



12 Non-State Actors and Challenges to Sovereignty

Enduring question

Can the state continue to overcome challenges to its authority?

Chapter Contents

- States, Sovereignty, and the Westphalian System
- Challenges to Sovereign States
- International Responses to Weak and Failed States
- Whither the State?
- Revisiting the Enduring Question and Looking Ahead
- Study Questions
- Further Reading

Many people think that states have always dominated world politics – and always will. But in fact, states have long been challenged in various ways. The ancient and early modern world was dominated by empires, and the nation-state only gained dominance in Europe in 1648. In earlier chapters, we explored moments when single states have tried to take over all or part of the system, such as Napoleonic France and Nazi Germany. The rise of nuclear weapons also led some people to argue that since states could no longer protect their populations, the state would wither away. In the 1970s, multinational corporations grew to be major players in the world economy, challenging the sovereign authority of national governments. In the 1990s, the international financial system – and large global banks – encroached on the ability of national governments to manage the world economy, and the 2008 financial crisis again showed governments at the mercy of financial markets.

In recent decades, the state has appeared to be challenged both from above – by supranational bodies such as the European Union – and from below – by localism, tribalism, and subnational ethnic groups. In addition, nongovernmental organizations (NGOs) – transnational private groupings of citizens and activists – also increasingly populate the international landscape. These transnational groupings range widely in their goals – from promoting global cooperation and social advancement to criminal and violent activities. In the meantime, the growing prominence of failed states in many parts of today's world raises questions about the viability of nation-states, at least in some troubled underdeveloped areas. The growth of NGOs also shows how modern technologies and globalization can challenge and possibly undermine the state's ability to protect its borders and pursue its goals.

In other words, the sovereign state has been continually challenged, both internally and externally, and these challenges have taken different forms in different eras and settings. In this chapter, we look at some of the contemporary challenges to the state, while recalling the enduring nature of the problem.

The combination of violent non-state actors and weak or failed states raises several far-reaching questions. Are these non-state actors gaining a sufficient foothold in the global system to challenge the primacy of the state as the dominant actor in the system and one that monopolizes the effective use of force? To what extent are the forces of globalization, technological change, and political fragmentation eroding the power and authority of states as the central actors in world politics? What are the implications of weak and failed states for the international system?

We first look back at the Westphalian system of sovereign states. Then we examine the challenge posed by weak and failing states, using Afghanistan, Sudan, and Colombia as illustrations. Weak and failing states enable non-state challenges, including by pirates on the high seas, and by warlords, drug gangs, and terror groups who take advantage of a weak state's inability to control its sovereign territory. We also look at the international responses to terrorism, non-state violence, and failed states. When countries fall apart, governments do not function, and private actors are free to pursue crime and violence within and across a state's ungoverned borders, what can the rest of the world do?

STATES, SOVEREIGNTY, AND THE WESTPHALIAN SYSTEM

Our starting point is the observation that states are not the only actors in international relations. There are a multitude of other agents or actors in world affairs, non-state actors who are not beholden to national governments but pursue their agendas privately and transnationally across international borders. Most non-state actors are peaceful in their interests and actions. Human rights groups, such as Amnesty

International, and environmental groups, such as the World Wide Fund for Nature, are well-known examples. We have encountered these groups in earlier chapters: human rights groups in Chapter 5, peace groups in Chapter 7, and multinational corporations in Chapter 9. But there are also non-state actors that behave more like criminal gangs – groups such as pirates, warlords, and terrorists. These non-state actors typically prey on their victims in parts of the world where states are weak or use these weak states as bases of operation to attack more advanced countries. Indeed, in some parts of the world states are so weak that they are often called **failed states**. Failed states are states that lack the basic institutions and capacities of government – taxing, policing, upholding the rule of law, protecting property, providing public roads and services, and maintaining control over territory.

To appreciate the significance of these non-state actors, recall the historic rise and spread of the nation-state system. The rise of the nation-state is one of the great dramas of the modern world. You will recall from Chapter 2 that scholars often date the birth of the state system to the Peace of Westphalia in 1648. This is when the monarchs and other state leaders of Europe agreed that national territorial states were sovereign, independent, and the dominant actors in the international system. Over the centuries that followed, beginning in Europe, the nation-state grew more capable as a political entity and spread to all corners of the world. States developed capabilities as national governments to organize the economy and society. They developed laws and political institutions, systems of taxation and regulation, judicial bodies and agencies of law enforcement, and expansive military organizations. Along the way, the modern territorial state became the dominant political entity in the world.

Two features are most important in characterizing the Westphalian state system, and they operate at different levels of analysis. First, domestically, states are territorial sovereign entities. As the German sociologist Max Weber famously observed, states in a Westphalian system have ‘a monopoly on the legitimate use of physical force within a given territory’ (Weber 1970). This is the classic understanding of the modern sovereign state. The state, embodied in the national government, has the exclusive right and ability to exercise violence (physical force) within its own territorial boundaries. Groups in society have no rights to act as private armies or police. The state controls violence and force within the society. Second, at the international level, national governments recognize and respect the supreme authority of states as sovereign political entities. Outside actors have no legitimate rights to act inside the territory of a sovereign state. Together, these features capture the essence of the Westphalian system. As the political theorist Chris Brown observes, ‘[t]he actors in the Westphalian System are sovereign states – territorial polities whose rulers acknowledge no equal at home, no superior abroad’ (Brown 2002).

It is important to distinguish the ideal norms of the Westphalian system and the actual capacities of states to live up to these norms. Throughout the modern era, many states claimed status as sovereign entities but were not able to fully enforce their monopoly on the use of violence within their societies. **Warlords** – private authority figures who control their own local armies or militias – and criminal gangs have plagued nation-states across the centuries in both the West and the rest of the world. Certain national governments and their law-enforcement capabilities have often proved incapable of preventing substate groups from wielding violence. Organized criminal gangs are notorious in the United States and other countries. Among the most infamous of these groups is the American Mafia, an Italian-American criminal society that emerged in the late nineteenth century in New York City and spread to other major cities on the East Coast and elsewhere. In Italy, the Mafia has challenged the central state for more than a century. In Mexico, drug gangs have grown into cross-border

Failed states

States that lack the basic institutions and capacities of government – taxing, policing, upholding the rule of law, protecting property, providing public roads and services, and maintaining control over territory.

Warlords

Private authority figures who control their own local armies or militias.

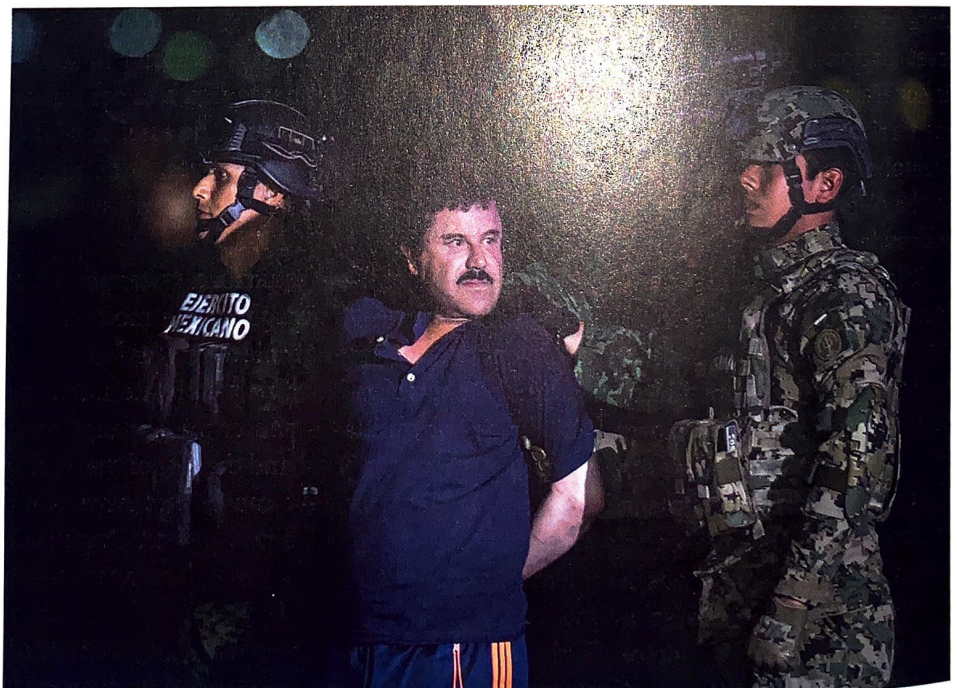
businesses, with private armies that smuggle contraband across the United States border, intimidating and killing politicians and law-enforcement officials. Mexican authorities have struggled to rein in both the drug gangs and the vigilante groups of private Mexican citizens that have emerged to combat them (see Photo 12.1). In Japan, the Yakuza are an infamous organized crime syndicate, operating in many sectors of the economy. In China, warlords and violent gangs operated along territorial borders and in waters off the coast for centuries.

