outcomes. That way, it can be shown how the very intrusive mission in Kosovo spoiled promising conditions, while the assistance mandate of UNMIL in Liberia made the best from unfavorable context conditions. The key to understanding the interaction processes is the asymmetric relationship between both actor groups and their mutual dependencies. In Kosovo, the interim administration has been successful at building state structures, but this technical focus on formalities has not led to the expected trickle-down effect to foster effective decision-making and create a lively democratic culture. The high level of international oversight and external control of the reform and transition process has impeded local actors from developing political responsibilities. Once the local elites and the people of Kosovo had achieved independence from Serbia in 2008, their demand for an international presence has subsided noticeably. In Liberia, the mission mandate was limited to assisting the Liberian government under President Johnson Sirleaf in its own reconstruction and reform efforts. Despite the lack of local capacities and therefore high aid dependency, the country has made considerable progress due to the high domestic demand for peacebuilding and accountable leadership. The case studies therefore confirm the finding from the fs/QCA analysis that the preferences of the domestic actors are crucial. The drive for the reconstruction and reconciliation of a society must first and foremost come from the inside and it can only be supported from the outside.

All in all, the case studies seem to give support to the critics of the friendly takeover strategy and to the advocates of the light footprint approach in post-conflict scenarios. One must note, however, that the peacebuilders are restricted in their selection of local partners and must work with the elected domestic officials if they want to respect the democratic principles that they want to establish. Liberia was a very fortunate case for the international actors in that regard. The reform-oriented government of Liberia was a reliable, cooperative partner that contributed decisively to the peacebuilding process. In one aspect, the case studies do not correspond to the findings from the analysis: The external security guarantee provided by a large contingent of UN blue helmets remained an essential factor for security and stability in both cases even after ten (Kosovo) and seven (Liberia) years after the war end.

The virtue of this study compared to similar research in the field of peacebuilding is the method mix. As Patton (2002: 193) says, “[q]ualitative data can put flesh on the bones of quantitative results, bringing the results to life [...]” Not only could that mix disclose the underlying mechanisms in the relationship between context, mission design, and peacebuilding outcomes and evaluate the contribution of actor’s choices. The detailed case study analyses also showed that quantitative indicators sometimes tell only half of the truth. A close inspection of the indicators used in the fs/QCA analysis in the cases of Kosovo and Liberia revealed that there are some discrepancies, which explains why some of the results of the empirical analysis were not confirmed in the case studies. Further research should examine and test the causal relationship found in the fs/QCA study in more detail by conducting other equally comprehensive case studies. Especially the investigation of cases with structural weaknesses and the explorations of options how best to protect people from the consequences of war in dire contexts of poverty, state failure, and ruthless political elites should be valuable. The fuzzy set analysis only indicates how peacebuilders should not engage in unfavorable contexts – but more research is needed on how to engage there.

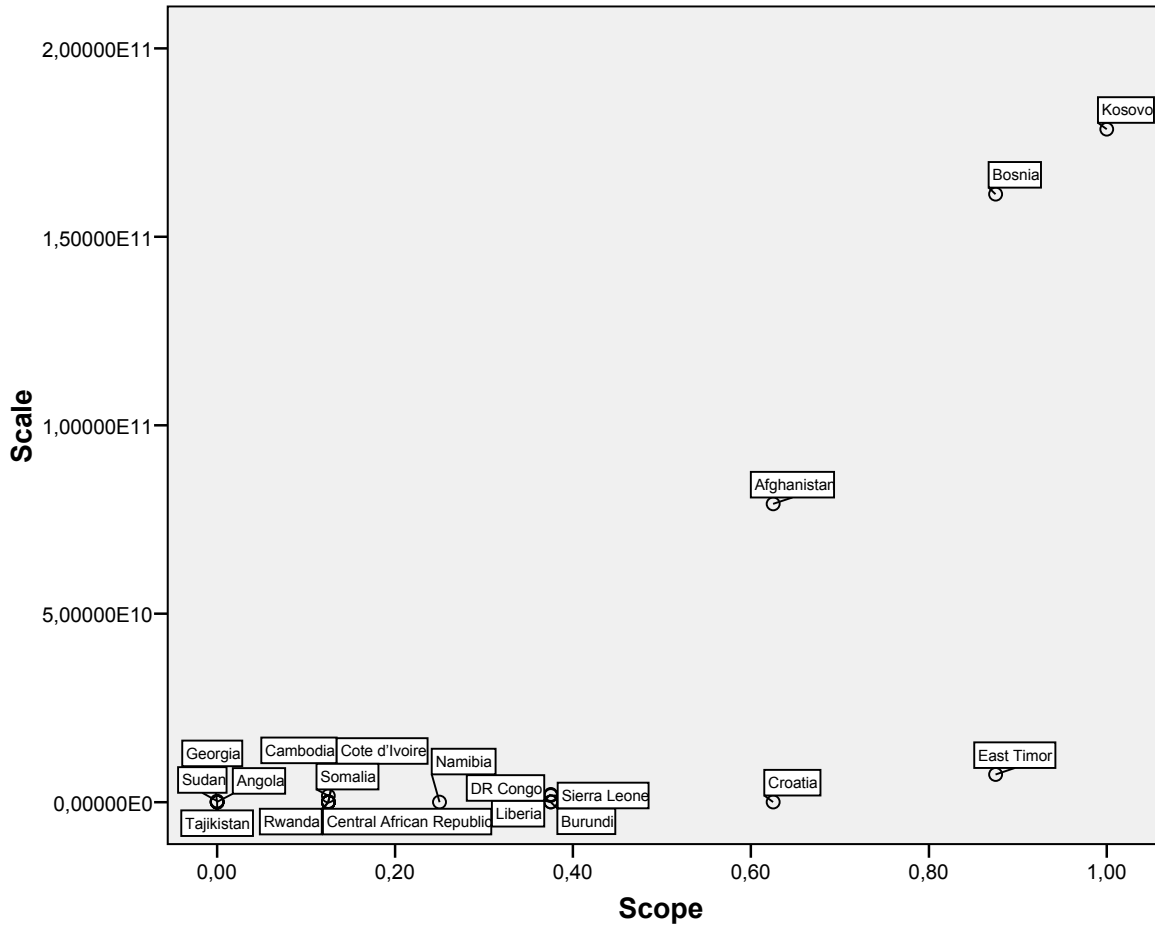
From both analytical steps in this study, some general conclusions can be drawn. First, peacebuilding can support processes that are desired and requested by domestic actors. When international and national actors share the same objectives and engage in a cooperative relationship, the prospects for successful peacebuilding are good.⁴⁷⁹ This is even more so in favorable context conditions, where the previous war has been of low intensity and the country displays high levels of socio-economic development. Then, international presence does not necessarily have to bring much weight and capacities into the post-conflict state. What matters is the substance of their mandates and the appropriate case-specific means to support internal reform processes. If externally-led peacebuilding is unwanted and unrequested by local actors, it can still achieve limited objectives, but the sustainability of these achievements is uncertain when they are not supported and maintained by local actors. Large-scale peace missions, especially those with a large military component, can even impair a peacebuilding process: When some local actors perceive missions with merely a pro forma peacebuilding element more as a hostile invasion than a well-intended effort, they will boycott the attempt. This can indeed result in more violence when security forces or rebels drag the international troops into open combat, as the examples of Afghanistan and Somalia illustrate. Soldiers can only end violence but they cannot solve political problems and build peace.

