

# POST-COLD WAR INTERVENTIONS AND INTERNATIONAL DEVELOPMENT: DISCOURSES, PRACTICES AND POLICIES

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**Abstract:** This term paper intend to analyze how interventions had changed and the reasons why it happened, it also tries to answer why the Western states are actually avoiding political responsibility in actual intervention for the international governance issues. In the introduction there are some explanations about the traditional sovereignty and shared sovereignty, followed by topics like responsibility and the denial of responsibility. It tries to show the consequences of the avoidance of accountability bring to the intervened states.

**Key-words:** Traditional Sovereignty; Shared Sovereignty. International interventions.

## Introduction

The non-Western weak states usually face major problems in government, security, education and economy leading to states without sovereignty. According to Krasner (2004) shared sovereignty or partnerships would allow political leaders to embrace sovereignty, because these arrangements would be legitimated by the target state's international legal sovereignty, even though they violate the main principle of sovereignty: autonomy. The solution of the problems from the non-western states would lie with the shared responsibility of the non-western states and international institutions. He also argues that to be durable, shared sovereignty institutions either would require external enforcement, or would have to create adequate domestic support, which would depend on the results delivered. Furthermore, the political elites in the bad governed states would have to believe that they would be worse off if shared sovereignty arrangements were violated. But even with the best of intentions and resources, external actors are not able to quickly eradicate the causes of these failures: poverty, weak indigenous institutions, insecurity, and the raw materials curse. Hypothetically trusteeships and especially shared sovereignty, would offer political leaders a better chance of bringing prosperity to the people of badly governed states. For some people the internationalization of sovereignty state responsibility is a way forward and the shared sovereignty is bridging the gap between the lack of capacity in non-Western states and the demands necessary.

State building, (re)constructing governmental institutions able to provide the population physical and economic safety, is one of the most crucial policies in the international community nowadays. The relevance of matters of security and development turned state building a main focus in the policy agendas of the Western states, international NGOs and international institutions. However, the practices of state-building end up being very invasive and harmful ways of external intervention. Therefore, the intervening states claim they are just empowering the non-Western states, when in fact in this context they are denying the power which is being wield so there is no responsibility for its practice. History is here to tell how Western states have over and over again violated the states' sovereignty with intervention in civil conflicts in the whole world.

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## **The conventional understanding of sovereignty**

As said by Krasner (2004), the ordinary sovereignty assumes states that are autonomous, well governed and recognized worldwide. In practice it doesn't work as easy as it sounds. Those rules had been disrespected several times, and their deficiency led to disastrous consequences to the states. The manner the powerful states deal to help the badly governed States is – obviously- inadequate.

The countries governed by incompetent or authoritarian leaders do not give any hope for the populations. In most of the cases they have limited access to education, social services, health care and security, sometimes leading to violent conflicts and civil wars. The main problem nowadays is that the consequences of the bad governance in those states no longer are restricted to those societies or areas. The inadequate governed states can bring conflicts to other countries in the world, caused by their own bad politics or by external invasion/occupation. The policy options in that situation to reduce the international threats would be trusteeships and shared sovereignty.

The role of external actors is understood to be limited with regard to time, if not scope, in the case of transitional administration exercising full executive authority.

The conventional sovereignty not constantly was the commanded structure that ordered the political life. Even at the time that conventional sovereignty had become a recognized structure, some alternatives were also respected like the protectorates. In the 19<sup>th</sup> century, colonization allowed powerful states to take international legal sovereignty and control the domestic authority structures of the colonized areas, and that was a legitimated practice (KRASNER, 2004).

Conventional sovereignty doesn't always function. In failed and occupied states new institutional ways are necessary to secure good domestic governance. Arrangements like shared sovereignty would be a great addition to the policy solutions. Ideally speaking, shared sovereignty would need a contract between national authorities and an outer agent to be legitimized.

As confirmed by Krasner (2004) the inadequate structures have damaged the economic well-being and infringed the basic human rights of their own population. In some circumstances, state authority has declined all together for a long time. The occupying powers were then facing the challenge of forming a decent governance structures in the invaded and invader countries.