Governments have running battles with these gangs as they terrorize towns and cities and use the threat of violence to extract payments from frightened businesses. States may claim the legitimate monopoly of violence, but they often struggle to make good on this claim.

Recall as well that sovereign states, in a legal sense, are equal as members of the Westphalian system. In practice, however, they differ vastly in their capabilities. In this sense, the norms of equality within the Westphalian system coexist with a system of power inequality and political hierarchy. Some powerful states have more ability to get their way than weak states. Similarly, the norm of sovereign non-intervention exists as an ideal but is often violated. States can claim a supreme authority within their national borders but outside actors, such as strong states or non-state transnational actors, may be able to intervene inside states. States may be unable to enforce border controls, and find their sovereign territorial boundaries transgressed by foreign actors. At the extreme, such transgressions would be the military intervention of a foreign power, as we discussed in Chapter 5 in the case of NATO military intervention in Libya in 2011. A weak state can find itself unable

Photo 12.1 Mexican Drug War

Within the last decade, tens of thousands have been killed in Mexico as rival gangs have fought for control over territory and drug distribution routes. They extort local businesses and rely on kidnappings to finance their rivalry. The Mexican state has tried to re-establish its authority over both the gangs and the vigilantes. In this photo, Mexico's most wanted drug lord, Joaquin Guzman Loera, known as 'El Chapo', is transported to the Maximum Security Prison of El Altiplano in Mexico City, Mexico on January 8, 2016.



Source: Daniel Cardenas/Anadolu Agency/Getty Images.

to resist or defend against a more powerful invading state. But sovereign control by a state can fail in many less spectacular ways. Criminal groups, such as drug lords and gangs, can operate across borders without the national government being able to enforce laws or territorial boundaries.

Challenges to the sovereign authority of states by criminal groups are not new. Pirates, organized crime, and drug cartels have operated for centuries in various parts of the world. States have always been under challenge by non-state groups. As a result, states must constantly find new ways to build and reinforce state control. Below we examine non-state challenges in more detail, and then consider the international responses to these challenges.

Levels of Analysis Formal Sovereignty and the Varying Ability of States to Exercise It

Individual

Private individuals and groups, including drug gangs and vigilantes, can sometimes challenge state authority.

State

States formally claim sovereign authority internally and externally but are not always able to enforce that claim.

International

The sovereign state system is a defining feature of world politics and has continually adapted to challenges from non-state actors.

CHALLENGES TO SOVEREIGN STATES

The traditional Westphalian idea of the international system – and the modern sovereign state itself – has been challenged in recent decades by a cluster of interrelated developments: failed states, non-state actors empowered by technological change, and the changing norms and expectations of the international community.

First, as the discussion above showed, the capacity of states to retain sovereign control over their national territories varies considerably. In the developing world, there are many nation-states that are sovereign more in name than reality. Afghanistan, South Sudan, and Somalia are just some examples of states so weak that the central government has no effective control over major regions within the formal territorial borders. These unruly territories provide attractive havens for non-state criminal and terrorist groups to operate, offering training sites and launching pads for transnational operations. More established states with capable law-enforcement institutions and courts that uphold the rule of law provide less welcoming conditions for these private wielders of violence, though, as we have noted, even these advanced countries still struggle with organized crime and other violent groups.

Second, advancements in technologies have made it easier for private groups, such as criminal gangs and terrorist groups, to operate and inflict harm across national borders and at longer distances. The internet makes it easier to communicate and transfer funds across the world. These groups can build extended transnational organizational networks. As discussed in Chapter 8, technologies of violence – nuclear, chemical, and biological – potentially provide capabilities that allow non-state actors to wield destructive force that, previously, only states could possess. The world of the internet and cyber connections is putting capabilities in the hands of private groups as well as states. Modern technologies, such as monitoring and surveillance, also give states new tools with which to seek out transnational criminal and terrorist groups. It remains an open question whether these modern technologies give the advantage to non-state groups or the states which seek to detect and prevent their violent activities.

Third, countries around the world have become increasingly concerned with the activities of non-state actors, particularly the violent ambitions of terrorist groups

with increasing global reach. The Westphalian system is under threat, and established sovereign states are searching for ways to respond. One response is to target criminal and terrorist groups with intelligence, special operations, covert actions, and counter-insurgent war. For example, in recent years, the United States has expanded its use of unmanned drones in Pakistan, Afghanistan, and Yemen to strike terrorist havens (Harnden 2011). Another strategy of response is to seek to strengthen the weak and failing states that provide havens for outlaw groups.

At the same time, the norms of state sovereignty are evolving, reflected most clearly in the idea of the Responsibility to Protect (R2P). As discussed in Chapter 5, R2P suggests that if a state is inflicting harm or violence on its own citizens or if it is unable to protect its own citizens from harm or violence, the international community has the right – indeed the obligation – to act. The emergence of this proposed responsibility reflects an evolution of thinking within the international community about state sovereignty. Failed states, terrorism, and violations of human rights are driving the international community to rethink the old Westphalian state system and the rules and norms of intervention.

The international system will be transformed by these challenges, struggles, and changing norms. States will either find ways to adapt and strengthen the capacity of their sovereign authority or the world will enter a new epoch of transnational violence and disorder. Technologies and the forces of globalization have brought the world together in new ways but, in the hands of violent and criminal non-state actors, they also threaten to tear the world apart. We can look at three ‘faces’ of this non-state world: pirates, warlords, and terrorists with global reach. First, we examine the breeding ground for these challenges: weak and failed states.

Weak and Failed States

We have already observed that a modern sovereign state has several key characteristics: it has a functioning central government, can control its borders, and effectively claims a monopoly on the legitimate use of force over its territory. Most observers would agree that a stable, capable state has a defined territory, a distinct population, an effective government, and the capacity to enter formal relations with other states.

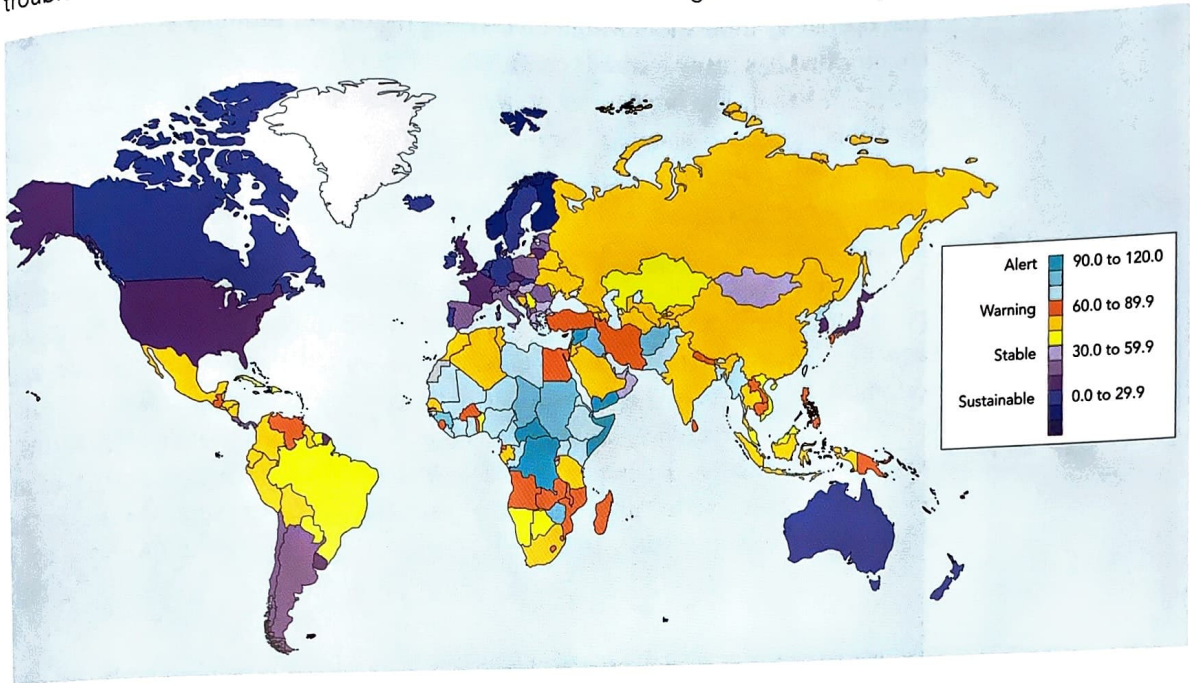
Many states in the developing world are only a shadow of this ideal. Some states might be best seen as **weak states**. They have functioning central governments, but they have only weak control over their territory and borders. They are unable to fully tax the population, establish police and military services, and provide other public services. There are multiple causes of state weakness. In some cases, for example contemporary Lebanon and Iraq (after the collapse of the Ba’athist regime), there are deep ethnic or religious divisions and no history or tradition of strong centralized rule. In others, corrupt or otherwise less competent governments can neither eliminate challengers to their authority (for example, gangs or drug cartels) nor provide basic services and thereby earn the allegiance of parts of their population. As noted above, Mexico is an example.