⁴⁷⁹ This confirms parts of the model on bargaining processes between peacebuilders and local elites presented by Zuercher (2010).

This is not to say that post-conflict peacebuilding is an “illusion” (Bliesemann de Guevara and Kuehn, 2010). The straightforward policy recommendation from this study is not to invest ever more time and resources and to make peacebuilding generally more intrusive but to design missions according to the case-specific context. Good contexts will generally produce good peacebuilding outcomes, while bad contexts will produce poor outcomes. The more ambitious policy recommendation that follows from this is to engage in the long run in developing and fragile states to improve the context conditions. “An ounce of prevention is worth a pound of cure”, as Liberian President Johnson Sirleaf put it (2009: 305).

VII. ANNEX

1. Correlation of Mission Scale and Scope



2. Two-step fs/QCA Analyses of Sufficient Conditions

2.1. Two-Step Test of Sufficiency for the Outcome Security

2.1.1. Remote Conditions for Security

2.1.1.1. Truth Table

war	socio-econ	demand	number	security	raw consist.	PRI consist.	product
0	1	1	3	1	0.941926	0.758824	0.714756
1	1	1	5	1	0.934247	0.764706	0.714424
0	1	0	1	1	0.914683	0.022728	0.020789
1	1	0	1	1	0.862709	0.013334	0.011503
0	0	1	1	1	0.830964	0.286667	0.238210
0	0	0	3	1	0.816614	0.323699	0.264337
1	0	1	4	1	0.783286	0.238806	0.187054
1	0	0	4	0	0.666667	0.060150	0.040100

frequency cutoff: 1.000000
 consistency cutoff: 0.783286

2.1.1.2. Possible Solutions

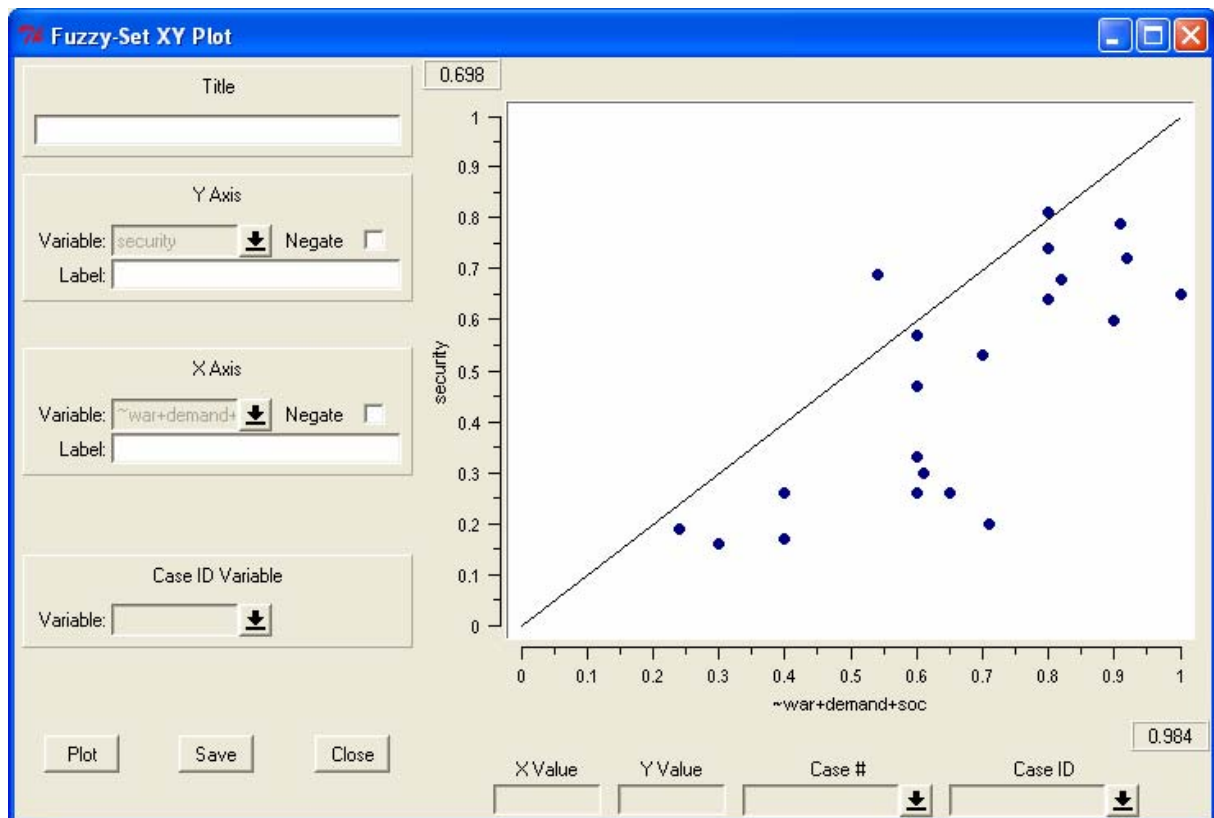
Test no.	Consistent Rows	Consistency Cut-off	Solution	Solution Consistency	Solution Coverage
1	7/8	0.783286	~war + demand + soc-econ	0.697931	0.984436
2	6/8	0.816614	~war + soc-econ	0.728236	0.935798
3	5/8	0.830964	~war*demand + soc-econ	0.757025	0.891051
4	4/8	0.862709	soc-econ	0.797323	0.811284
5	3/8	0.914683	~war*soc-econ + demand*soc-econ	0.859794	0.811284

Note: Solution 1 was selected because lenient conditions are applied and the consistency cut-off score for accepting the ideal type as a sufficient condition is set to 0.75.