States whose governance is mediocre usually are surrounded by many other problems. In those places, corruption is spread, infrastructures are deteriorated, crime is rampant and not always the currency is accepted in the whole country. The armed groups, most of the times have the power and operate out of the control of the government. For some leaders the uncertainty is better than the stability of the country, this way they can explore the resources better than in an orderly society, so for those countries the domestic sovereignty is not working.

Now, powerful states are no longer able to take the bad governed states for granted, inadequate domestic authority threatens the world wealthy and security. The amount of available weapons of mass destruction, the movement across borders and the grown of terrorism have aggravated the capacity of actors to kill a big number of people. In a previous time states and actors with few resources were not able to threaten a state's security but now this has changed. Basically any state now can obtain biological and chemical weapons and they can be delivered in multiple ways.

External assistance to improve governance in poor states usually doesn't contradict the rules of conventional sovereignty. Foreign actors can influence policies and institutional arrangements in selected states. The effect of this assistance is of course limited, some leaders – as said here before- will prefer to see their population's exploitation more profitable than the reforms.

Transitional administration is an alternative to traditional sovereignty, it is recognized and exists in the international sphere, however it is explicitly not supposed to be a challenge to the basic ways of sovereignty. Transitional administration is particularly a problem in situations where local actors don't agree about elementary goals among themselves and with external actors.

As said by Krasner (2004) transitional administration has been most successful when the level of violence in a country has been particularly low, where there has been involvement by major powers, and where the parties within the country have gained a mutually acceptable agreement. In other words, transitional administration has worked better for the easiest cases, where the main actors have already reached a mutual acceptable accord. In some situations, the transitional administration plays a monitoring role. It can be really neutral among the contending parties.

Considering the limits of this governance assistance, there are some other ways to deal with states where international legal sovereignty are not consistent, one would be to reuse the idea of trusteeship or protectorate, probably *de facto* rather than *de jure*. Another one could be to explore the changes for shared sovereignty in which internal rulers could use their international legal sovereignty to authorize institutions within their countries in which authority was shared between national and external actors.

The biggest barrier to a general international treaty codifying a new way of trusteeship or protectorate is that it would not be supported by the powerful, who would implement it, or the weak ones, who might be subject to it (KRASNER, 2004).

Shared sovereignty would involve the efforts of international actors in some of the domestic authority configuration of the target state for an indefinite space of time. Such arrangements would be genuine with agreements signed by recognized national authorities. It's clear the avoidance of responsibility when the author says that "For policy purposes, it would be best to refer to shared sovereignty as 'partnerships'." They are trying to skip any connection with accountability by using other words to the same operation. For Krasner, shared sovereignty or partnerships would allow political leaders to embrace sovereignty, considering that these arrangements would be affirmed by the target state's international legal sovereignty.

One example of shared sovereignty is the relationship of the Soviet Union to the satellite states of Eastern Europe during the Cold War. The shared sovereignty structure established by the USA after the Second World War was more successful. Germany is one good example, the Western partners were willing to internationally legitimate the Federal Republic of Germany (FRG or West Germany) while constraining its freedom of acting.

The reason why the United States succeeded in the West German occasion is because a lot of Germans supported in Krasner's words, "democracy, a market economy, and constraints on the FRG's security policies." Of course the power of this support reflected a lot of factors, as the long-term economic success of the West comparing to the Soviet bloc. Shared sovereignty agreements for security in the FRG helped to adequate domestic governance by taking a potentially explosive problem off the table, within and without West Germany.

In sum, shared sovereignty has been tried before: especial arrangements of power and interest led powerful actors to introduce shared sovereignty arrangements, and the not so powerful ones to accept them. Traditional sovereignty would not be challenged in principle but could be compromised in practice (KRASNER, 2004).

There is also post-conflict occupancy that can be conducive to creating shared sovereignty arrangements. When a military intervention and occupation exists, local leaders don't have many ways out. In shared sovereignty, contracts would make those arrangements permanent, not transitional. The existence of external actors could not be the outcome of a unilateral decision by an international manager

but rather of a contract between external and domestic actors who would be granted international legal sovereignty.

However, in collapsed or near-collapsed states, international actors would have to provide capability at least for a period of time. That would open extra possibilities for shared sovereignty for activities funded by international donors. The elections in badly governed illiberal democracies can be an incentive for shared sovereignty contracts. Shared sovereignty agreements could be an attractive political strategy for a dissident candidate.