Failed states are states where the government itself no longer functions; the state has essentially collapsed. As I. William Zartman suggests in his widely accepted definition, a failed state is a state where ‘the basic functions of the state are no longer performed’ (Zartman 1995). Some observers see failed states primarily manifest in the inability of the state to enforce order. This absence of an established capable state will be seen most dramatically when insurgents attack the government and the country is torn by civil war. Map 12.1 shows that failed and fragile states are found in many parts of today’s world.

Weak states
States with functioning
central governments
but only weak control
over their territory and
borders.

Map 12.1 The Fragile State Index 2018

Each year the Fund for Peace releases its index of fragile states around the world. This is a graphical representation of that index for 2018, along with the scores used to derive the index and rankings for the 20 most vulnerable countries. Notice how those states that are categorized as in critical or dangerous condition tend to cluster together in geographic regions. The international community has tried to respond to the trouble created by the worst of these states, but international organizations are fighting an uphill battle.



Source: Reproduced with permission of the Fund for Peace.

As one expert on weak and failed states notes: 'In most failed states, government troops battle armed revolts led by one or more rivals. Occasionally, the official authorities in a failed state face two or more insurgencies, varieties of civil unrest, different degrees of communal discontent, and a plethora of dissent directed at the state and at groups within the state' (Rotberg 2003). Contemporary Pakistan, Iraq, Afghanistan, Syria, and even Mexico and Peru are countries with violent internal rivals – or warlords – challenging the authority of the central government.

Rival groups and warlords within seemingly sovereign states have long played a role in the history of the Westphalian state system. The first states that emerged in early modern Europe in the seventeenth century did not simply emerge whole and sovereign. They had to be created. Central government rulers had to build institutions and establish their supreme authority within an internationally recognized territorial boundary. The first states in Europe were composite states, built through the combining of several political entities. As Daniel Nexon notes:

Whether confederative or imperial, ruled by hereditary or elected princes, or operating as autonomous republics, most early modern European states were composed of numerous subordinate political communities linked to central authorities through distinctive contracts specifying rights and obligations. These subordinate political communities often had their own social organizations, identities, languages, and institutions. (Nexon 2009)

In Europe during this era, and around the world, the rulers of the central state had to struggle to establish their authority and maintain control over outlying areas.

In some cases, central governments fail to establish rule and order within a sovereign state because outlying provinces and regions want independence. In Europe today,

there are active independence movements in northern Spain, the United Kingdom, and elsewhere. Along the Chinese border, provinces such as Tibet are attempting to gain autonomy or independence. Russia has also struggled with secession movements in Chechnya along its southern border. In other cases, it is not an independence movement that threatens state sovereignty and control but criminal gangs and warlords that operate as mini-states within an outlying region. For example, Afghanistan is a country that has many warlords controlling territory in remote areas away from the capital in Kabul. The border area between Pakistan and Afghanistan is a 'no man's land' that has been a sanctuary for terrorists because it lies beyond the control of the central government of either country. These challenges to the centralized state are often associated with crime and violence since they operate beyond the reach of the police and the law.

The most dangerous cases of weak or failed states are those where regional or provincial leaders, or warlords, engage in violence that spills out into the wider region and international system at large. Often, these warlords engage in international criminal activity by selling drugs, buying weapons, smuggling diamonds, and pursuing other sorts of transnational violence. Below we look more closely at three countries in different parts of the world, Afghanistan, North and South Sudan, and Colombia, to better understand the processes by which such threats to the international system occur.

Afghanistan

Afghanistan sits at the crossroads of South Asia, bordered by Iran in the south and west, and Pakistan in the east. It is a landlocked and mountainous country situated over the centuries amidst great empires and trade and migration routes. Afghanistan, with a population of 35 million, is one of the poorest countries in the world, and its largest export is poppies, which are used in making heroin. Afghanistan is the largest provider of poppies in the world, and the international heroin trade depends on its exports (Naïm 2005). Afghanistan is also a country with a weak central government and a patchwork of tribal and ethnic groups that control provincial areas and compete with the national government in Kabul for the allegiance of the Afghan people.

Since the late 1970s, Afghanistan has been plagued by civil war. When its pro-Soviet government was threatened by internal tribal uprisings, the Soviet Union intervened with military force. This was followed by a long struggle between Soviet military forces, tied to a Soviet-backed regime in Kabul, and tribal groups resisting foreign domination. As many as 2 million Afghans died in the war with the Soviets. Rebel groups were led by the Afghan Mujahideen, US-supported resistance fighters that struggled against the Soviet invasion of their homeland. American involvement in Afghanistan was primarily motivated by its Cold War competition with the Soviet Union, so after the withdrawal of Soviet troops in 1989, the United States lost interest in Afghanistan. During the 1990s, in the void left by the departure of Soviet and United States troops, a civil war ensued among different tribal and provincial groups vying for control over the country. Out of this struggle the Taliban, a radical Islamic group, developed into a politico-religious organization and seized power in the capital of Kabul, eventually capturing as much as 95 percent of the country by 2000. The Taliban instituted a radical political and religious order, restricting rights and freedoms, particularly of women and girls. Most importantly, under the Taliban, the Al Qaeda terrorist organization was able to set up training camps in the countryside and establish a safe haven from which it could launch the 2001 terrorist attacks on the United States.

Photo 12.2 Poppy Fields in Afghanistan

Nearly 90% of all poppies are grown in rural Afghanistan, says a drug survey released Nov. 13, 2013 by the UN's drug control agency. The area is beyond the control of the central government, and largely controlled by the Taliban. In 2017, Afghanistan opium production reached a record high.



Source: Noorullah Shirzada/AFP/Getty Images.

America's new enemy now had its 'home address,' and it was in Afghanistan. Nonetheless, the Taliban refused to hand over Al Qaeda's leader, Osama bin Laden, and other prominent terrorist leaders. In late 2001, the United States launched an attack on Taliban and Al Qaeda targets in Afghanistan, working with anti-Taliban groups across the country. These assaults on the Taliban culminated with the capture of Kabul by the Northern Alliance, a militia still recognized by the United Nations as the legitimate Afghan government. Along the way, many regional warlords switched their allegiance from the Taliban to the Northern Alliance. For a while, the new government made inroads in rebuilding and establishing rule across the country. But the Taliban slowly began to return to prominence, gathering forces in various outlying regions. The result was a new phase of insurgent civil war. The beleaguered central government struggled to maintain order in the face of rebel acts within regional strongholds. Beginning in 2007, the United States expanded its military operations in the country; to this day, a violent insurgency continues to pull the country apart. Entire parts of the country remain outside the control – and law enforcement – of the government in Kabul (see Box 12.1). Tens of thousands of Afghan civilians have been killed since 2001, and even in Kabul, violent attacks and suicide bombings by Taliban insurgents are a regular occurrence.



Simulations: What would you do? Imagine you were President George W. Bush on September 12, 2001. How would you handle the aftermath of the Al Qaeda attacks? Go to the companion website and assess your options.