2.1.1.3. Selected Solution

	Raw Coverage	Unique Coverage	Consistency
~war	0.771401	0.044747	0.789841
demand	0.939689	0.048638	0.779032
soc-econ	0.811284	0.000000	0.797323
solution coverage: 0.984436			
solution consistency: 0.697931			

2.1.1.4. Graph



2.1.2. Proximate Conditions for Security

2.1.2.1. Dataset for Favorable Context ~war+demand+soc-econ

The screenshot shows the 'FS/QCA Data Sheet' window with a menu bar (File, Variables, Cases, Analyze, Graphs) and a data table. The table has 18 rows (Case 1-18) and 8 columns (case, war, soc-econ, scale, scope, security, demand). The 'Tajikistan' row is highlighted in blue.

Case	case	war	soc-econ	scale	scope	security	demand
1	Angola	0.79	0.65	0.06	0.05	0.26	0.4
2	Bosnia	0.61	0.9	0.99	0.9	0.6	0.8
3	Burundi	0.63	0.19	0.05	0.32	0.26	0.6
4	Cambodia	0.53	0.31	0.06	0.1	0.47	0.6
5	Central African Republic	0.08	0.28	0.05	0.1	0.72	0.4
6	Côte d'Ivoire	0.43	0.61	0.07	0.1	0.3	0.4
7	Croatia	0.34	0.91	0.06	0.68	0.79	0.8
8	DR Congo	0.52	0.3	0.06	0.32	0.26	0.6
9	East Timor	0.58	0.55	0.55	0.9	0.74	0.8
10	El Salvador	0.56	0.75	0.05	0.1	0.81	0.8
11	Georgia	0.3	0.66	0.05	0.05	0.53	0.6
12	Guatemala	0.6	0.75	0.05	0.05	0.64	0.8
13	Kosovo	0.27	1	1	0.95	0.65	0.8
14	Liberia	0.46	0.22	0.51	0.32	0.69	0.4
15	Mozambique	0.69	0.16	0.05	0.1	0.57	0.6
16	Namibia	0.65	0.82	0.05	0.18	0.68	0.8
17	Sierra Leone	0.29	0.19	0.51	0.32	0.2	0.4
18	Tajikistan	0.48	0.39	0.06	0.05	0.33	0.6

File: 05-08 Security ALL favourable conditions.dat

2.1.2.2. Truth Table

The screenshot shows the 'Edit Truth Table' dialog box with a menu bar (File, Edit, Sort) and a table. The table has 4 rows and 7 columns (scale, scope, number, security, raw consist., PRI consist., product). The 'raw consist.' column has a dropdown arrow next to its header. Below the table are three buttons: 'Specify Analysis', 'Cancel', and 'Standard Analyses'.

scale	scope	number	security	raw consist.	PRI consist.	product
0	1	1	1	0.927273	0.736264	0.682717
1	0	2	0	0.844221	0.392157	0.331067
1	1	3	0	0.807487	0.526316	0.424993
0	0	12	0	0.585510	0.308017	0.180347

Buttons: Specify Analysis, Cancel, Standard Analyses

frequency cutoff: 1.000000
 consistency cutoff: 0.927273

2.1.2.3. Solution Output

	Raw Coverage	Unique Coverage	Consistency
~scale*scope	0.322105	0.322105	0.927273
solution coverage: 0.322105			
solution consistency: 0.927273			

2.2. Two-Step Test of Sufficiency for the Outcome Absence of Security

2.2.1. Remote Conditions for the Absence of Security

2.2.1.1. Truth Table

The screenshot shows a software window titled "Edit Truth Table" with a menu bar (File, Edit, Sort) and a table of data. The table has 8 columns: war, socio-econ, demand, number, ~security, raw consist., PRI consist., and product. There are 9 rows of data. Below the table are three buttons: "Specify Analysis", "Cancel", and "Standard Analyses".

war	socio-econ	demand	number	~security	raw consist.	PRI consist.	product
1	1	0	1	1	0.998145	0.986666	0.984836
0	1	0	1	1	0.998016	0.977272	0.975333
1	0	0	4	1	0.978667	0.939850	0.919799
0	0	1	1	1	0.932070	0.713333	0.664876
1	0	1	4	1	0.927762	0.746269	0.692360
0	0	0	3	1	0.912226	0.676301	0.616939
0	1	1	3	0	0.796034	0.152941	0.121746
1	1	1	5	0	0.784932	0.230392	0.180842

frequency cutoff: 1.000000
 consistency cutoff: 0.912226

2.2.1.2. Possible Solutions

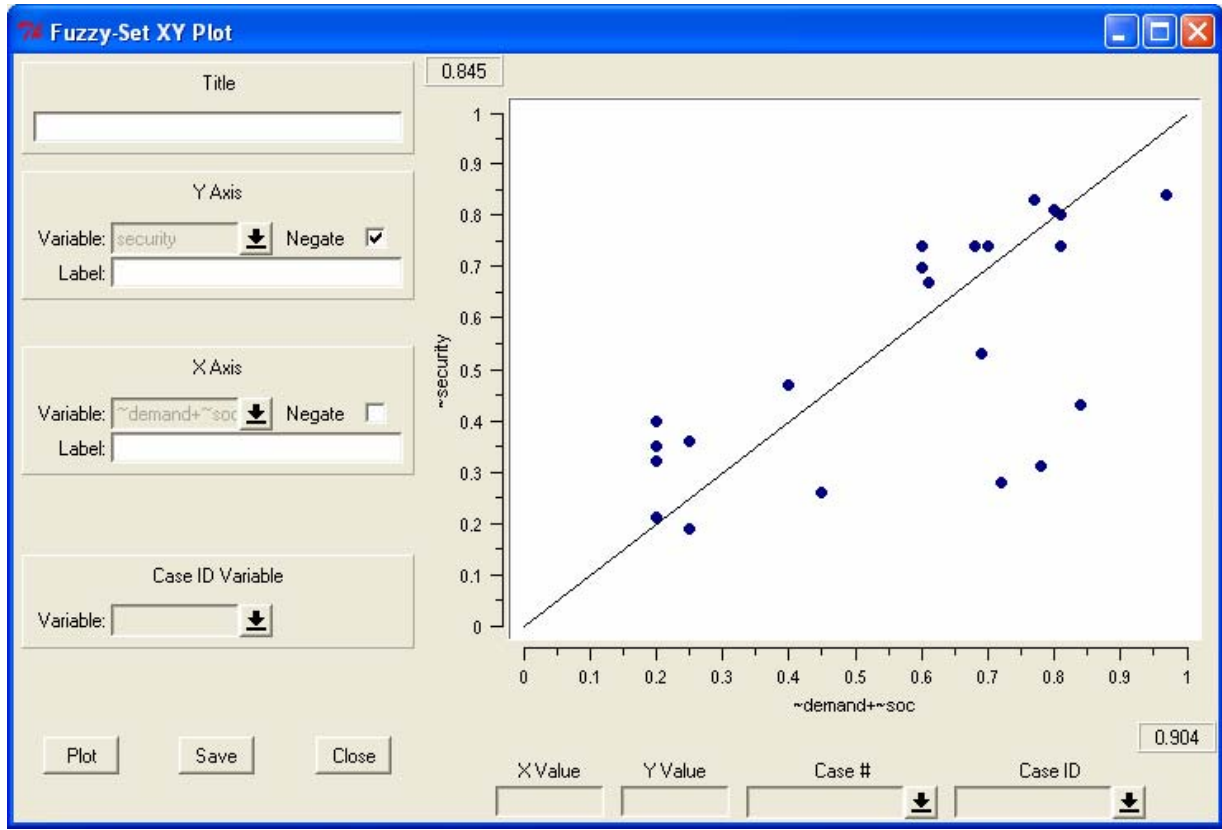
Test no.	Consistent Rows	Consistency Cut-off	Solution	Solution Consistency	Solution Coverage
1	8/8	0.784932	Error (Quine-McCluskey): The matrix contains all configurations		
2	7/8	0.796034	~war + ~socio-econ + ~demand	0.764626	0.959044
3	6/8	0.912226	~demand + ~soc-econ	0.845172	0.903584