In sum, as said by Stephen Krasner, some form of de facto protectorate and shared sovereignty are policy instrument that could be included to the meager selection of options now available to deal with bad governance or to develop successful institutions following military occupations. The legitimacy for shared sovereignty would come with an agreement of those exercising the target state's external legal sovereignty (KRASNER, 2004).

To conclude his conviction, governance assistance can have good outcomes in badly governed states, but the available evidence bring to mind that the impact is not strong:

‘Transitional administration, which aims to restore conventional sovereignty in a relatively short time frame, can be effective only if indigenous political leaders believe that they will be better off allying with external actors not only while these actors are present but also after they leave.’ (Krasner, 2004: p. 119).

To last longer, shared sovereignty institutions would require international enforcement, something that would be possible for natural resources trusts, or would have to create adequate intern support, that would depend on the outcomes.

De facto trusteeships, and especially shared sovereignty, would propose political leaders a better chance of bringing peace and prosperity to the citizens in badly governed states and decrease the threat that those polities present to the wider international community (KRASNER, 2004).

The initial idea of sovereignty as freedom or autonomy from outer interference deals with the challenge of sovereignty as responsibility. That doctrine grasps that state sovereignty cannot be limited to inviolable legal authority. Sovereignty should be spread out until it reaches the responsibility to protect. As stated by Bickerton et al (2007):

‘The first responsibility of the state is to protect the welfare of the citizens that fall within its jurisdiction. The second responsibility is to the wider society of states. The state is also responsible for preventing human suffering within its borders from spilling over into threatening international peace and security.’ (Bickerton et al., 2007: p. 39)

To summarize it, the traditional characteristics of a sovereign state were extended by the respect for human rights. If a state is conscious of it and decline to uphold this obligation, so its authority is penalized. The main issue here is, the power requires being potentially accountable however, sovereignty as responsibility turns the use of power unaccountable and not responsible.

## **State building**

According to Chandler (2006) the main problem faced by poor states is weak governance caused mainly by lack the resources and capacity to manage a good public administration. In the international community the current discourse about security state-building is seen as essential to address the threats posed by weak states.

State building would be one very important issue currently since weak/failed states are the cause of countless problems in the world from poverty to AIDS and drugs etc. The international state-building duty has quickly assumed a main role in international policy concerns in international institutions and of course in western states. It now reaches most of the countries in the world.

When George W. Bush was in office the USA government had ingeniously emphasized the importance of the export of state-building assistance. The United Nations made the agenda of international state-building their own in the organizational assistance given to the new practices of human security. But even with all that attention there had been not so much engagement with state building as a policy framework theoretically speaking.

Usually, state-building has been affirmed as an issue of the development of the international competence to extend the effectiveness of regulatory intervention into failed post-conflict states or weak non-Western states. Those states are fated to have capacity problems that are sustained to prevent them from properly dealing with difficult problems in economy, society and politics. The problem is -supposedly- on their hands, however in an interconnected world their problems can easily be addressed to other states either for self-interest security purpose or for ethical duties and responsibilities towards others.

As said by Chandler (2006):

“The understanding of state-building and the external capacity- building of institutions in highly technical and functionalist terms has gone hand in hand with the problematization of traditional perspectives of sovereignty as self-government and political autonomy. For some commentators, the coexistence of external administrators with elected governments has proved problematic, revealing the limitations to external assistance which cannot assume the controlling powers of past empire.” (Chandler, 2006: p. 6)

All the uncertainty raised by international state-building initiatives goes to the center of the nature of politics nowadays. There is a consensus that many societies in the world can be better governed with international experts and capacity builders shows the diminished view of the value of politics, the importance of self-government and autonomy.

Nowadays empire is in denial, the way power is exercised transforms international relations and the relations between non-western countries and their societies. However, the actors that wield that power try to deny responsibility for its exercise. The argument is that they are merely facilitators instead of responsible and their role is only to support policy leadership by developing countries without imposing their views. (CHANDLER, 2006).