12.1 MAKING CONNECTIONS

Aspiration versus Reality



Building the Afghanistan State

Aspiration

The United States intervened militarily in Afghanistan soon after the September 11, 2001 terrorist attacks, overthrowing the Taliban government. In the aftermath of this intervention, American and NATO forces have spent the last 15 years trying to defeat an insurgency by Taliban forces and other tribal groups. The most ambitious goal that the United States and others have articulated for Afghanistan is to turn it into a functioning democratic state. The goal is to build a strong, legitimate, and accountable central government with all the elements of modern government. Consider the following statement by President George W. Bush:

With the steady leadership of President Karzai, the people of Afghanistan are building a modern and peaceful government. Next month, 500 delegates will convene a national assembly in Kabul to approve a new Afghan constitution. The proposed draft would establish a bicameral parliament, set national elections next year, and recognize Afghanistan's Muslim identity, while protecting the rights of all citizens. Afghanistan faces continuing economic and security challenges – it will face those challenges as a free and stable democracy. (Remarks by President George W. Bush at the 20th Anniversary of the National Endowment for Democracy, November 6, 2003)

Reality

After many years of military struggle, the Afghan government remained weak. Its powers and authority did not reach much further than the city limits of the capital. The possibility of building a Western-style democratic state was remote. Although voting took place for a national assembly and the leader of the country, the authority of the central government remains limited. Power-sharing schemes that leave tribal areas under separate rule became a more realistic option. Stability, rather than the lofty ideals of nation building and democracy, became the watchword for Afghan politics. Consider the statement by President Barack Obama:

The goal that we seek is achievable, and can be expressed simply: No safe haven from which Al Qaeda or its affiliates can launch attacks against our homeland or our allies. We won't try to make Afghanistan a perfect place. We will not police its streets or patrol its mountains indefinitely. That is the responsibility of the Afghan government, which must step up its ability to protect its people, and move from an economy shaped by war to one that can sustain a lasting peace. What we can do, and will do, is build a partnership with the Afghan people that endures – one that ensures that we will be able to continue targeting terrorists and supporting a sovereign Afghan government. (Remarks by the President on the Way Forward in Afghanistan, June 22, 2011)

North and South Sudan

Sudan, before South Sudan gained independence in 2011, was the largest country in Africa, with an ancient history, but one that has long suffered from civil war and has been labeled a failed state. It is also a country with rich oil deposits. Over the

centuries Sudan has been encroached upon by neighbors such as Egypt. In the late nineteenth century, Sudan was under British control even as other European powers, such as France and Belgium, also pursued claims on parts of its territory. Eventually, the United Kingdom granted the country independence in 1956, but Sudan remained divided between the North, which maintained close ties with Egypt and was predominantly Arab and Muslim, and the South, which was mostly populated by Christians and members of other religious sects. The fact that the United Kingdom divided the country between the North and the South for purposes of administrative rule also reinforced these divisions. In the decades to follow, civil war was rife between the two factions. Military governments were formed in the North and rebel armies organized resistance in the South. The southern 'liberation army' formed in the 1980s and was a Marxist-inspired organization with support from the Soviet Union and Ethiopia. It gradually shed this identity and reached out for Western support by portraying the struggle as one between a Christian South and an Arab Islamic North seeking to dominate the nation.

After two decades of brutal war, peace talks in 2003 did lead to a truce and the granting of autonomy for the South for a period of years to be followed by a referendum on independence. The agreement also mandated joint leadership of the government and the sharing of oil revenues. A United Nations mission to Sudan was established to help implement the agreement. But by 2005, the southern rebel army withdrew from the accord that ended the civil war, protesting its slow implementation. In the meantime, a bloody civil war was also occurring in the western region of Sudan, known as Darfur. Sudanese rebels were seeking autonomy from the central government, which they saw as neglecting the region. Government and rebel groups were both accused of violent atrocities, but the Arab militias operating on behalf of the national government were singled out by outside observers for engaging in acts of genocide. In 2004, American Secretary of State Colin Powell described the conflict in Darfur as *genocide*, suggesting that it was the worst humanitarian crisis of the new century. Eventually, the Sudanese government and rebel groups signed an agreement, bringing an end to the conflict and establishing a temporary government in the region that would include rebel participation. Ultimately, the agreement did not stop the violence, and civil war continues to pit religious and ethnic tribal groups, both regionally and nationally, against each other (Natsios and Abramowitz 2011).

The decades-long civil war between North and South Sudan culminated in the creation of an independent South Sudan in 2011. A reported 2 million Sudanese lost their lives in this war and resulting famine, and many more have been displaced. Despite its independence, the government of the oil-rich South Sudan has been unable to establish its authority and the country remains in a civil war, spending millions of dollars on arms as the country has experienced famine and economic crisis.

Colombia

Colombia is a country in South America with a constitutional government and a large economy. It gained independence from Spain in 1819 and established the Republic of Colombia in 1886. After several decades of political stability in the early twentieth century, the country found itself in new episodes of political violence and civil war beginning in the 1940s, when armed militias of the Liberal and Conservative parties descended into a vicious circle of violence and retaliation that persisted for decades. By the 1960s, violence between the political parties declined; leading political figures established a united front of shared power and pursued an agenda of economic and social reform.

Despite efforts at building a modern government, political violence and instability were never far from the forefront. Beginning in the 1970s, various guerrilla groups, some dominated by Marxist ideology, emerged to fight the government. Amidst this turmoil, beginning in the late 1970s, violent drug cartels took hold of territory, increasing their power and control of outlying regions. The most famous of these were the Medellin Cartel, led by Pablo Escobar, and the Cali Cartel who, along with various associated groups, exerted increasing political and economic influence in Colombia over the decades. These cartels helped finance an array of illegal armed groups, both right-wing paramilitary groups and left-wing insurgents, and have undermined the authority of the central government. Guerrilla groups emerged first, operating in the countryside under the influence of Marxist revolutionary ideas. Paramilitary groups have also been a prominent part of the Colombian political landscape, often employed by landowners seeking protection against guerrilla groups when the central government could not do so. In the 1980s, these paramilitary groups who, in the past, had worked with agricultural landowners producing legal crops, began to come under the sway of drug lords, using their lands for the growing of coca. Soon, the drug cartels began supporting paramilitary squads (Kline 2003).

Drug groups used their money and firearms to build private security protection arrangements for towns and people, further weakening the state. The central government tried to re-establish its authority and the reach of law enforcement but was largely helpless as the cartels and private security warlords continued to dominate large parts of the country. Harvey F. Kline summarized the downward spiral of Columbia's central governmental power:

Hence the weak state that existed in Colombia made it possible for drugs to become rooted in the countryside. This, in turn, made the Colombian state even weaker, as drug dealers established private governments in parts of the country. As their illicit wealth increased, they armed themselves and collaborated with both paramilitary groups and guerrilla groups, which made the state weaker yet. (Kline 2003)

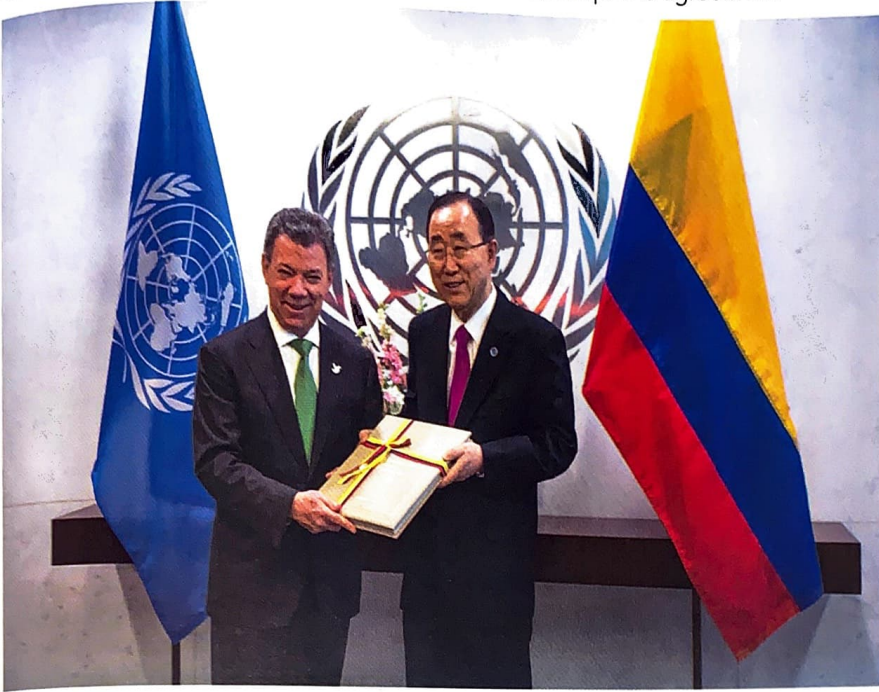
Along the way, Colombia became the leading drug-producing country in the world. In recent years, the country continues to be plagued by drug cartels, insurgent movements, and paramilitary groups. Smaller drug trading groups have emerged, employing sophisticated financial and communication technologies to escape the law and operate across international borders. Colombian drug traffickers have found sophisticated ways to 'clean' their money, entrusting their dollars to intermediaries who use the funds to make legal purchases in the United States on behalf of Colombian customers. The customers pay the brokers in local currency that is passed on to the drug dealers (Naim 2005).