Note: Solution 3 was selected because the solution term of test number 1 covers all cases and can therefore not be interpreted and solution number 2 has a consistency cut-off that is too close to that of solution number 1. Solution number 3 therefore provides the least ambiguous solution but the selection criteria applied are still lenient enough to allow for further specification in the next analytical step.

2.2.1.3. Selected Solution

	Raw Coverage	Unique Coverage	Consistency
~demand	0.766212	0.084471	0.935417
~socio-econ	0.819113	0.137372	0.831889
solution coverage: 0.903584			
solution consistency: 0.845172			

2.2.1.4. Graph



2.2.2. Proximate Conditions for the Absence of Security

2.2.2.1. Dataset for Unfavorable Context ~demand + ~socio-econ

Case	case	war	soc-econ	scale	scope	security	demand
1	Afghanistan	0.89	0.24	0.91	0.68	0.19	0.2
2	Angola	0.79	0.65	0.06	0.05	0.26	0.4
3	Burundi	0.63	0.19	0.05	0.32	0.26	0.6
4	Cambodia	0.53	0.31	0.06	0.1	0.47	0.6
5	Central African Republic	0.08	0.28	0.05	0.1	0.72	0.4
6	Côte d'Ivoire	0.43	0.61	0.07	0.1	0.3	0.4
7	DR Congo	0.52	0.3	0.06	0.32	0.26	0.6
8	Liberia	0.46	0.22	0.51	0.32	0.69	0.4
9	Mozambique	0.69	0.16	0.05	0.1	0.57	0.6
10	Rwanda	0.61	0.23	0.05	0.1	0.17	0.4
11	Sierra Leone	0.29	0.19	0.51	0.32	0.2	0.4
12	Somalia	0.7	0.03	0.51	0.1	0.16	0.2
13	Sudan	0.95	0.32	0.1	0.05	0.26	0.4
14	Tajikistan	0.48	0.39	0.06	0.05	0.33	0.6

File: 05-08 Non-Security ALL favourable conditions.dat

2.2.2.2. Truth Table

scale	scope	number	~security	raw consist.	PRI consist.	product
0	1	0	0	0.995283	0.960000	0.955472
1	1	1	1	0.994898	0.983871	0.978851
1	0	3	0	0.918699	0.797980	0.733103
0	0	10	0	0.750980	0.604361	0.453864

Buttons: Specify Analysis, Cancel, Standard Analyses

frequency cutoff: 1.000000
 consistency cutoff: 0.994898

2.2.2.3. Solution Output

	Raw Coverage	Unique Coverage	Consistency
scope*scale	0.212882	0.212882	0.994898
solution coverage: 0.212882			
solution consistency: 0.994898			

2.3. Two-Step Test of Sufficiency for the Outcome Statehood

2.3.1. Remote Conditions for Statehood

2.3.1.1. Truth Table

war	socio-econ	demand	number	statehood	raw consist.	PRI consist.	product
1	1	1	5	1	0.954795	0.843602	0.805467
0	1	1	3	1	0.939094	0.779488	0.732012
0	1	0	1	1	0.916667	0.363636	0.333333
1	1	0	1	1	0.897959	0.236111	0.212018
0	0	1	1	1	0.862559	0.121212	0.104553
1	0	1	4	1	0.841360	0.238095	0.200324
0	0	0	3	1	0.830721	0.060869	0.050565
1	0	0	4	0	0.722667	0.023474	0.016964

frequency cutoff: 1.000000
consistency cutoff: 0.830721

2.3.1.2. Possible Solutions

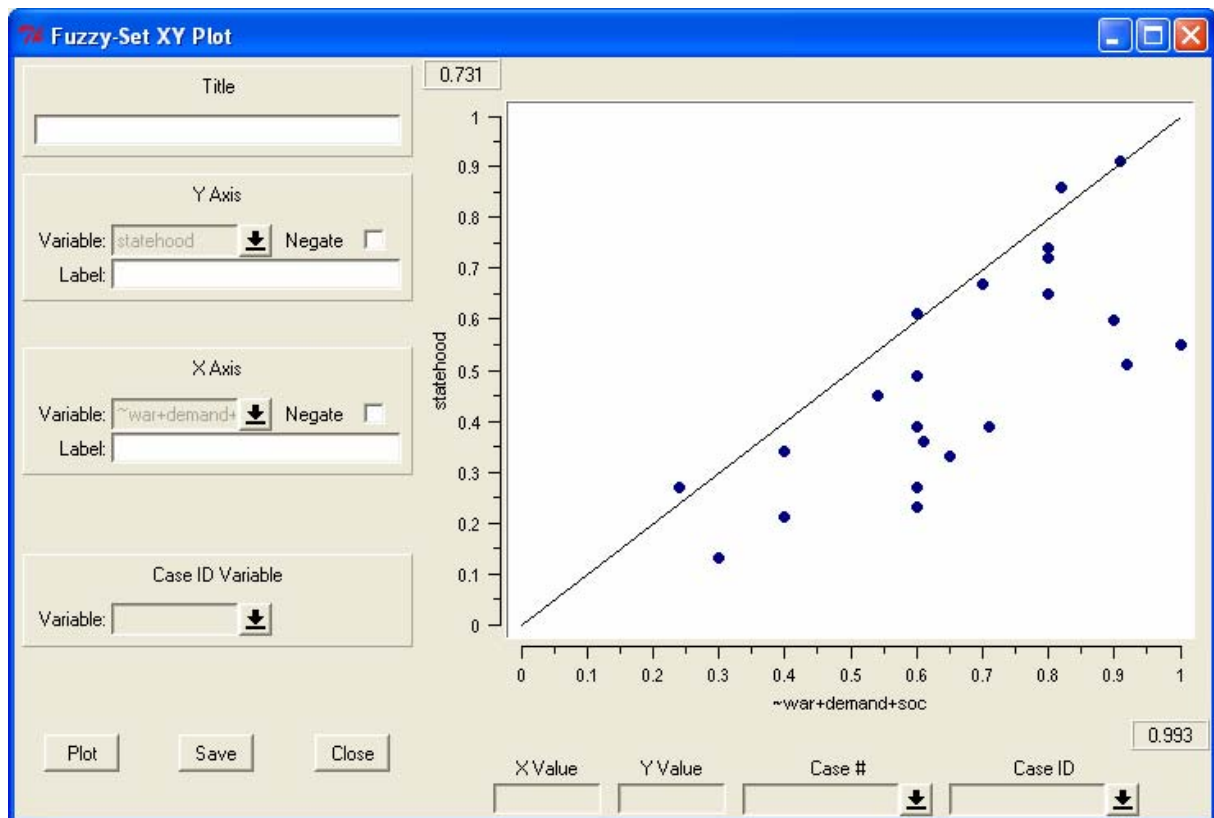
Test no.	Consistent Rows	Consistency Cut-off	Solution	Solution Consistency	Solution Coverage
1	7/8	0.830721	~war + soc-econ + demand	0.731035	0.992509
2	6/8	0.841360	soc-econ + demand	0.778940	0.976592
3	5/8	0.862559	soc-econ + ~war*demand	0.818182	0.926966
4	4/8	0.897959	soc-econ	0.849904	0.832397
5	3/8	0.916667	soc-econ*~war + demand*soc-econ	0.898969	0.816479

