

# State Building, Sovereignty, and Success: The Normative and Practical Implications of Multilateralism

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## Abstract

What should post-conflict state building missions by external actors look like? What form should they take? Over the past century, the U.S. has conducted numerous state building missions under diverse circumstances. These missions are largely driven by the belief that failed or rogue states can cause political disorder that fuels security threats such as transnational terrorist networks. As such, there are certain needs for state building missions regarding both local and international populations. Yet, critics have raised concerns about the violation of sovereignty that those missions could entail. By examining the positive and negative ramifications of state building missions by external actors, this paper argues that multilateralism can improve the performance of a state building mission while minimizing its detrimental effects on the principle of sovereignty. First, multilateralism is less harmful to the norm of sovereignty and autonomy of a new regime than unilateralism because it is relatively immune to a particular state's self-serving motives. Second, multilateralism can alleviate resistance from nationalist local elites, thereby increasing the chances of stability after the departure of state building actors. Hence, this paper concludes that multilateralism is the most appropriate form of state building missions for both normative and practical reasons.

## Introduction

Over the past century, the U.S. has conducted numerous state building missions under diverse circumstances, all based on the belief that failed or rogue states can fuel security threats both domestically and internationally.<sup>1</sup> Although state building has emerged as an important issue on the agenda of American foreign policy as well as international security, there is no clear consensus on the most appropriate form of state building missions. While multilateral state building was implemented in places like Bosnia and Herzegovina (BiH), in other places like Haiti and Afghanistan, state building missions were largely unilaterally organized and led by the U.S. alone. This paper aims to answer two of the most fundamental questions on state building: What should state building missions by external actors look like? What form should they take?

This paper argues that multilateralism is the most appropriate form of state building missions. First, multilateralism is less detrimental to the norm of sovereignty and autonomy of a new regime than unilateralism. Second, multilateral state building missions can alleviate resistance from nationalist local elites, thereby increasing the chances of stability after the departure of state builders. Hence, multilateralism is a better form of state building, as it is justifiable in regard to the norm of state sovereignty and leads to better state building outcomes.

This paper is divided into four sections. The first section briefly gives an overview of the literature on state building missions and discusses important theories as well as pitfalls in existing studies. The next section delineates my argument and provides a detailed explanation on its theoretical framework. The third section presents empirical evidence to demonstrate that the theory properly reflects the reality on the ground. This section includes two case studies on BiH and Haiti, which faced similar difficulties when state building missions started but which experienced different outcomes. Finally, this paper ends with concluding remarks on its implications.

## Literature Review and Theoretical Background

### *What is State Building?*

State building is a broad and often loosely-defined term that encompasses economic, political, social, historical, and cultural aspects. Due to its multifaceted and interdisciplinary nature, there is no consensus on the definition of state building. In the fields of political science and international relations, the term “state building” is often conflated with nation building.<sup>2</sup> Although these terms might be used interchangeably in certain contexts, there is a non-trivial difference between state building and nation building. State building focuses mainly on (re)building institutions and state apparatuses in order to restore and enhance a state’s capacity to govern.<sup>3</sup> On the other hand, nation building encompasses much broader issues of history, culture, and national identity.<sup>4</sup> Hence, some scholars question the plausibility of nation building projects, believing that national identity cannot be socially engineered. For instance, Mason argues that nation building is impossible because “nations are not built” through short-term external interventions.<sup>5</sup> As such, although they are sometimes used interchangeably, state

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<sup>1</sup> Piazza, “Incubators of Terror,” 470-472.

<sup>2</sup> Goetze and Guzina, “Peacebuilding, Statebuilding, Nationbuilding,” 327.

<sup>3</sup> OECD, “Supporting Statebuilding,” 11-14.

<sup>4</sup> Conner, “Nation-Building or Nation-Destroying?,” 333-336.

<sup>5</sup> Mason, “Nation-Building is an Oxymoron,” 67.

building and nation building have different aims with different expected outcomes. Thus, it should be made clear that this paper examines state building, not nation building.

### *State Building: State, Legitimacy, and Sovereignty*

The most commonly used definition of a state is Weber's conceptualization of the state as a human community that has a monopoly on the legitimate use of force.<sup>6</sup> According to the Weberian notion of a legal-rational state, legitimacy is central to a functioning, stable state. Yet, there has hardly been a consensus on the definition of a "legitimate" state and the source of its legitimacy. Some scholars focus on institutions as sources of state legitimacy; for instance, Francis Fukuyama asserts that democracy is the only legitimate form of government.<sup>7</sup> Rothstein and Teorell also recognize the importance of political institutions in boosting legitimacy but emphasize performance. They suggest that having a democratic government alone does not guarantee the legitimacy of a state – legitimacy does not stem from democratic processes, but from good governance outcomes.<sup>8</sup>

Another group of scholars in the realm of state legitimacy assesses local dimensions of state legitimacy and accentuates the agency of the people, as opposed to that of governments. For instance, Nasstrom presents a theoretical framework which posits the constitution of the people as the basis of legitimacy.<sup>9</sup> A growing body of literature engages more closely with state building theories and asserts that local ownership should be the focal point of state building missions in order to develop a legitimate state. Notably, Autesserre and Pouligny underscore the importance of local populations and their participation in creating a legitimate state.<sup>10</sup> Other scholars, such as Buchanan and Cohen, depart from the institution-based analysis as well as the local-ownership literature and instead make moral claims in terms of a justice-based theory of state legitimacy.<sup>11</sup> Influenced by Rawls's theory on *The Law of Peoples*, justice-based theories of state legitimacy suggest that a state should be recognized as legitimate when it meets at least a minimum standard of justice, such as the protection of basic human rights.<sup>12</sup>