In the last decade, the Colombian government has pursued counterterrorism campaigns, economic infrastructure programs, and peace negotiations, seeking to rebuild the fractured country. In 2016, President Juan Manuel Santos announced a deal with the leading rebel group – the Revolutionary Armed Forces of Colombia (FARC) – to end the conflict, for which he was awarded the Nobel Peace Prize (see Photo 12.3).

What Afghanistan, North and South Sudan, and Colombia – until recently – have in common is that the central state has failed to establish its authority and sovereign control over the national territory. These countries have struggled to build what sovereign states must possess – namely, a monopoly over the legitimate use of violence within the territorial borders of the country. Non-state groups such as ethnic militias, separatist forces, guerrilla groups, and warlord armies

Photo 12.3 Colombia's President and the UN Secretary General

Colombian President Juan Manuel Santos was awarded the Nobel Peace Prize in 2016 for his efforts to bring the country's decades-long civil war to an end. The conflict, which has been raging for 52 years, has cost the lives of at least 220,000 people and displaced almost 6 million. In the photo, Santos offers UN Secretary General Ban Ki-moon a copy of the Colombian peace agreement.



Source: Corazon Aguirre/Pacific Press/LightRocket via Getty Images.

usurp authority and violence capacities that are normally reserved for the state. Weak or failing states allow private groups to take control of regions or provinces. This breakdown of political order becomes a vicious cycle; the groups take hold because the state is weak, which weakens the state further, which allows the groups to grow stronger, further weakening the state. Pierre Hassner has described this breakdown of state authority as a 'return to the Middle Ages,' in which the modern state is undermined by a proliferation of competing substate power blocs (Hassner 1993). Through this process, these weak and fragmenting states become theaters for transnational crime and violence. As a result, other countries with established functioning states, and the international system itself, become threatened. If lawlessness emerges in one state or region of the world, it provides a platform for criminal groups to threaten other countries and regions. Weak and failed states are susceptible to three challenges discussed next: piracy, terrorist groups, and the privatization of war.

Piracy

Pirates have been among the most persistent challengers to the authority of states, threatening freedom on the world's oceans over the centuries. **Pirates** are non-state gangs who commit robbery or criminal violence on the high seas. The 1982 United Nations Convention on the Law of the Sea defines piracy as acts of 'violence, detention, or depredation' committed for private ends against the crew or passengers on board ships on international waterways. States care about piracy because the criminal activity itself can be costly, in human and economic terms, and these

Pirates

Non-state gangs who commit robbery or criminal violence on the high seas.

12.2 MAKING CONNECTIONS

Then and Now



Pirates in the Seventeenth and Twenty-First Centuries

Then: Seventeenth-Century Pirates

The Golden Age of pirates, 1650–1720, included famous figures such as Blackbeard (Edward Teach), Henry Morgan, William ‘Captain’ Kidd, and Bartholomew Roberts. Many of these pirates operated in the Caribbean Sea, seeking to board Spanish ships transporting gold and silver back to Europe. Pirate ships were heavily loaded with canons and sailors, making it easy for them to attack and overwhelm merchant ships. Pirating became so widespread and successful in the eighteenth century that European governments were forced to patrol the waters with heavily armed naval warships. Many famous pirates were killed or captured after these government-sponsored patrols began, and pirating in the New World declined.

Now: Twenty-First-Century Pirates

Beginning in the early 1990s, pirates operating off the coast of Somalia began to attack shipping vessels, kidnapping crews for ransom. The collapse of the Somali government and ensuing civil war provided the setting. The decline of the fishing industry off the coast of East Africa has intensified desperate economic circumstances; some pirates were originally fishermen whose livelihoods were undercut by illegal fishing by foreign crews off Somali waters. Today, Somali pirates armed primarily with machine guns board cargo ships and hold the crew for ransom. Warlords along the coast have organized the pirate networks and split the profits from their operations. Hundreds of attacks occur each year. Recently, warships from various countries, including the United States, the United Kingdom, China, and Japan, have patrolled the waters to deter attacks. These patrols do provide deterrence, but pirates still operate in these waters.

non-state groups amount to a direct challenge to states and their monopoly of control over the use of force in and between states. Pirates operate outside the law, and outside the Westphalian system of states. As Box 12.2 shows, pirates have challenged state sovereignty for centuries. The upsurge of piracy in the contemporary world, most prominently off the coast of East Africa, presents disturbing evidence that at least some states have lost control over the seas today.

With the rise of modern naval power in the late nineteenth and early twentieth centuries, piracy receded around the world. But it was not fully extinguished and has reappeared in recent years. Many of the coastal waters around the globe, such as the coasts of North America, Western Europe, and Northeast Asia, are relatively safe. In these waters, established naval powers safeguard sea lanes and deter pirate gangs. In other regions, however, piracy is a fact of maritime life. As Map 12.2 shows, piracy remains a significant problem in the waters extending from the Red Sea and the Indian Ocean, off the East African coast, and in the Straits of Malacca and Singapore; these waterways are used by as many as 50,000 commercial ships a year. One study indicates that worldwide losses from piracy amount to as much as \$13 to \$16 billion annually (Hahn 2012).

Map 12.2 Global Pirate Activity in 2016

As the map indicates, the problem of piracy is significant off the coasts of Africa, but also in southeast Asia and in parts of South America.



Source: Data from the International Maritime Bureau.

The most famous instances of modern piracy occur off the coast of Somalia. Major shipping routes take a large flow of cargo ships through narrow water passages, making it easy for pirates to overtake and board them with small motor boats. This is also a region dominated by developing countries with small navies. Somalia itself is a failed state, with ongoing clashes between various factional warlords and criminal gangs. The pirates are typically protected by these factional groups on shore, and the absence of centralized government authority makes effective law enforcement impossible. The major naval powers in the region – which include India and the United States – are unable or unwilling to project consistent naval protection into the area, except in instances where commercial interests are particularly significant. As a result, piracy proliferates. The Somalia pirates are clever enough not to harm crews or vessels. They capture and hold the ships, and demand ransom. With few options, the commercial shipping companies tend to pay the pirates what they demand, and business continues. The US navy has intervened in some instances to rescue hostages taken by pirates (Gettleman 2012). The 2013 Hollywood thriller, *Captain Phillips*, captured the high drama of one such episode.

Modern piracy shows the limits of state capacity to enforce order and provide security on open waters. Piracy comes to life when a leading power, such as the United Kingdom or the United States, is not positioned to offer protection. When great powers are struggling among themselves or if their presence recedes from regions with active commercial maritime traffic, the 'rule of the sea' declines or disappears. Most importantly, piracy is aided by the weakness of states in the region. It is the failure of Somalia to establish the rule of law and a capable central government that allows piracy to prosper. The pirates can be attacked by navies dispatched to the area,

but the problem will only be solved when weak or failed states in the area are able to achieve sufficient capabilities to resist the activities of pirates in their harbors and shores. Pirates conduct dangerous business on water but require safe havens on land. The problem of piracy is felt off shore but the solutions, in part, are to be found on shore. The governments of the countries need to be strengthened so that they can establish stable order and defend their territorial waters.