Note: Solution 1 was selected because lenient conditions are applied and the consistency cut-off score for accepting the ideal type as a sufficient condition is set to 0.75.

2.3.1.3. Selected Solution

	Raw Coverage	Unique Coverage	Consistency
~war	0.736891	0.015918	0.783864
socio-econ	0.832397	0.015918	0.849904
demand	0.955056	0.049626	0.822581
solution coverage: 0.992509			
solution consistency: 0.731035			

2.3.1.4. Graph



2.3.2. Proximate Conditions for Statehood

2.3.2.1. Dataset for Favorable Context ~war + socio-econ + demand

The screenshot shows the 'FS/QCA Data Sheet' window with a menu bar (File, Variables, Cases, Analyze, Graphs) and a data table. The table has columns for 'Case', 'case', 'war', 'soc-econ', 'scale', 'scope', 'security', 'demand', and 'statehood'. The data is as follows:

Case	case	war	soc-econ	scale	scope	security	demand	statehood
1	Angola	0.79	0.65	0.06	0.05	0.26	0.4	0.33
2	Bosnia	0.61	0.9	0.99	0.9	0.6	0.8	0.6
3	Burundi	0.63	0.19	0.05	0.32	0.26	0.6	0.49
4	Cambodia	0.53	0.31	0.06	0.1	0.47	0.6	0.39
5	Central African Republic	0.08	0.28	0.05	0.1	0.72	0.4	0.51
6	Côte d'Ivoire	0.43	0.61	0.07	0.1	0.3	0.4	0.36
7	Croatia	0.34	0.91	0.06	0.68	0.79	0.8	0.91
8	DR Congo	0.52	0.3	0.06	0.32	0.26	0.6	0.32
9	East Timor	0.58	0.55	0.55	0.9	0.74	0.8	0.65
10	El Salvador	0.56	0.75	0.05	0.1	0.81	0.8	0.72
11	Georgia	0.3	0.66	0.05	0.05	0.53	0.6	0.67
12	Guatemala	0.6	0.75	0.05	0.05	0.64	0.8	0.74
13	Kosovo	0.27	1	1	0.95	0.65	0.8	0.55
14	Liberia	0.46	0.22	0.51	0.32	0.69	0.4	0.45
15	Mozambique	0.69	0.16	0.05	0.1	0.57	0.6	0.61
16	Namibia	0.65	0.82	0.05	0.18	0.68	0.8	0.86
17	Sierra Leone	0.29	0.19	0.51	0.32	0.2	0.4	0.39
18	Tajikistan	0.48	0.39	0.06	0.05	0.33	0.6	0.27

File: 05-08 Security ALL favourable conditions.dat

2.3.2.2. Truth Table

The screenshot shows the 'Edit Truth Table' dialog box with a menu bar (File, Edit, Sort) and a table. The table has columns for 'scale', 'scope', 'number', 'statehood', 'raw consist.', 'PRI consist.', and 'product'. The data is as follows:

scale	scope	number	statehood	raw consist.	PRI consist.	product
0	1	1	1	1.000000	1.000000	1.000000
1	0	2	0	0.909548	0.000000	0.000000
1	1	3	0	0.812834	0.416667	0.338681
0	0	12	0	0.631845	0.355457	0.224594

Buttons: Specify Analysis, Cancel, Standard Analyses

frequency cutoff: 1.000000
 consistency cutoff: 1.000000

2.3.2.3. Solution Output

	Raw Coverage	Unique Coverage	Consistency
~scale*scope	0.336049	0.336049	1.000000
solution coverage: 0.336049			
solution consistency: 1.000000			

2.4. Two-Step Test of Sufficiency for the Outcome Absence of Statehood

2.4.1. Remote Conditions for the Absence of Statehood

2.4.1.1. Truth Table

The screenshot shows a software window titled "Edit Truth Table" with a menu bar (File, Edit, Sort) and a table of data. The table has 8 columns: war, socio-econ, demand, number, ~statehood, raw consist., PRI consist., and product. There are 10 rows of data. Below the table are three buttons: "Specify Analysis", "Cancel", and "Standard Analyses".