Although these studies focus on different dimensions and sources of legitimacy, most scholars share a common understanding of the implication of a legitimate state: once a state is recognized as a legitimate polity, its autonomy and self-determination should not be violated by other states.<sup>13</sup> As Krasner and Risse articulate, most states today enjoy Westphalian sovereignty, which gives them the right to non-interference by outside actors no matter how weak and fragile a state may be.<sup>14</sup> Indeed, self-determination and non-interference are central elements of a state in the context of Westphalian sovereignty. Buchanan also clearly delineates the moral implications of state legitimacy: "Legitimate entities are entitled to support for their territorial integrity and to noninterference in their domestic affairs."<sup>15</sup>

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<sup>6</sup> Weber, *Economy and Society*, 56.

<sup>7</sup> Fukuyama, *State Building*, 26.

<sup>8</sup> McLoughlin, "When Does Service Deliver Improve Legitimacy," 343-345.

<sup>9</sup> Nasstrom, "The Legitimacy of the People," 638-642.

<sup>10</sup> Autesserre, *The Trouble with the Congo*, 261-271; Pouligny, *Peace Operations Seen from Below*, 155-180.

<sup>11</sup> Buchanan, "Recognitional Legitimacy," 52; Cohen, "A More Democratic Liberalism," 1504-1507.

<sup>12</sup> Buchanan, "Recognitional Legitimacy," 52.

<sup>13</sup> Rawls, "The Law of Peoples," 37.

<sup>14</sup> Krasner and Risse, "External Actors, Statebuilding," 550.

<sup>15</sup> Buchanan, "Recognitional Legitimacy," 51.

### *Debate on Multilateralism vs. Unilateralism*

The notion of Westphalian sovereignty and non-interference is one of the critical factors that fuel the debate on the legitimacy of state building projects by external actors. If a Westphalian state is defined as a political entity that is immune to foreign intervention, a regime supported and built by foreign actors suffers from inherent contradiction. Lake carefully conceptualizes and delineates this inherent contradiction in state building missions. He introduces the concept of the state builder's dilemma, which suggests that there is a trade-off between legitimacy and loyalty of a new regime. This dilemma has become increasingly acute, because "the end of the Cold War created a potential opening for state builders to accord legitimacy a higher priority than ever."<sup>16</sup> Indeed, the end of the Cold War led to the erosion of structural constraints and marked the beginning of liberal state building, thereby further highlighting the legitimacy of a new regime. Accordingly, most post-Cold War state building missions tried to justify their interventions in foreign states with the liberal values they sought to represent and propagate: the promotion of democracy and the liberation of local populations.<sup>17</sup>

Nevertheless, no state building mission by external actors can completely escape the state builder's dilemma. A group of scholars, including Richmond and Charbonneau, criticizes state building processes that are unilaterally imposed by external actors because they can easily involve "imperial legacy" and thus give birth to a new subordinate state.<sup>18</sup> Facing such criticism, realist scholars defend state building missions by arguing that legitimacy is largely irrelevant in the world of international anarchy.<sup>19</sup> Some commentators, such as Dobbins, also make a case for state building missions by accentuating performance legitimacy; the successful provision of stability and restoration of order can render state building missions legitimate despite the violation of sovereignty.<sup>20</sup> Although most scholars refrain from overtly advocating for unilateral state building missions, they do indicate that unilateralism is neither more inefficient or unjust compared to multilateralism.<sup>21</sup>

On the other hand, some scholars point to multilateralism as the best way to alleviate the state builder's dilemma. For instance, Lake asserts that every state building mission suffers from the state builder's dilemma, but that the dilemma is more acute in unilateral missions than in multilateral missions.<sup>22</sup> Multilateralism has both quantitative and qualitative dimensions.<sup>23</sup> The nominal definition of multilateralism is "the practice of coordinating national policies in groups of three or more states."<sup>24</sup> But the sheer number of participants cannot fully capture a qualitative dimension of multilateralism. As Ruggie puts it, "The issue is not the number of parties so much... as it is the kind of relations that are instituted among them."<sup>25</sup> If a state building mission is multilateral, not only in its form but also in its substance, one particular state's influence can be mitigated. When a self-serving motive of a single state can be diluted, the legitimacy of a state building mission can be enhanced, thereby increasing the chances of state building success.<sup>26</sup> Wilson's work also supports such claims by showing that although regional alliances, such as

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<sup>16</sup> Lake, *Statebuilder's Dilemma*, 88.

<sup>17</sup> Lake, "Practice and Theory of US Statebuilding," 266-268.

<sup>18</sup> Richmond, "UN Peace Operations and Dilemmas," 97; Charbonneau, "The Imperial Legacy," 613-615.

<sup>19</sup> Anderson, "Legitimacy in State-Building," 205.

<sup>20</sup> Dobbins et al., *Beginner's Guide*, 135-151.

<sup>21</sup> Schachter, *International Law*, 126.

<sup>22</sup> Lake, *Statebuilder's Dilemma*, 17-18.

<sup>23</sup> Keohane, "Multilateralism," 731.