It's clear that there is an avoidance of responsibility when we consider that even where the power if empire is used in a traditional way, which can be occupation or invasion there still is a denial of power and accountability. The framework of domination was created on the basis of the denial of western power and accountability. New administrators of empire discuss about developing relations of “partnership” with subordinate states, what end up not being as tender as it sounds but just another mechanism of domination. The language of domination spoke by Western states is now replaced by the discourses of “empowerment” and “capacity-building” to the non- western ones. According to Chandler, it seems like the Western states are not happy to bear the accountability for the power that the end of Cold war has brought. There is an excitement to deny that they have personal interests or influence at the same time they are organizing new ways to regulate and use their authority on the “subordinated” states. Actually, the Empire in denial is no less elitist and the outcome is no less harmful and destabilizing. In the center of Candler's argument (2006) is the post-Cold War plan of state- building, where the traditional ways of imperial domination were created on the basis of their denial of political rights to statehood. In sum, it's the development of a new scenario which shows that the practices of Empire in Denial are even more

invasive and irresponsible than the ones practiced in nineteenth century, restraining the establishment of strong connection between society and non-western states creating phantom states.

Differently from the colonial rules, Empire in Denial uses power without the disadvantage of clear mechanisms of political responsibility; the political power of decision-making elites seeks to enclose itself in a non-political and bureaucratic way. Even though empire did not return in formal terms, even though a new hierarchical order lead to upsurge the discussion of empire lately that suggests we are going to a new age of empire.

The new forms of empire in denial try to deny direct political control and to strengthen the formal legal position of sovereignty, but those practices are even more interventionist than the ones before, based on contractual relations imposed by market dependency. In other words, this means that the state-building practices are the ones of empire in denial.

Instead of claiming the rights of power, some governments look happier disclaiming it, seeking to devolve policy-making accountabilities to local authorities or to higher institutions such as European Union. Taking in accountability count on having confidence in a political goal, this enable society to handle the price of achieving it, and it's that rejection of accountability that is leading the state-building dynamic from the edge to mainstream.

To exemplify the avoidance of accountability the theme of social inclusion seems a good example. They are the opposite of traditional politics; there are no interests involved, social inclusion is based on knowing the needs of the excluded, of empowering them through inclusion. There is no ideological or political content. The connection with state-building is in the rejection of responsibility in the politics of social inclusion. It could be argued that the practices of the politics of social inclusion are a product of government's attempt to deny their power and responsibility. It's a shift from government as policy actor to it as a beneficial empowerer, which is the politics of avoidance of accountability. One could say that capacity building approaches can, instead of empower state institutions weaken the relation between state institutions and society.

With the end of Cold War, the main focus shift from the rights of states to emphasizing the rights of individuals. Nowadays, the state is once again in the focus of security concerns. The states, especially the marginalized by the globe economy can no more be taken for granted.

The international institutional focus now on the non-Western states has little to do with an aspiration for strong them, it's actually the wish to avoid political accountability for their correlation with big areas in the world. Differently from the debate in the 1990s, now the discourse is one of 'shared responsibilities' and 'partnerships'. This change in the language of the Western states projection of capacity reflects the new relations of subjection with the end of a bi-polar world and also the desire of the institutions to deny responsibility and dissociate themselves from political accountability for the unstable areas. The framework of state-building obfuscates relations of power and responsibility; the paradox in this is that the states affirm to being built while they lose the main attribute of sovereignty, self-government (CHANDLER, 2006).

Sovereignty is being redefined in many ways; as flexible capacity rather than an indivisible right; as a duty or accountability instead of freedom and also by emphasizing the normal importance of international legal sovereignty in a way that the formal framework then facilitates the repackage of international domination as co-partnership and the spontaneous contract of equal partners.

When sovereignty is related to a scale of capacities instead of political/legal rights of equality, a new international hierarchy is legitimized and intervention can be framed as supporting sovereignty while undermining the rights of self-government.

If sovereignty is defined as capacity, which can be heightened or, of course, weakened, there would be little wrong in foreign institutions making plans for long-term engagement in those societies to enhance their sovereignty.

Now, sovereignty as responsibility assumes a new consensual approach to state-building. In Chandler's words:

'Policy advisers can no doubt see the gains to be made in enabling Western governments to talk about sovereignty and accountability in non-Western states, while avoiding political responsibility for their actions and policy prescriptions. However, while sovereignty can be 'unbundled' as a heuristic device there is little evidence that conceiving the non-Western state in purely administrative and bureaucratic terms, as a conduit for external policy, is necessarily a recipe for success. States without sovereignty are not easy do capacity-build.' (Chandler, 2006 p.43).