war	socio-econ	demand	number	~statehood	raw consist.	PRI consist.	product
1	0	0	4	1	0.989333	0.962441	0.952175
0	0	1	1	1	0.981043	0.878788	0.862129
0	0	0	3	1	0.974922	0.860869	0.839280
1	1	0	1	1	0.968460	0.763889	0.739796
0	1	0	1	1	0.952381	0.636363	0.606060
1	0	1	4	1	0.937677	0.700680	0.657012
0	1	1	3	0	0.759207	0.128205	0.097334
1	1	1	5	0	0.754795	0.151659	0.114471

frequency cutoff: 1.000000
 consistency cutoff: 0.937677

2.4.1.2. Possible Solutions

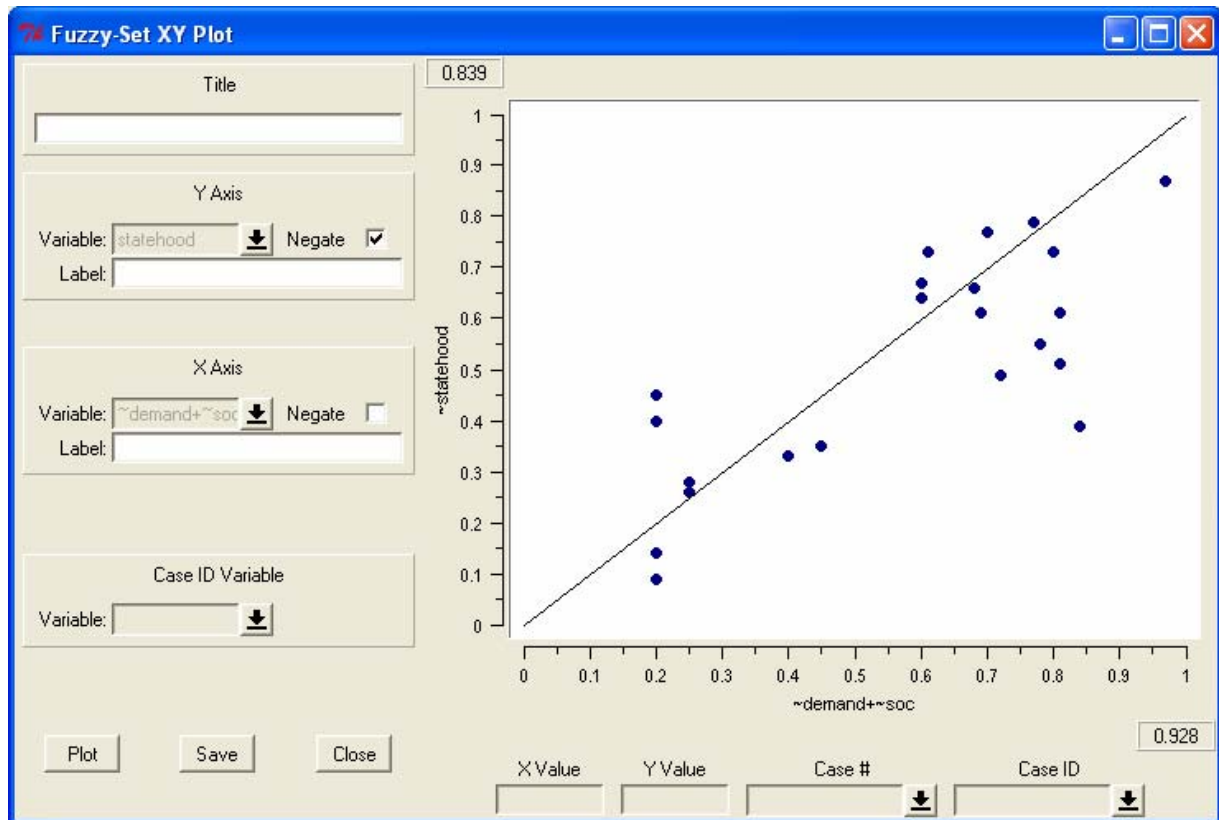
Test no.	Consistent Rows	Consistency Cut-off	Solution	Solution Consistency	Solution Coverage
1	8/8	0.754795	Error (Quine-McCluskey): The matrix contains all configurations		
2	7/8	0.759207	~war + ~socio-econ + ~demand	0.747619	0.970848
3	6/8	0.937677	~demand + ~socio-econ	0.838787	0.928445

Note: Solution 3 was selected because the solution term of test number 1 covers all cases and can therefore not be interpreted and solution number 2 has a consistency cut-off that is too close to that of solution number 1. Solution number 3 therefore provides the least ambiguous solution but the selection criteria applied are still lenient enough to allow for further specification in the next analytical step.

2.4.1.3. Selected Solution

	Raw Coverage	Unique Coverage	Consistency
~demand	0.805654	0.067138	0.950000
~socio-econ	0.861307	0.122792	0.844887
solution coverage: 0.928445			
solution consistency: 0.838787			

2.4.1.4. Graph



2.4.2. Proximate Conditions for the Absence of Statehood

2.4.2.1. Dataset for Unfavorable Context ~demand + ~socio-econ

The screenshot shows the 'FS/QCA Data Sheet' window with a menu bar (File, Variables, Cases, Analyze, Graphs) and a data table. The table has columns for Case, case, war, socio-econ, demand, scale, scope, security, and statehood. The data is as follows:

Case	case	war	socio-econ	demand	scale	scope	security	statehood
1	Afghanistan	0.89	0.24	0.2	0.91	0.68	0.19	0.27
2	Angola	0.79	0.65	0.4	0.06	0.05	0.26	0.33
3	Burundi	0.63	0.19	0.6	0.05	0.32	0.26	0.49
4	Cambodia	0.53	0.31	0.6	0.06	0.1	0.47	0.39
5	Central African Republic	0.08	0.28	0.4	0.05	0.1	0.72	0.51
6	Côte d'Ivoire	0.43	0.61	0.4	0.07	0.1	0.3	0.36
7	DR Congo	0.52	0.3	0.6	0.06	0.32	0.26	0.23
8	Liberia	0.46	0.22	0.4	0.51	0.32	0.69	0.45
9	Mozambique	0.69	0.16	0.6	0.05	0.1	0.57	0.61
10	Rwanda	0.61	0.23	0.4	0.05	0.1	0.17	0.21
11	Sierra Leone	0.29	0.19	0.4	0.51	0.32	0.2	0.39
12	Somalia	0.7	0.03	0.2	0.51	0.1	0.16	0.13
13	Sudan	0.95	0.32	0.4	0.1	0.05	0.26	0.34
14	Tajikistan	0.48	0.39	0.6	0.06	0.05	0.33	0.27

File: 12-08 Non-statehood all favourable conditions.dat

2.4.2.2. Truth Table

The screenshot shows the 'Edit Truth Table' dialog box with a menu bar (File, Edit, Sort) and a truth table. The table has columns for scale, scope, number, ~statehood, raw consist., PRI consist., and product. The data is as follows:

scale	scope	number	~statehood	raw consist.	PRI consist.	product
0	1	0	0	1.000000	1.000000	1.000000
1	0	3	1	1.000000	1.000000	1.000000
1	1	1	1	1.000000	1.000000	1.000000
0	0	10	0	0.757843	0.562057	0.425951