Terrorism

As we discussed in Chapter 2, international terrorism, an enduring problem in the international system, burst onto the global stage in the opening decade of the twenty-first century. The violent Sunni Islamist transnational group, Al Qaeda, carried out attacks in Madrid and London, as well as in Bali, Morocco, and other parts of the developing world. For the United States, the terrorist attacks of September 11, 2001, were a frightening introduction to the potential for non-state violence in the twenty-first century. The attacks were quite simple in their design. A group of 20 hijackers boarded four commercial airlines, took over the controls, and smashed them into buildings. The only weapons they brought with them were box cutting knives. What made the attacks shocking is that the hijacked airplanes became weapons used to inflict great violence on New York City and the Pentagon, the headquarters of the United States Department of Defense. Prior to 9/11, the security of the American homeland had only been attacked in the modern era when Japanese bombers destroyed Pearl Harbor at the beginning of World War II. But September 11, 2001 seemed to shatter the view of America as relatively invulnerable. Violence could come from any direction and hit any place on earth. No people are secure. Small groups of armed gangs, made up of people who hate and are prepared to die, can lash out at established societies and leave their cities burning.

Terrorists employ violence against civilians to achieve a political purpose. Used as a tool of war and political struggle, terrorism may be employed by a group seeking to intimidate, coerce, or manipulate the sentiments of another people by inflicting violence on innocent civilians. This violence may simply be an expression of hatred and anger, but, as shown in Chapter 2, it can also be a calculated step aimed at altering the behavior of an enemy. The immediate victims may be innocent civilians, but the ultimate target is the foreign policy of a state.

In this sense, terrorism, like piracy, is very old. In the nineteenth and early twentieth centuries, terrorism primarily took the form of violence committed by nationalist movements resisting occupation and seeking independence from imperial or colonial domination. In late nineteenth-century Russia, opponents of the Tsarist state, or anarchists, used bombs to kill state officials with the hope of inciting popular revolt. Anarchist figures were responsible for the assassination of Russian Czar Alexander II in 1881 and American President William McKinley in 1901. In the late nineteenth century, Armenian nationalist groups seeking independence from the Ottoman Empire used violence against public officials. Irish nationalists carried out attacks in England, foreshadowing the later activities of the Irish Republican Army, a group that, for decades, carried out assassinations and political violence in their protests against the British armed forces' presence in Northern Ireland. In the early twentieth century, Zionist groups fought the British in their efforts to establish a Jewish state in Palestine. At the same time, the Muslim Brotherhood, which recently won control of the Egyptian government, and then lost it in a military coup, was formed in Egypt as a nationalist group resisting British

control. As mentioned in Chapter 2, a terrorist act by a Serbian nationalist was the proximate cause of World War I.

By far the most notorious international terrorist group in the contemporary era is Al Qaeda. Founded in 1988 by Osama bin Laden, this Sunni Islamist extremist movement has carried out acts of violence with the aim of ending foreign influence in Muslim countries and establishing a new Islamic caliphate (transnational Islamic state). In October 2000, Al Qaeda carried out a bombing of the US Navy destroyer USS Cole in the port of Aden in Yemen. But it was the September 11, 2001 attack that brought the threat of international terrorism into a new era.

The terrorist acts of September 11 share the basic characteristics of terrorism as it has appeared over the centuries. It is an act of violence by non-state actors directed at civilians and seeking to send a message. The violence is directed at the enemy, but it is not aimed at defeating an enemy in war. It is an act of violence that seeks to make a political point and alter how others see a political struggle. By reacting to an attack, people will force their government to change its policies. An Al Qaeda spokesman commented on the violence unleashed in the United States in September 2001: 'It rang the bells of restoring Arab and Islamic glory' (Richardson 2007). The symbolic aspect of the September 11 attacks was clear: it was an attack on icons of American power. The World Trade Center's Twin Towers served as a symbol of American global capitalism and the Pentagon as a symbol of American global military power.

More recently, as we discussed in Chapter 2, by 2014 another violent Islamist group – the Islamic State or ISIS – emerged as an offshoot of Al Qaeda and seized large areas of territory in Iraq, which had fragmented into warring factions following the US-led intervention of 2003, and Syria, which had descended into a violent civil war between insurgents and the repressive regime of Bashar al-Assad. ISIS took advantage of these two fragile states and at its peak controlled a land mass equivalent in size to the United Kingdom. Unlike most terrorist groups, ISIS sought to transform itself from a non-state actor to a state with control over territory and population by establishing a caliphate, or state governed in accordance with Islamic law. That effort failed, as ISIS was driven back by the military forces of both the Iraqi and Syrian governments. But its campaign of far-flung violence has continued. Between 2014 and 2018, ISIS carried out 149 attacks in 29 countries (not including Iraq and Syria), resulting in over 2,000 deaths (Lister *et al.* 2018).

So why do terrorists do what they do? What leads people to kill innocent civilians? There are many reasons why angry militants engage in terrorism (Richardson 2007), and as we showed in Chapter 2, the motivations are primarily political and strategic rather than religious. As in its early nineteenth-century manifestations, one motivation for terrorism still appears to be the quest for an independent homeland. The Basques in Spain, the Tamils in Sri Lanka, the Chechens in southern Russia, separatists in Northern Ireland, and many other groups have, over the last century, resorted to terrorist violence as they seek independence. Other groups have had more far-reaching political objectives. Revolutionaries in nineteenth-century Europe sought to overturn capitalism and usher in a new social order. Al Qaeda has sought to force the United States and its military forces out of the Middle East (in particular, Saudi Arabia as the home to Muslim holy sites). Since the days of Muhammad, some Islamist groups, with ISIS as the latest example, have sought to transform the states in the Middle East into a trans-state caliphate. As Box 12.3 suggests, the appropriate response to international terrorism depends at least in part on the assumptions one makes as to the motives of terrorists and the causes of terrorism.

12.3 DIFFERING PERSPECTIVES



How to Cope with the Threat of International Terrorism

George W. Bush Administration

The growing threat of 'terrorism with global reach' is caused by extremists who have resorted to violence because 'they hate who we are.' Al Qaeda and other Islamic extremists are the most prominent and dangerous terrorists operating today. As the Bush administration argued after September 11, the terrorists are threatened by our freedom and liberty. They will not stop until we find them and kill them. We must go directly to their hideouts and build functioning states that are based on representative government and the rule of law. We need to go get them before they come to our shores and get us.

Other Voices

Robert Pape, scholar from the University of Chicago: Terrorists are provoked primarily by the occupation of their lands by foreigners, or at least by their beliefs about such occupation. In this view, the September 11 terrorists were motivated primarily because of the American military presence in Saudi Arabia – the land most holy to Islam – and American support for the conservative Arab regimes in the region and the state of Israel. To reduce the religious and political motivation of terrorism, the United States needs to reduce its presence in the Middle East.

Robert Wright, journalist: Wright was the author of a series of essays in *Slate* online magazine after September 11, where he argued that American force in the region was catalyzing Islamic terrorism rather than undercutting it. The focus needs to be on reducing the grievances and ideological motivations that propel radicals to engage in violence.

Weak and failed states make it possible for terrorists, pirates, warlords, and drug gangs to operate and challenge state sovereignty within and across nation-states. But what tools help these non-state actors transform their global power and reach?

Technology and the Privatization of War

Pirates, warlords, and terrorists are not just citizens committing crimes. They are non-state actors using violence capabilities ordinarily reserved for states to pursue economic or political gains by directly challenging the Westphalian state system. They have always existed at the edges of the state system. What has made these groups increasingly dangerous in the contemporary world is their potential global reach and the growing lethality of their violence. New communication technologies, which have enabled globalization and commerce to flourish, have simultaneously allowed more nefarious non-state actors to become transnational and organize at a great distance. They can operate far afield, sending messages, money, and agents around the world. At the same time, they are also able to gain access to ever more lethal violence capacities. These developments make non-state actors increasingly dangerous. They threaten not just particular cities or states, but global civilization and potentially the Westphalian system itself.

These new developments might be called the **privatization of war**. In the past, only states (primarily powerful states) were able to gain access to violence capabilities that could threaten other societies. As discussed in Chapter 8, it is still a remote possibility, but we can look to the future and foresee the day when small groups or transnational gangs of individuals might be able to acquire weapons of mass destruction (WMD). These technologies and knowledge will almost inevitably diffuse outward. Determined groups of extremists will increasingly be able to obtain WMD. The journalist Robert Wright has called this the 'growing lethality of hatred' (Wright 2006). The actual number of individuals in the world willing to inflict harm on others may not be growing, but their capabilities are. In the past, groups that were willing to use violence to express their hatred were limited in the damage they could inflict. In the future, this limitation may well drop away.