<sup>24</sup> *Ibid.*

<sup>25</sup> Ruggie, "Multilateralism: the Anatomy," 566.

<sup>26</sup> Lake, *Statebuilder's Dilemma*, 17-18.

NATO, have greater hard power than the UN, they are more likely to suffer from the perceived illegitimacy that undermines their efficiency.<sup>27</sup>

## Argument

The existing literature suggests that there are two distinct criteria to determine the appropriate form of state building missions that justify their intervention in foreign states. First, various theories on sovereign rights indicate that state building missions by external actors can be endorsed under certain circumstances. However, they must minimize the violation of the sovereignty and independence of the local people.<sup>28</sup> Other scholars assert that state building missions can have performance legitimacy, which stems from their provision of security and stability.<sup>29</sup> Although two distinct criteria, they are not necessarily opposing concepts. Theoretically, the normative assessments of state building missions – one based on the notion of sovereignty and one based on performance legitimacy – are not mutually exclusive. This paper attempts to demonstrate that there is a practical solution to state building that can satisfy both criteria.

Multilateralism is the proper form of state building missions because it minimizes the violation of sovereignty of the local people and creates a better chance for success in state building. First, multilateralism is less detrimental to the norm of sovereignty and autonomy of a new regime, as it constrains self-serving motives of any particular state. Second, multilateral state building missions can alleviate resistance from nationalist local elites, thereby increasing the chances of stability and security after the departure of state builders. In sum, multilateralism is the most appropriate form of state building by external actors as it is justifiable in regard to the norm of state sovereignty and leads to better state building outcomes.

### *State Building Missions and Sovereignty*

A foreign intervention inevitably undermines the sovereign right of a host state. Nevertheless, what this paper aims to demonstrate is that there are certain situations that require and justify state building missions by external actors and that multilateral acts can *minimize* the resultant infringements of sovereignty. Various theories on sovereignty and the legitimacy of states reveal that sovereignty is not an inviolable principle and thus foreign intervention can be justified under certain circumstances.<sup>30</sup> Such justification is made based on the idea that the sovereign right is contingent upon a state's behavior, such as the protection of basic human rights. One of the theoretical frameworks that delineates the limits of sovereign rights and the principle of non-intervention is John Rawls's theory of *The Law of Peoples*. While Rawls articulates that, "Peoples are to observe a duty of non-intervention," he also stresses the duty of assistance: "Peoples have a duty to assist other peoples living under unfavorable conditions that prevent their having a just or decent political and social regime."<sup>31</sup> In addition, even Hobbes's *The Leviathan*, which is often used by realist scholars to justify any acts by a sovereign ruler, clearly sets a limit to the sovereign power. Hobbes claims that, "The sovereign, is understood to last as long, and no longer, than the power lasteth, by which he is able to protect [his subjects]."<sup>32</sup> This is a de facto limitation of the Leviathan's power. Hence, the commonly-held belief that a

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<sup>27</sup> Wilson, "UN Authorized Enforcement," 95-100.

<sup>28</sup> Cohen, "A More Democratic Liberalism," 1504-1507.

<sup>29</sup> Dobbins et al., *Beginner's Guide*, 135-151.

<sup>30</sup> Rawls, *The Law of Peoples*, 37.

<sup>31</sup> Ibid.

<sup>32</sup> Morgan, *Classics of Moral and Political Theory*, 652.

Hobbesian sovereign has unlimited power over his/her dominion is misguided. These theories indicate that a sovereign right to non-intervention is *contingent* upon a state's observation of human rights or the protection of people's lives.

More recent theories in international relations regarding state building missions also incorporate and reinforce previous thoughts on sovereign limits. Recent theoretical shifts in international relations include the emergence of "human security" as a commonly shared norm for the international community.<sup>33</sup> The importance of human security as part of the international agenda is clearly stated in the UN Development Programme's Human Development Report:

The concept of security has for too long been interpreted narrowly: as security of territory [and national interests]....Forgotten were the legitimate concerns of ordinary people who sought security in their daily lives.<sup>34</sup>

In addition, the introduction of new concepts like the "responsibility to protect" and "humanitarian intervention" further highlight the distinction between the rights of a state as a sovereign regime and those of the people living in it.<sup>35</sup> The principle of responsibility to protect dictates that sovereignty entails a responsibility to protect citizens from an "avoidable catastrophe [such as] mass murder and rape."<sup>36</sup> Hence, if a state is unwilling or unable to carry out this responsibility, then the international community has the right to intervene to protect the people.<sup>37</sup> This renewed understanding of sovereignty and people's rights offers a valid and just rationale for foreign intervention such as state building missions in certain contexts.

### *Multilateralism and Sovereignty*

However, just as there is a limit to sovereignty, there is a limit to foreign intervention that aims to protect people's rights and security. Even though a state or a regime may be delegitimized and subverted by a foreign force, the people still maintain their right to self-determination and non-interference. Hence, in the process of state building missions, it is imperative that state builders minimize the violation of people's freedom and independence.<sup>38</sup> This rationale leads to the conclusion that the product of state building missions, such as a new regime and political system, must ensure that foreign interests do not interfere in internal affairs once the mission is complete.<sup>39</sup>

Therefore, this paper argues that multilateralism is the best way to observe the duty to assist while minimizing the state building mission's detrimental effects on the norms of sovereignty and autonomy of a new regime. When a collective entity "authorizes...[and] assesses member states for the costs according to some pre-negotiated formula," a state building mission is understood to be multilateral.<sup>40</sup> Since a multilateral state building mission consists of multiple actors with competing interests and is managed by a collective international body, such as the United Nations or NATO, it is easier to restrain one state from imposing its own self-serving motives than in unilateral missions. Accordingly, the product of multilateral state building missions is more likely to be independent of the interests of any single state.<sup>41</sup> Hence, in theory,

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<sup>33</sup> Paris, "Human Security," 87-88.