## Phantom States

Chandler explains that phantom states are those that are not designed to be independent political subjects in anything but name, they have no content. The states with no sovereignty can have governance or administrative structures in theory; they have international legal sovereignty but have abdicated policy-making control to external institutions. They are phantom states because of their absence of self-government that prevents them from being legitimized or accepted as having a collective expression of their population. One could say that Iraq, Bosnia and Afghanistan may have elected governments and sovereignty however, their relationship of international dependency shows that their internal political sphere don't serve to legitimize the political authorities or link their societies. This is a very corrosive way of state-building

Bosnia for example has no autonomous existence outside the European Union partnership, the politicians have to be subordinates to international institutions in the mechanisms of governance imposed by the EU administrators. Bosnia plays an important role in the transmission of European Union priorities in every detail. The Bosnia state is the opposite of a sovereign state, it doesn't represent a collective political expression of their interests, and it expresses an international driven agenda.

## Chandler explains:

"The more Bosnia has been the subject of external state-building, the less like a traditional state it has become. Here, the state is a mediating link between the "inside" of domestic politics and the "outside" of international relations, but rather than clarifying the distinction it removes the distinction completely. The imposition of an international agenda of capacity-building and good governance appears internationally as a domestic question and appears domestically as an external, international matter." (Chandler, 2006 *Empire in Denial*, p. 45)

In those terms, the political responsibility in policy making fades away with the elimination of sovereignty. For the international state-builders, the submission of politics to bureaucratic procedures of better governance is a good outcome. They assert that sovereignty and political contest this brings up for the control of power is an extravagance that can't come with non-western states.

What countries in the same situation as Bosnia receive is actually external regulation that prevented the building of real state institutions which can represent interests in the society. The phantom states are an inevitable result of the bureaucratic and technical approach established by state builders. Those states are in need of engaging (socially) state-based proposals of development and change, it's the issues from the state form in Western states that demonstrate the reason why there is a incompatibility in the need and approach instruction in the state-building proposal. The states from the West are the first

ones to draw back the practical consequences of the imperialist Great Power accountability, even though they sometimes seem contented with this “power” they own. State-building can better be embraced as a result of the exhaustion of the political process in the West part of the world. Instead of a politics, government is now seen as a matter of administration and law; not as a political struggle but as matter of bureaucratic competence. There is no transformative purpose in state-building; it can be seen in the heart of the process.

In sum, in the previous centuries, the traditional empire was convinced in the ability to change and ameliorate (or even “save”) intervened societies. Traditional empire now is very fragile, it’s asserting power and influence while desiring to hide in ways of formal sovereignty, the international communication of ‘good governance’, ‘empowerment’, ‘partnership’, ‘capacity-building’ means the politics in denial and evasion that characterizes all aspects of the state-building discourse.

Nowadays, as stated in *Politics without sovereignty* by Christopher J. Bickerton et al. (2007) there are endless non-governmental organization directly involved in commanding countries in the developing world. It’s necessary to consider the meaning of sovereignty, historically and conceptually speaking and then contextualize with the new global order.

## Conclusion

There is the development of a new set of practices which fill the old forms of states sovereignty with a new political content. In sum, one cannot deny the fact that the new forms of international control try to evade accountability and responsibility for the exercise of power. Actually, nation building or state-building efforts are almost always described in terms of empowering local authorities to assume the responsibilities of conventional sovereignty. As this paper tried to highlight, those approaches seem a good helpful process to non-Western states when actually the real intention is hidden behind a mask of power and control with another drawback of avoidance of the – bad - consequences.

Regarding the avoidance of responsibility, the lack of desire of most Western states to take up accountabilities of power, to be held to account for their interference in the international sphere, is ending up in an intense destabilizing process, where power and responsibility are unattached. The denial of power is founded on Western states elites’ lack of political project adept to impact their societies. The denial is driven by the knowledge that the only point of government is to bring up society, it seeks to take the easy way out, camouflaging in the codes of empowerment. This action of the political elites endangers to condemn many states in the world to a fate not that different from now. It’s no news that they are in denial.

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