It is possible to imagine a small group of determined individuals camped out in a weak or war-torn country planning a massively destructive event. It would take money, knowledge, and logistical capabilities. The group might find common cause with a few scientists or engineers who work for a government military agency with chemical, biological, or nuclear materials. Secretly, the government experts could find a way to transfer the materials to the non-state group. This could be possible because the state itself is weak or failing, has splintered into competing factions, or has lost the capacity to enforce safety and security for its WMD stockpiles. Organized crime groups or warlords from another state could act as an intermediary between government experts and terrorists. Once in the hands of a terrorist group, it is only a matter of logistics and determination to get the weapon to its target. The target might be a harbor city in Europe or the United States. An exploded nuclear device would kill hundreds of thousands of people, perhaps even a million or more, depending on its explosive capacities. A chemical or biological weapon would kill people more slowly, contaminating and poisoning people on a large scale across a metropolitan area. This is what terrorism could look like with global reach. It is a future spectacle in which the forces of technology and anger threaten the world in new and ominous ways.

In its famous National Security Strategy Report, issued a year after the 9/11 terrorist attacks, the US administration of President Bush proclaimed the danger:

The gravest danger our Nation faces lies at the crossroads of radicalism and technology. Our enemies have openly declared that they are seeking weapons of mass destruction, and evidence indicates that they are doing so with determination. The United States will not allow these efforts to succeed ... America is now threatened less by conquering states than we are by failing ones. We are menaced less by fleets and armies than by catastrophic technologies in the hands of the embittered few. We must defeat these threats to our Nation, allies, and friends. (White House 2002)

In this vision, the most worrisome peril to the United States and other countries of the world was terrorist groups that gained access to WMD from hostile or rogue states and used this violence capability to kill massive numbers of civilians. The immediate threat was from Al Qaeda, but the threat was much more profound and troubling than one terrorist organization. It was the deeper shift in the global system – a shift away from states able to monopolize violence – toward a future in which small gangs of dangerous people could destroy everyone's way of life.

These developments constitute a transformation in the ways and means of collective violence in international politics that is driven by technology and the political structure of the Westphalian system itself. This transformation causes

Privatization of war
The idea that, as technology advances, private groups have greater capacities to wage violence usually reserved for states.

problems for the old norms of sovereignty and the use of force. It raises troubling new questions about the relationship between domestic politics and international relations; regions of the world previously ignored must now be closely scrutinized. It also creates new functional challenges that will, inevitably, influence patterns of security cooperation. A global consensus does not exist on how to deal with this new type of diffuse non-state threat, which plays havoc with old notions of deterrence, alliance, self-defense, and Article 51 of the United Nations Charter (which defines the rights of states for collective self-defense).

Non-state actors engaging in crime and violence have coexisted with states and the states system throughout history. But technological advances and globalization have made them more dangerous and consequential for the global system. These non-state actors are triggering new efforts by states and international organizations, such as the United Nations, to work together to find ways to diminish their activity and impact. Ultimately, this has meant trying to eliminate the political conditions that allow these transnational groups to engage in violence and crime.

Levels of Analysis *Challenges to Sovereign States*



Individual

Small groups of terrorists can operate beyond the reach of states or the state system.



State

Weak or failed states are breeding grounds for challenges by non-state actors.



International

Technology and globalization have increased the vulnerability of states and have created new opportunities for terrorists, warlords, and pirates to operate.

INTERNATIONAL RESPONSES TO WEAK AND FAILED STATES

How the international community, and particularly the United Nations, should respond to the problem of weak and failed states has become a defining issue for world politics in the twenty-first century. Officially speaking, all internationally recognized states are sovereign entities. The United Nations Charter observes in Article 2(7) that the United Nations shall not intervene in 'matters, which are essentially within the domestic jurisdiction of any state.' Chapter VII of the Charter does indicate that exceptions to this general principle of non-interference exist when a country poses a threat to international peace and security. In earlier decades, most of the major powers did not consider weak or failed states to be major threats to international peace and security, so the UN was not seen to have responsibilities in this area. More recently, the UN Security Council has been willing to define dangers to international peace and security more broadly, in recognition, as Box 12.4 suggests, that governments in some states cannot live up to the ideals of state sovereignty. Beginning in the 1990s, the Security Council invoked Chapter VII to authorize various interventions: Somalia in 1992–93, facing a major humanitarian disaster; Haiti in 1994, when a military coup deposed the democratically elected President Aristide; and Albania in 1997, when the state collapsed into chaos. There has been a growing sense around the world that the international community, represented by the United Nations and leading states, needs to prepare to intervene in failed states to prevent or ameliorate humanitarian crises, including mass starvation and genocide, and to prevent failed states from becoming sanctuaries for terrorist groups and other violent non-state actors.

12.4 MAKING CONNECTIONS

Theory and Practice



State Sovereignty

Theory

State sovereignty is one of the most basic ideas about how the international system is organized. It emerged in Europe in the seventeenth century as a set of norms about the primacy and legal pre-eminence of the nation-state. The nation-state is sovereign. There is both an external and internal dimension to sovereignty. Externally, no other foreign government has the legal right to rule or intervene within the internal politics of the nation-state. The national government has the supreme authority and last word on what goes on within the nation-state's borders. Internally, the state – or central government – has an exclusive right to rule within the country, unhindered by private police or armies.

Sovereignty: A government which exercises de facto administrative control over a country and is not subordinate to any other government in that country is a sovereign state (*The Arantzazu Mendi*, [1939] AC 256 referenced in *Stroud's Judicial Dictionary*).

Practice

Many countries have weak governments that simply cannot live up to the ideals of state sovereignty. Externally, the state cannot protect its borders against the illegal movement of private criminal groups or terrorists. Foreign groups or the agents of foreign governments operate within the country without resistance from the central government. Internally, militias and private armies control territory and operate as sort of 'private governments' within regions of the country. The central government is too weak to enforce order within the country or protect its borders.

Yemen – a small country on the southern coast of the Arabian Peninsula – is a prominent example. The countryside is ruled by tribal warlords while government institutions are weak and failing. The President of Yemen has ruled for over three decades and maintains power through co-opting and balancing off the warlord leaders in the provinces. As one Yemeni analyst notes: 'The government is a façade: the real power lies in the hands of the president, the house of the president and his network of patronage' (quoted in the *Financial Times*, January 3, 2010). There are more weapons in the hands of tribal groups than are controlled by the central security ministry. Terrorist groups have established affiliations with local radical Islamic groups and operate in safe havens within the country.

As discussed in Chapter 5, in the current era many national governments believe the international community has a right – even a moral obligation – to intervene in troubled states to prevent genocide and mass killing. NATO intervention in the Balkans and the war against Serbia were defining actions. As diplomatic negotiations at the United Nations Security Council over the crisis in Kosovo unfolded in 1998, Russia refused to agree to authorization of military action in what was an internal conflict. In the absence of UN approval, an American-led NATO operation did intervene (see Photo 12.4). In framing this action, UN Secretary General Kofi Annan articulated a view of the contingent nature of norms of sovereignty and

Photo 12.4 NATO Bombing of Belgrade, 1999

In 1998, a crisis broke out in Kosovo after Slobodan Milošević sent Serbian troops to reclaim areas of Kosovo from the Albanians. In the absence of UN approval to intervene in the crisis, a NATO operation was undertaken in Kosovo, beginning with an air campaign in 1999. This photo shows the destroyed Belgrade residence of Yugoslav President Slobodan Milošević. The NATO strike on April 22, 1999 on Milošević's Belgrade residence did not seek to kill the Yugoslav president but was aimed at putting pressure on his regime, the Pentagon said. Yugoslavia's Tanjug news agency said neither Milošević nor his family were at home when the house in the exclusive Dedinje residential area was hit.



Source: AFP/AFP/Getty Images.

non-intervention, as enshrined in the UN Charter. Strobe Talbott, an American foreign policy analyst, recounts Annan's views:

If the behavior of a regime toward its own people is egregious, it is not just outsiders' business to object but their responsibility to step in, stop the offenses, and even change the regime. 'State frontiers,' Annan said, 'should no longer be seen as a watertight protection for war criminals or mass murderers. The fact that a conflict is "internal" does not give the parties any right to disregard the most basic rules of human conduct.' He acknowledged that 'the Charter protects the sovereignty of peoples,' and that it prohibits the UN from intervening 'in matters which are essentially within the domestic jurisdiction of any State.' However, he added that the principle 'was never meant as a license for governments to trample on human rights and human dignity. Sovereignty implies responsibility, not just power.' (Talbott 2008)

A year later, Annan observed that 'state sovereignty, in its most basic sense, is being redefined.' Modern states, he argued, are 'now widely understood to be instruments at the service of their people, and not vice-versa ... When we read the Charter today, we are more than ever conscious that its aim is to protect individual human rights not to protect those who abuse them' (Talbott 2008).