<sup>34</sup> United Nations Development Programme, *Human Development Report*, 22.

<sup>35</sup> Evans and Sahnoun, "The Responsibility to Protect," 100-105.

<sup>36</sup> Stahn, "Responsibility to Protect," 99.

<sup>37</sup> International Commission on Intervention and State Sovereignty, "Responsibility to Protect," XI.

<sup>38</sup> Rawls, *The Law of Peoples*, 37.

<sup>39</sup> Rao, "The Empire Writes Back," 149-156.

<sup>40</sup> Lake, *Statebuilder's Dilemma*, 203.

<sup>41</sup> *Ibid.*, 203-204.

multilateralism is the most appropriate form of state building to assist people in dire situations, while minimizing the violation of sovereignty.

### *Multilateralism and Local Resistance*

Thus far, this paper has claimed that multilateralism is the most appropriate form of state building missions by external actors based on a normative dimension, particularly regarding the norm of sovereignty and nonintervention. Yet, numerous authors, such as Francois and Sud, suggest that there is another dimension that state builders should consider, namely performance legitimacy.<sup>42</sup> Performance legitimacy is defined as a legitimacy that is “derived from government performance and effectiveness in fulfilling core state functions,” such as security, stability, and the provision of better living standards.<sup>43</sup> Assessments based on performance legitimacy illustrate that states that can provide and ensure security and basic human needs are regarded as legitimate in the eyes of the local populace. When states fail to do so, they lose legitimacy and become failed or fragile states.<sup>44</sup> This argument can be applied to state building missions by external actors as well. State building missions can possibly be justified by their outcomes – a stable state and good governance – even though it may infringe upon the sovereignty of a host state.<sup>45</sup> Furthermore, just like any other state missions or policies, neither good intentions nor their normative implications can be the sole criteria for the assessment of the proper form of state building missions.<sup>46</sup> Their form must be conducive to successful state building, the provision of stability, and establishment of a functioning state as well.

This paper argues that, in this regard, multilateralism is again the most appropriate form of state building missions by external actors because it increases the chances of success by reducing local resistance. The presence of external actors tends to lead to local resistance, especially by nationalist factions.<sup>47</sup> Yet, there is variation in the intensity of local resistance. This paper’s hypothesis posits that unilateral state building missions are likely to provoke greater local resistance because they tend to favor a particular set of local elites, thereby intensifying the resentment of other factions. On the other hand, multilateral state building missions are less likely to favor a particular set of local actors because of different interests of multiple states and the supervision of a collective international body.<sup>48</sup> Hence, in theory, perceived neutrality and legitimacy should serve to lessen the resistance from competing local elites.

Local elites, as main political actors of a state, are an important aspect of state building. Especially during state building and peace building processes, a consensus is hard to find because different factions have divergent preferences concerning the new political order.<sup>49</sup> In addition, external state builders have to interact closely with these local elites as they aim to design a post-conflict political order that will be managed and maintained by local political actors.<sup>50</sup> Yet, the interactions between the two exhibit notable differences depending on the modality of a mission. Unilateral missions are more likely to favor a set of actors whose preferences align with the state builder’s own interests.<sup>51</sup> Multilateralism is not entirely immune to the influence of great powers and their interests, but decision-making processes and operational procedures that involve

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<sup>42</sup> Francois and Sud, “Promoting Stability and Development,” 147.

<sup>43</sup> Ibid.

<sup>44</sup> Ibid., 142.

<sup>45</sup> Krasner and Risse, “External Actors, Statebuilding,” 555-558.

<sup>46</sup> Ghani, Lockhart, and Carnahan, “Closing the Sovereign Gap,” 10-12.

<sup>47</sup> Edelstein, *Occupational Hazards*, 10-12.

<sup>48</sup> Lake, *Statebuilder’s Dilemma*, 203.

<sup>49</sup> Cunningham, “Veto Players and Civil War Duration,” 881-882; Stedman, “Spoiler Problems,” 8-11.

<sup>50</sup> Heathershaw and Lambach, “Post-Conflict Spaces,” 269-272; Barma, *The Peacebuilding Puzzle*, 47-55.

<sup>51</sup> Bueno de Mesquita and Downs, “Intervention and Democracy,” 647.

multiple actors with different preferences tend to dilute the influence of any individual state.<sup>52</sup> Doyle and Sambanis articulate this point as well: combined with its impartiality, the UN's "mere presence guarantees that partial national interests are not in control."<sup>53</sup> In sum, multilateral state builders are expected to better avoid conflicts with local elites due to their perceived neutrality.