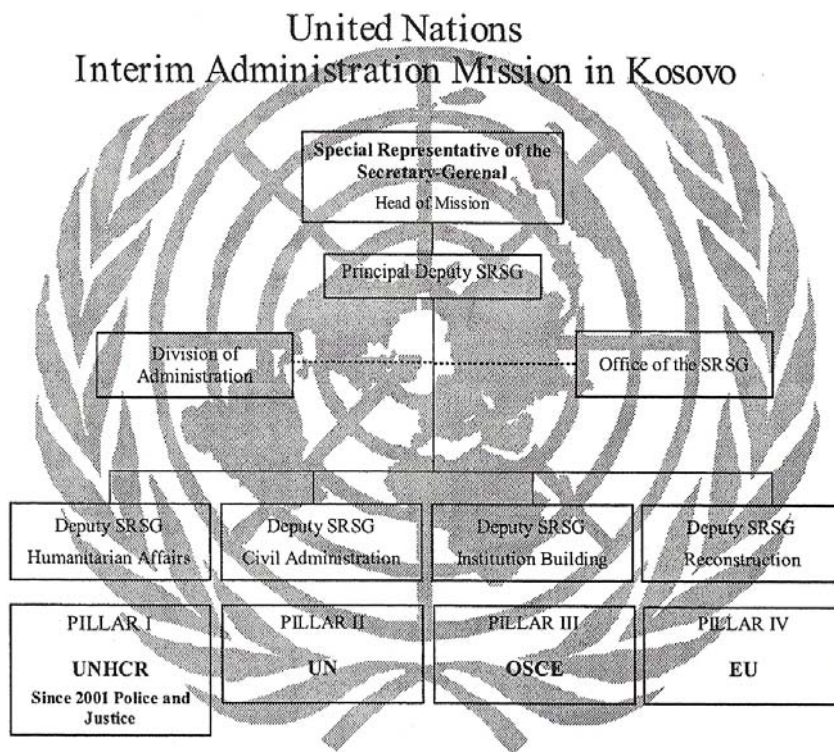
Buttons: Specify Analysis, Cancel, Standard Analyses

frequency cutoff: 1.000000
 consistency cutoff: 1.000000

2.4.2.3. Solution Output

	Raw Coverage	Unique Coverage	Consistency
scale	0.318182	0.318182	0.940984
solution coverage: 0.318182			
solution consistency: 0.940984			

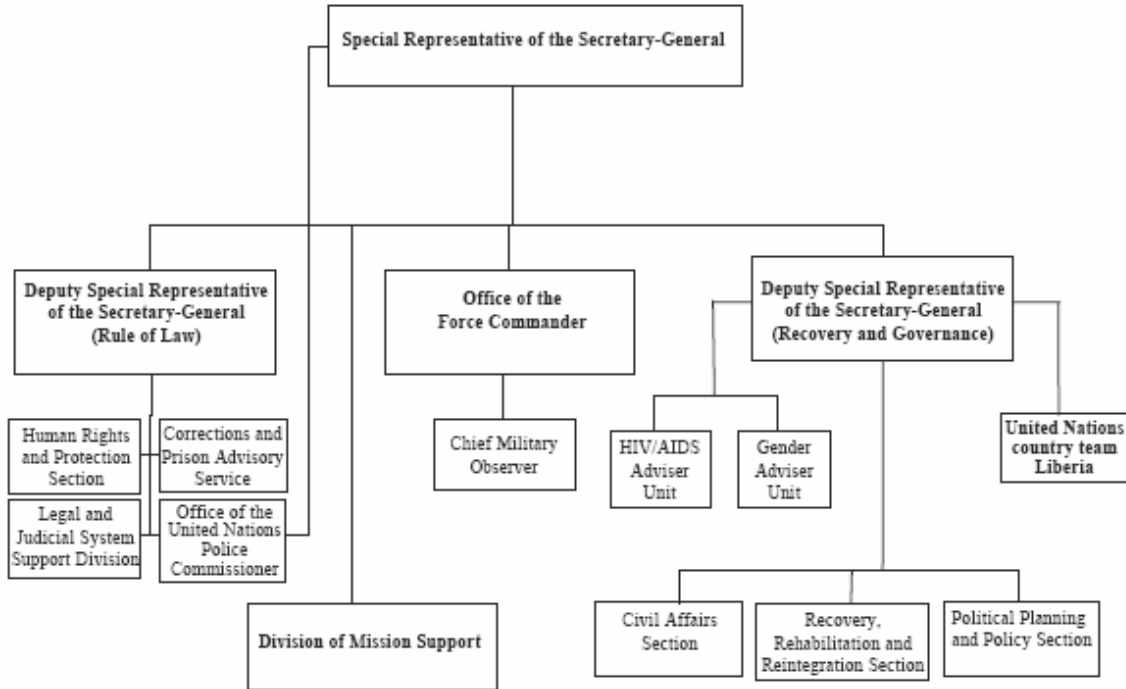
3. UNMIK Organizational Chart



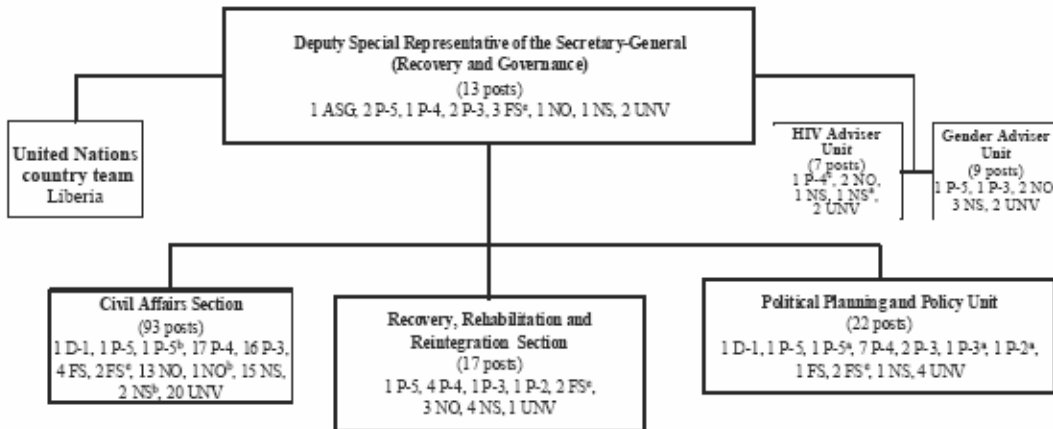
Source: Rossbacher (2004: 142)

4. UNMIL Organizational Chart

A. Substantive offices of the United Nations Mission in Liberia



D. Office of the Deputy Special Representative of the Secretary-General (Recovery and Governance)



- * New post.
- ^b Redeployed post.
- ^c Reclassified post.
- ^d Funded under general temporary assistance.
- ^e Post converted to Field Service category.