This new notion that sovereignty entailed responsibilities, as well as rights and protections, reflects a gradual and evolving redefinition of the meaning of national sovereignty. The idea was further developed in one of the most important new global norms to emerge in the decades since the end of the Cold War – the norm of the Responsibility to Protect (R2P). As discussed in Chapter 5 and earlier in this chapter, this norm seeks to qualify and elaborate the older norm of state sovereignty. The norm indicates that states – or the governments of states – have a responsibility to protect their citizens from violence, manifest as genocide, war crimes, crimes against humanity, and ethnic cleansing. States are obligated to act to halt or prevent these mass atrocities. If a state is unable to do so – either because it is the perpetrator of the violence or it is too weak to stop the violence – the international community has an obligation to act.

The Responsibility to Protect norm is spelled out in the 2005 World Summit Outcome Document, which was ratified by the UN General Assembly:

Responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity

138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has a responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity ...

The norm of Responsibility to Protect emerged slowly beginning in the late 1990s. The 1994 genocide in Rwanda provided a trigger for global debate about the role and responsibility of the international community in the face of mass violence in a failed state. The United Nations Secretary General, Kofi Annan, pressed global leaders to come to some agreement about when and how member states might respond to such horrific violence. In the meantime, the Canadian government established an International Commission on Intervention and State Sovereignty in 2000 to develop ideas and ultimately came forward with the norm of the Responsibility to Protect (2001). The R2P norm announces that the international community has new obligations to see that basic human rights are protected within countries, particularly when faced with mass atrocities and other acts of organized violence (Evans 2009). The international community, in effect, has positioned itself as a non-state actor challenging the sovereignty of at least some states in the international system.

A further step in the erosion of norms of state sovereignty occurred in the aftermath of September 11. The American-led intervention in Afghanistan – where outside military force was used to topple a regime that actively protected terrorist

attackers – was widely seen as a legitimate act of self-defense. The outside world has a legitimate claim to what goes on within a sovereign state if that state provides a launching pad, breeding ground, or protected area for transnational violence. The Bush administration pushed the limits of this principle in its invasion of Iraq. Now, it was the anticipatory threat of a state itself, and its ambitions to gain weapons of mass destruction, that provided the justification for intervention.

This new thinking was captured at the time by an American official at the State Department, Richard Haass:

[There is] an emerging global consensus that sovereignty is not a blank check. Rather, sovereign status is contingent on the fulfilment by each state of certain fundamental obligations, both to its own citizens and to the international community. When a regime fails to live up to these responsibilities or abuses its prerogatives, it risks forfeiting its sovereign privileges including, in the extreme, its immunity from armed intervention. (Haass 2003)

Haass argued that there are three circumstances when exceptions to the norms of non-intervention are warranted: when a state commits or fails to prevent genocide or crimes against humanity; when a state abets, supports, or harbors international terrorists or is not capable of controlling terrorists operating within its borders; and when a state, particularly one with a history of aggression and support for terrorism, takes steps, such as an attempt to acquire weapons of mass destruction, that are a clear threat to global security.

The international community is still struggling to find ways to respond to weak and failed states. As discussed in Chapter 11, weak states have been recipients of foreign aid and other forms of assistance. When states are fully collapsed and enveloped in civil war, the United Nations has occasionally authorized peacekeeping interventions. On rare occasions, such as Afghanistan, where the state is collapsed, or terrorists are based within its territory, more forceful interventions have occurred.

While the international community has begun to accept these infringements on sovereignty, including large-scale military interventions, the ability of these actions to reverse the collapse and failure of states is more problematic. Two scholars of development have posed questions that the international community must confront:

How does the international community face up to the realities that the system is only as strong as its weakest link and that as many as sixty states are either on their way to ruin or have already collapsed? What can be done that has not already been tried, unsuccessfully, to rescue and rebuild failing states in Haiti, East Timor, Bosnia, Somalia, Afghanistan, Iraq, Sudan, Nepal, and so many other struggling nations? Empirical studies are depressing: Nearly 50 percent of countries that emerge from conflict revert to hostilities within ten years. Nevertheless, the international system has failed to devise mechanisms to arrest these reversions successfully. In the past twenty years, for example, \$300 billion has been spent in Africa alone, yet the continent is still rife with weak and collapsed regimes – two million people a year are dying of AIDS, three thousand children die every day of malaria, and forty million receive no schooling at all. How do we redefine a sovereign state in such a way that we can objectively measure its functionality and success? By what practicable and empirical successful method can we help struggling states get back on their feet on a sustainable basis? (Ghani and Lockhart 2008)

There are no easy solutions to the persistent inability of some countries to develop capable and stable governments that can enforce order and the rule of law.

In struggling with this problem, the international community has also been debating deeper issues about the status of state sovereignty itself. If terrorists can use weak or failed states as platforms to attack other countries, the international community needs to be able to intervene in these countries to deter or eliminate their terrorist threats. The international community also needs to be able to intervene to protect the citizens of these countries from violence, violence that is sometimes committed by a despotic ruler or as an outgrowth of civil war. But the international community has not yet found consensus on when and where the norms and institutions of state sovereignty can be violated in response to internal and transnational violence and human rights abuses.

Levels of Analysis *International Responses*

Individual

Today, the international community is claiming the right and obligation to protect individuals from governments that assert sovereign control over them.

State

The changing norms of state sovereignty have altered the rights and obligations of nation-states.

International

Many countries agree in principle, but not always in practice, on the need for international cooperation to strengthen weak states and protect individuals from mass violence.

WHITHER THE STATE?

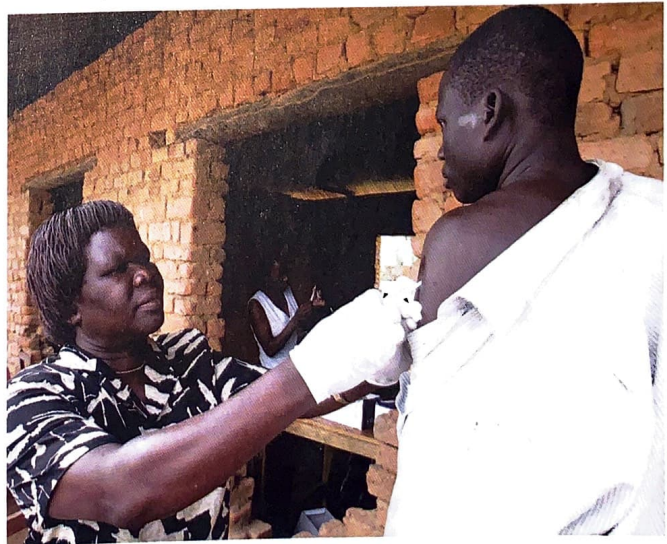
The sovereign state has always existed in an uneasy relationship with wider global historical forces. Most of the people on earth today live within sovereign nation-states.

A century ago, this was not true. At the turn of the nineteenth century, most of the world's people lived in territories that were not sovereign, such as empires or colonial territories. Through the great dramas of the last hundred years, the Westphalian state system rose up to dominate how and where people live. So, it is a great paradox that the forces of globalization, nationalism, and self-determination have also unleashed non-state actors that threaten the sovereign control of the state. The sovereign territorial state has never been so universal as a form of politics and rule, but today it also faces challenges. And, as Box 12.5 reminds us, while some challenges to sovereignty are violent and destructive, others are potentially more benign.

As we have seen, non-state actors wielding violence and arms have always been an aspect of world politics. States have never been able to completely gain a monopoly on the legitimate use of violence within their own territory. Pirates, warlords, and terrorists have long been part

Photo 12.5 MSF (*Médecins Sans Frontières*, or Doctors Without Borders) at Work

A health worker injects a man with a meningitis vaccine at a field post February 14, 2007 in Arua, Uganda. MSF conducted a massive vaccination campaign and was able to vaccinate over 300,000 people in the district in three weeks. Sovereign states typically resist destructive non-state actors such as terrorists or drug lords, but they welcome what they consider to be helpful ones such as MSF.



Source: Andrew Caballero-Reynolds/Getty Images.