Contrary to some commentators who indicate that elite co-optation can increase the chances of success, this paper aims to demonstrate that favoring particular groups renders other local factions marginalized and thus intensifies local resistance, thereby reifying pre-existing cleavages.<sup>54</sup> As Myerson concludes, "[A] nation can be torn apart when other nations intervene to put rival clients in power."<sup>55</sup> Furthermore, when a group is supported by external actors, it is less compelled to peacefully cooperate with other local factions, thereby exacerbating the resentment of other elite groups.<sup>56</sup> These frustrated factions often attempt to subvert a newly established political order through various means, including an insurgency or a military coup. On the contrary, multilateral missions can reduce local resistance because they are relatively neutral in their interactions with local elites. Thus, multilateral mission's perceived neutrality increases the chances of sustainable stability after the departure of state builders.<sup>57</sup>

## Empirics and Case Studies

### Case Selection

This paper only examines U.S. state building missions since the end of the Cold War, because the norm of sovereignty and non-intervention has been increasingly consolidated in the post-Cold War era.<sup>58</sup> The erosion of structural constraints of the bipolar world order and the end of ideological competition undoubtedly contributed to this trend. Moreover, narrowing the scope to U.S. interventions minimizes the effects of numerous state-specific variables, such as economic and military strength. Among the six post-Cold War U.S.-involved state building missions, I selected two missions that were conducted around a similar time period with different modalities, BiH (1995) and Haiti (1994), based on their situational difficulties such as GDP per capita and ethnic fractionalization. In BiH, the U.S. was involved in a NATO mission that closely collaborated with the UN. On the other hand, although the 1994 American intervention in Haiti included American allies and was approved by the UN, its operation and decision-making processes were unilateral; it was led and operated by the U.S. alone.

	Outcome	Fragility	World Bank Index	Baseline*
<b>BiH</b>	<b>Success</b>	<b>7.08</b>	<b>&lt;3.2</b>	<b>6</b>
Kosovo	Qualified Success	N/A	3.53+PKO	9
<b>Haiti</b>	<b>Failure</b>	<b>8.4</b>	<b>2.90</b>	<b>6</b>
Afghanistan	Failure	9.08	2.75	2
Somalia	Failure	9.65	1.11	5
Iraq	Failure	9.65	N/A	3

\*Baseline prospect for statebuilding success. 9= Most likely. 0= Least likely.

<sup>52</sup> Diehl, *International Peacekeeping*, 64-67.

<sup>53</sup> Doyle and Sambanis, *Making War and Building Peace*, 318.

<sup>54</sup> Edelstein, *Occupational Hazards*, 49-52.

<sup>55</sup> Myerson, "Rethinking Fundamentals of State-building," 95.

<sup>56</sup> Brune, *The United States and Post-Cold War Interventions*, 45.

<sup>57</sup> Regan, "Third-Party Interventions," 72.

<sup>58</sup> Finnemore, "Constructing Norms," 155-158; Lake, *Statebuilder's Dilemma*, 203.



**Figure 1.** The Outcomes of Post-Cold War U.S.-led State Building Missions.<sup>59</sup>

*Baseline Prospects: Situational Difficulty*

Each state building mission starts with different baseline prospects for success. State builders face varying degrees of situational difficulty because each mission is embedded in distinct social and political contexts. Thus, in order to make a comparison between missions that were conducted in distinct political contexts, I chose two cases with similar situational difficulties – BiH and Haiti – that render their comparison valid. Each mission’s baseline prospect is determined by the host state’s ethnic fractionalization, its history of U.S. occupation or war with the U.S., GDP per capita before a mission started, the length of its civil war, and civil war death toll. This measure aims to facilitate the comparison between different U.S.-involved state building missions by providing a reference point in this analysis.

**Analysis**

The success of a state building mission is defined as the consolidation of the monopoly of legitimate violence. As my hypothesis predicted, Figure 1 shows that most post-Cold War U.S.-led state building missions have been marked by failure, except the missions in BiH and Kosovo, which were marked by qualitative multilateralism. For instance, both the Fragile State Index by The Fund for Peace and the Harmonized List of Fragile Situations by the World Bank demonstrate that BiH has at least consolidated its power and authority as a state since the end of the Bosnian War. Indeed, BiH experienced one of the “largest improvements” in its level of fragility since 1995.<sup>60</sup>

The record of relatively unilateral U.S.-led state building missions is bleaker than their multilateral counterparts. As Figure 1 shows, there have been four unilateral U.S.-led state building missions in the post-Cold War era and the U.S. could not consolidate a new government’s monopoly on the legitimate use of force in any of these places. Figure 1 exhibits a certain pattern of success and failure. Hence, through a detailed and contextualized comparison between Haiti and BiH, it is clear that the different modalities of these missions indeed contributed to their divergent outcomes. The case studies focus mainly on the effects of multilateralism on self-serving motives of state builders and on resistance from local elites. Then, this paper assesses whether those effects indeed make a difference in state building outcomes.

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<sup>59</sup> The Fund for Peace, “Fragile States Index,” 2017; World Bank, “Harmonized List of Fragile Situations,” 2017.

<sup>60</sup> Marshall and Cole, “Global Report on Conflict,” 10.