Source: www.unmil.org

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Kurzzusammenfassung der Ergebnisse

In der Dissertation werden drei empirische Fragen beantwortet: Erstens, gibt es einen Trend hin zu immer umfangreicheren UNO-Friedensmissionen? Zweitens, falls so einen Trend zu beobachten ist, sind diese Missionen auch immer erfolgreicher geworden hinsichtlich der Schaffung von Sicherheit und Staatlichkeit und rechtfertigen damit die Fortführung der Entwicklung? Und drittens, welche Kausalmechanismen wirken in der Beziehung zwischen dem Umfang von Friedensmissionen und den erreichten Ergebnissen?

Die Arbeit gliedert sich in drei Teile. Der erste Teil umfasst eine Beschreibung der Evolution von Interventionen und eine detaillierte deskriptive Analyse einer Fallauswahl von 22 modernen UNO-Friedensmissionen seit 1990. Man kann zeigen, dass Friedensmissionen generell umfangreicher und ambitionierter geworden sind. Im Gegensatz zu traditionellen *peacekeeping*-Missionen, versuchen die neueren *peacebuilding*-Missionen, sowohl Kriege zu beenden, als auch Staaten nach Konflikt wieder aufzubauen und damit zur Versöhnung von Gesellschaften beizutragen.

Im zweiten Teil der Arbeit werden Daten zu Missionsdauer, Personalstärke, Kosten und zum Umfang der übernommenen Exekutivaufgaben analysiert. Diese Daten werden zu einem Index ‚*intrusiveness*‘ zusammengefasst. Dieser zeigt, dass der Umfang von Friedensmissionen in den letzten 20 Jahren zunächst zugenommen hat. Diese Entwicklung wurde allerdings nicht fortgesetzt, als die UNO-Übergangsverwaltungen in Bosnien, Ost-Timor und Kosovo nicht wie erwartet erfolgreich waren. Im Anschluss zeigt die Dissertation mit einer zweistufigen Fuzzy-Set-QCA-Analyse der Fallauswahl, dass der Erfolg von Friedensmissionen nicht nur vom Design der Mission abhängig ist, sondern auch vom Kontext. Je weniger intensiv der Krieg war, je höher ökonomisch und sozial entwickelt das Land ist und je größer die lokale Nachfrage nach externer Unterstützung im Friedensprozess ist, desto eher kommt es zu Erfolg hinsichtlich Sicherheit und Staatlichkeit. Unter diesen günstigen Voraussetzungen führt wenig Präsenz (Dauer, Personal, Kosten) in Kombination mit umfangreichen Kompetenzen am ehesten zu Erfolg. Unter ungünstigen Voraussetzungen hingegen führen umfangreiche Missionen zu Misserfolg und unter Umständen zum erneuten Ausbruch von Gewalt.

Der dritte Teil der Studie legt zwei Fallstudien vor, um die Ergebnisse der vorherigen Analyse zu ergänzen. Darin werden detailliert die Interaktionsprozesse zwischen externen und lokalen Akteuren untersucht und gezeigt, wie sich der Grad der Einbeziehung lokaler Eliten in den Wiederaufbauprozess auf die Staats- und Friedensbildung auswirkt. Die Fallstudie zur internationalen Übergangsverwaltung im Kosovo macht deutlich, dass massives externes Engagement und die Schaffung von nationaler Eigenverantwortung im Wiederaufbau- und Reformprozess gegenläufige Prozesse sind. Die Fallstudie zur Mission in Liberia, die nur ein Unterstützungsmandat hatte, veranschaulicht, dass trotz ungünstiger Voraussetzungen und Abhängigkeit von externer Finanzierung und technischer Unterstützung Erfolg möglich ist, wenn die lokale Nachfrage nach *peacebuilding* groß ist. Aus beiden Fallstudien lässt sich schlussfolgern, dass UNO-Friedensmissionen zwar lokale Prozesse unterstützen können, der Wunsch nach Frieden und Wiederaufbau aber aus der Gesellschaft selbst kommen muss.

Summary of the Results

Three empirical questions are asked in the study: First, can one observe a trend of interventions and specifically of the intrusiveness of UN peace missions? Second, if peace missions have become more intrusive over time, is that trend justified and can one find that more intrusive peace missions produce better outcomes in terms of security and statehood? Third, what are the causalities behind the relationship of mission intrusiveness and peacebuilding outcomes?

The study is divided into three parts to answer these questions. In the first part, an outline of the evolution of interventions and a detailed descriptive analysis of 22 post-Cold War UN peacebuilding missions reveals that peace missions have generally become more ambitious. Unlike the traditional peacekeeping missions, modern peacebuilding missions not only aim at ending wars but at rebuilding states and reconciling societies.

In the second part of the study, data on mission duration, manpower, expenditures, and on the range of tasks and responsibilities taken on by the peacebuilders are collected and analyzed for the sample. These data are then combined into an innovative index for mission intrusiveness. The depiction of the intrusiveness index on a time line reveals that the trend of increasing intrusiveness has reached its peak in the early 2000s with the transitional administrations in Bosnia, East Timor, and Kosovo. The most recent peacebuilding missions have again been smaller in scale and scope. The novelty of this study is that it puts mission intrusiveness into perspective. It is argued that not a certain level of mission intrusiveness per se leads to a certain outcome, but that in order to be successful the mission design has to be the best response to the demands on the ground. What matters is the context in which missions are deployed, meaning the intensity of the previous war, the local demand for peacebuilding, and socio-economic development. A systematic two-step fuzzy set QCA analysis of the sample tests finds that in favorable contexts, missions of low scale (short duration, little manpower and resource endowments) but with high scope (wide-ranging set of tasks and responsibilities) will produce high levels of security and statehood. By contrast, in unfavorable contexts, missions of both high scale and scope will produce peacebuilding failure. It is also found that the demand of the local elites for peacebuilding is a necessary condition for both security and statehood.

The third part presents two detailed case studies. In order to find out what role agency plays in the relationship between context, mission design, and outcomes, the case studies look at the interaction processes between international and domestic actors. In Kosovo, the UN interim administration has been successful at building state structures, but this technical focus on formalities has not led to the expected trickle-down effect to foster effective decision-making and create a lively democratic culture. The high level of international oversight and external control of the transition process has impeded local actors from developing political responsibilities. Once the local elites and the people of Kosovo had achieved independence from Serbia in 2008, their demand for an international presence has subsided noticeably. In Liberia, the mission mandate was limited to assisting the Liberian government under President Johnson Sirleaf in its own reconstruction and reform efforts. Despite the lack of local capacities and therefore high aid dependency, the country has made considerable progress due to the high domestic demand for peacebuilding. From the case studies, one can conclude that the impetus for state reconstruction and reconciliation of a society must first and foremost come from the inside and can only be supported from the outside.