*Bosnia and Herzegovina, 1995*

Shortly after the Bosnian independence referendum in 1992, a war along ethnic lines broke out as Serbian ethno-nationalists refused to accept the result. The Bosnian War between Bosnian Serbs and non-Serbs, most of them ethnic Croats, ended in 1995 with a peace agreement called the Dayton Accords.<sup>61</sup> Several international actors guided the process of institutionalizing and implementing the Dayton Accords.<sup>62</sup> The intervention in BiH was therefore marked by qualitative multilateralism; it was multilateral not only in its form but also in substance. Different international actors – most notably the U.S., the EU, and the UN – refrained from handpicking a loyal leader and thus benefited from the Bosnian government’s relative neutrality. This led to greater acceptance of its authority and consequent compliance by the local parties to the conflict. Given its multilateral nature, the intervention in BiH could evade the accusation of explicit “empire lite” to a certain extent, while unilateral missions – such as the intervention in Afghanistan until 2003 – severely suffered from such accusation.<sup>63</sup>

In BiH, the authority and credibility of the external state builders were widely accepted by all local factions. In the legal realm, the authority of the High Representative for Bosnia and Herzegovina, who was appointed by the European Union, was “unassailable;” the local parties to the conflict agreed to the High Representative’s designation as well as his mandate.<sup>64</sup> The approval of the UN Security Council further reinforced the mission’s perceived neutrality. The UN was also involved in the mission’s decision-making process, thereby highlighting its multilateral characteristic. The “double-key” mechanism that required approval from both NATO and the UN further prevented a particular state from dominating the mission’s trajectory in BiH.<sup>65</sup> In short, the relative neutrality of the multilateral mission constrained self-serving motives of any particular state and enabled a smooth power transition from the external state builders to local ownership of post-conflict governance with considerably low local resistance.

In BiH, state builders focused more on institutional arrangements than on empowering certain segments of local elites that they favored. Instead of an explicit alliance with certain factions, state builders in BiH emphasized power-sharing among warring parties and recognized each group as a legitimate political entity to govern its people. This is not to say that state builders in BiH did not have any preferences on a new political order. However, instead of empowering loyal leaders, they focused on creating a social and political environment that would be conducive to the emergence of moderate political parties as opposed to nationalist parties, which ignited the Bosnian War in the first place.<sup>66</sup> As Paddy Ashdown, who served as International High Representative for BiH from 2002 to 2006, articulated, in order to “beat the nationalists,” state builders worked to “provide decent public services.”<sup>67</sup> Such measures were notably different from “handpick[ing]” a loyal leader, such as Chalabi in Iraq, despite fierce local resistance.<sup>68</sup> On a normative dimension, these approaches largely differentiated this mission from a more direct and explicit violation of the people’s sovereignty.

In addition, the multilateral intervention could garner a greater acceptance by the local elites that led to compliance. In this sense, BiH is a “good example” that demonstrates how “opposition and antagonism” between the international community and local elites can be

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<sup>61</sup> Cousens and Cater, *Toward Peace in Bosnia*, 43-45.

<sup>62</sup> *Ibid.*, 45-46.

<sup>63</sup> Ignatieff, “Nation-building Lite,” 26.

<sup>64</sup> Caplan, “International Authority,” 60.

<sup>65</sup> Wedgwood, “Unilateral Action in Multilateral World,” 175.

<sup>66</sup> Manning, “Political Elites and Democratic State-building,” 731-733.

<sup>67</sup> *Ibid.*, 732.

<sup>68</sup> *Ibid.*, 728.

overcome when the latter accept the authority of the former.<sup>69</sup> For instance, the local elites, despite their divergent interests and ideas about what new state institutions should look like, largely complied with a police and defense reform induced and supervised by various international actors.<sup>70</sup> The perceived neutrality and legitimacy of multilateral institutions such as NATO, the OHR, and the OSCE arguably played an important role in determining the level of compliance.<sup>71</sup> As Aybet observes, the compliance was in part a result of both socialization and rationalization of the local elites. Both parties to the conflict – Bosnian Serbs and Bosnian Croats – decided to comply with NATO conditionalities because they acknowledged NATO’s expertise and “technocratic ownership of defense reform” which mitigated its political motives.<sup>72</sup> Furthermore, the elites in BiH wanted to join the Partnership for Peace (PfP) initiative and thus accepted this security community as a legitimate authority.<sup>73</sup> As such, state builders in BiH could make a number of important improvements, such as the integration of Bosnian forces into a single unit and the apprehension of war criminals through close collaboration with local elites across ethnic lines.<sup>74</sup> After these intense defense and police reforms, BiH could join the PfP in 2006, which in turn enabled its accession to NATO’s Membership Action Plan in 2010.<sup>75</sup> In short, the compliance of both Bosnian Serbs and Bosnia Croats to the authority of multilateral institutions, which was reinforced by the approval of the UN, was an inarguably pivotal factor that contributed to a successful post-conflict reconfiguration of state apparatuses.

BiH is still struggling with internal problems. Yet, compared to other states that underwent similar intrastate armed conflicts, the achievement of BiH is noteworthy. Ethnic tensions remain but the state is relatively well-managed compared to other post-conflict zones; BiH experienced one of the “largest improvements” in level of fragility since 1995.<sup>76</sup> Although nationalism persists, nationalist sentiments have not been translated into organized violence on a larger scale nor another war. Even commentators who lament that BiH still lacks self-sustaining and positive peace concede that state building in BiH successfully ended violence and brought about at least a negative peace.<sup>77</sup> Indeed, both the Fragile State Index by the Fund for Peace and the Harmonized List of Fragile Situations by the World Bank demonstrate that BiH has successfully consolidated its power and authority as a state since the end of the Bosnian War.<sup>78</sup> As such, state builders in BiH succeeded in consolidating a state authority, thereby preventing another collapse. Given that post-conflict state building is an extremely difficult project to begin with, this is a noteworthy achievement. Multilateralism played an important role in normative as well as practical dimensions.

### *Haiti, 1994*

In 1991, a military coup in Haiti overthrew President Aristide and installed military rule. In response, the U.S., with the approval of the UN Security Council, launched Operation Uphold Democracy to remove the military regime.<sup>79</sup> The operation ended in a sweeping U.S. victory as the Haitian military junta was replaced by a democratically elected government. Accordingly, in

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<sup>69</sup> Caplan, “From Collapsing States to Neo-Trusteeship,” 236.

<sup>70</sup> Aybet, “NATO Conditionality,” 24.

<sup>71</sup> Pop-Eleches, “Between Historical Legacies and the Promise of Western Integration,” 145-147.

<sup>72</sup> Aybet and Bieber, “From Dayton to Brussels,” 1912.

<sup>73</sup> Aybet, “NATO Conditionality,” 24.

<sup>74</sup> Chivvis, “The Dayton Dilemma,” 57-62.

<sup>75</sup> Aybet and Bieber, “From Dayton to Brussels,” 1927.

<sup>76</sup> Marshall and Cole, “Global Report on Conflict,” 10.

<sup>77</sup> Caplan, “International Authority,” 57-60; Chivvis, “The Dayton Dilemma,” 47.

<sup>78</sup> The Fund for Peace, “Fragile States Index,” 2017; The World Bank, “Harmonized List of Fragile Situations.”

<sup>79</sup> Parish and Peceny, “Kantian Liberalism and Collective Defense,” 237-239.

1994, state building success was deemed feasible in Haiti.<sup>80</sup> Yet, the new election did not guarantee long-term stability. The unilateral characteristic of the U.S.-led intervention rendered the new regime, handpicked by the U.S., illegitimate in the eyes of the local populace. Consequently, Haiti underwent a series of coups and is ranked one of the ten most fragile states in the world by the 2016 Fragile States Index.<sup>81</sup> In short, throughout the past two decades, Haiti has been marked by a “cycle of turmoil” and heightened elite factionalization.<sup>82</sup>

The 1994 intervention in Haiti was carried out by multinational forces with the UN’s approval. Hence, some scholars like Malone consider it a multilateral mission.<sup>83</sup> However, a closer examination of the mission’s actual patterns of operation reveals that it was a unilateral enterprise. In the early phase of the intervention, the mission was conducted almost entirely by U.S. troops. Furthermore, even when foreign troops joined the operation, they were involved mainly in non-combat efforts.<sup>84</sup> These features indicate that, as Kreps concludes, the U.S. could “actually pursu[e] its self-interest in an almost entirely unconstrained way” in Haiti, even though it attempted to “cloak [this unilateral mission] in multilateral cover.”<sup>85</sup>

The fact that self-serving motives of the U.S. were largely unconstrained in the 1994 intervention in Haiti became clear once the U.S. took the side of Aristide despite fierce local resistance. One of the gravest consequences of the U.S. partiality was the de-legitimization of the new regime. It was compounded by various factors, such as corruption and a long-history of military rule, but the perceived loyalty of the Haitian elite to the U.S. was also an integral factor.<sup>86</sup> After the U.S. intervention in Haitian domestic politics in 1994, the loyalty of a new regime has been stressed at the expense of the impartiality of the mission and legitimacy of a new regime; Washington overthrew leaders that it saw as “adversaries” and empowered the ones that it favored through “financing and training,” even when the local population clearly opposed them.<sup>87</sup> Consequently, opposition parties and paramilitaries continued to accuse the new government of loyalty to the U.S., thereby intensifying political polarization.<sup>88</sup> For instance, when Gerard Latortue was appointed as the prime minister by the international community, he was derided for being “Washington’s man in Port-au-Prince.”<sup>89</sup> Such suspicion has been exacerbated by deeply-rooted anti-Americanism in Haiti that can be traced back to the U.S. occupation of Haiti in the early 20th century. The following excerpt of a piece written by Frantz Duval, the editor-in-chief of *Le Nouvelliste*, and translated by Roberts, illustrates the current status of anti-Americanism in Haiti:

Haiti finds herself, as in the beginning of the twentieth century, incapable of handling her own affairs. Here, the 12th of January, once again, U.S. diplomats have settled on our country. [...] One occupation (1915-1932), three American interventions (1994, 2004, 2010) and two long UN missions later, those in power and in opposition no longer have any currency. They simply hope that under the magnifying glass of Haiti’s friends, they will have the convenience of support from the powerful.<sup>90</sup>

<sup>80</sup> Girard, *Clinton in Haiti*, 74.

<sup>81</sup> Buss, “Working Aid and Failure of Statebuilding in Haiti,” 15.

<sup>82</sup> Donais, “Haiti and Dilemmas of Local Ownership,” 753.

<sup>83</sup> Malone, “Haiti and International Community,” 126.

<sup>84</sup> Kreps, “The 1994 Haiti Intervention,” 461-463.

<sup>85</sup> *Ibid.*, 463.

<sup>86</sup> Leogrande, “A Poverty of Imagination,” 361.

<sup>87</sup> *Ibid.*, 384.

<sup>88</sup> Donais, “Haiti and Dilemmas of Local Ownership,” 761.

<sup>89</sup> *Ibid.*, 760.

<sup>90</sup> Duval, “Etonnez-nous, messieurs!” trans. Roberts, “Then and Now,” 263-264.

As such, the legitimacy of a new regime led by Aristide was undermined while pre-existing cleavages among local factions were exacerbated.<sup>91</sup> A volatile and unstable situation that was not conducive to the consolidation of power and authority persisted. The legitimacy crisis of the Haitian government that stemmed from its perceived loyalty to the U.S. as well as the opposition's resistance to the U.S.-led state building effort, have intensified elite factionalization and thus perpetuated political instability. The Haitian people's confidence in the government has been tenuous as well, as they feel like they have been deprived of sovereign ownership over domestic politics.

To conclude, the 1994 intervention in Haiti illustrates the dire consequences of unilateral state building by external actors. Unilateral missions can hardly constrain self-serving motives of state builders, such as establishing a loyal regime. When the loyalty of a new regime to the state builders is prioritized at the expense of its perceived legitimacy by the local populace, local resistance persists, intensifying political polarization and instability. As such, the case of Haiti demonstrates that unilateral state building and its undue violation of people's sovereignty are not only normatively accusable but also ineffective – if not counterproductive – in achieving the desired end.

### Alternative Explanations

Throughout this paper, potential counterarguments were addressed; for instance, this paper gave a brief rebuttal on the argument that the 1994 intervention of Haiti was multilateral. It also addressed the issue of situational difficulties that can affect the performance of state builders by selecting two cases with similar situational difficulties. Nevertheless, there are other alternative explanations that have not been addressed thus far. One strong critique against this paper's argument is that sometimes, it is normatively better to side with certain factions. For instance, Young argues that the framework of self-determination only serves to perpetuate the cycle of dominance and violence.<sup>92</sup> Thus, she concludes that self-determination should be understood as non-dominance, not simply as non-interference.

Yet, asymmetric treatment should be differentiated from biased intervention, such as handpicking a loyal leader. Self-determination as non-dominance does not indicate that state builders can handpick a leader they favor, as the U.S. did in Haiti. Asymmetric treatments can result in non-dominance only through a neutral interaction with local elites in the first place. For non-dominance, state builders should start with a neutral interaction with local elites and then make necessary adjustments based on their unbiased assessments of local peculiarities, such as underlying power dynamics. Neutrality enables a comprehensive and objective assessment of complex local contexts, unhindered by the interests and biases of any particular state. This is what state builders indeed strived to achieve in BiH. Despite the criticism that it could reinforce ethnic fractionalization, state builders instituted multinational federalism and strived to create a political as well as economic environment that would be favorable to political moderates.<sup>93</sup> In short, the concept of non-dominance that Young advocates for can be implemented only through state builders' unbiased understanding of the local context and a neutral interaction with local elites.

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<sup>91</sup> Buss, "Working Aid and Failure of State Building in Haiti," 8-9.

<sup>92</sup> Young, "Self-determination as Non-dominance," 139-141.

<sup>93</sup> Keil, *Multinational Federalism in Bosnia and Herzegovina*, 104-120.

On the contrary, asymmetric treatment exhibits a different pattern in unilateral missions. Instead of reflecting local peculiarities and the view of the local populace, unilateral missions often reflect the views of state builders and their interests. Therefore, unilateral state builders are more likely to tilt the balance of power in their own favor. In other words, asymmetric treatment in the context of unilateral state building indicates the dominance of groups that are loyal to the state builders. Thus, Young's argument that self-determination should be understood as non-dominance can hardly apply to unilateral state building missions; when state builders ensure the dominance of groups that they favor, it is an undue violation of people's self-determination and it precludes the establishment of the level playing field that Young advocates for.

To conclude, self-determination as non-dominance is a valid critique and an important contribution to our understanding of sovereignty. Yet, this new notion of self-determination as non-dominance cannot be realized without an initial neutral interaction with local elites. At the beginning of each mission, state builders should not be motivated by their own biases or self-serving motives.

### Concluding Remarks

This paper has demonstrated that multilateralism can minimize a state building mission's detrimental effects on the sovereignty of a host state while increasing the chances of success. If a state building mission is organized and managed by a multilateral institution, such as the UN or NATO, it can better constrain the self-serving motives of any particular state. On the contrary, unilateral missions tend to be dominated by the interests and biases of the state builders, thus giving way to a subordinate state. Hence, a normative ideal for state building missions by external actors would be multilateralism. Furthermore, a multilateral state building mission's relative neutrality can reduce the frequency of unnecessary conflicts with local elites, thereby increasing the chances of success. The comparison of two cases – Haiti and BiH – gives more contextualized evidence to support my argument.

This paper delineates the normative and practical implications of multilateral state building in foreign states. Yet, it has to be acknowledged that state building is inherently difficult to accomplish. In addition, situational difficulties can be a decisive factor. Thus, further research is needed to examine how situational difficulties interact with other components of state building missions, such as its modality and legitimacy, and to determine the exact extent with which such difficulties influence the outcome.

Finally, the scope of this paper is limited to the consolidation of a state's power and authority. Although this aspect is a crucial piece, state building encompasses various dimensions that this paper does not analyze such as democratic legitimacy and post-conflict democratization. Furthermore, the case studies presented here were limited to post-Cold War U.S.-led state building missions. More comprehensive research on state building, including UN peacekeeping and peacebuilding missions, is thus warranted.

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