Introduction

The first time the police visited Zowienta, a small rural village in the war-ravaged West African nation of Liberia, the devil came out to expel them. A team of Liberian National Police (LNP) officers was visiting Zowienta as part of the “Confidence Patrols” program, an initiative aimed at repairing the LNP’s deeply damaged relationship with Liberian citizens. During a series of civil wars that wracked the country from 1989 to 2003, the police served as instruments of repression and terror. After the fighting stopped, the LNP was overhauled under the auspices of the United Nations Mission in Liberia (UNMIL), a large, multidimensional peacekeeping operation. While many challenges remained, by most accounts UNMIL’s efforts were largely a success, and the officers patrolling Zowienta bore little resemblance to the LNP of the past.

But this was early in the Confidence Patrols initiative, and residents were understandably wary. In Liberia, the “devil” – typically a man in a mask and ceremonial garb – is a traditional religious figure associated with the country’s powerful secret societies (Ellis 1995, 188; Little 1965). As in many African countries, secret societies and other customary institutions resolve disputes, adjudicate crimes, and perform myriad related functions of local governance in rural Liberian communities. Often they coexist and compete with the police and courts for citizens’ trust, loyalty, and cooperation. When the two collide, conflict is frequently the result.

Zowienta was a case in point. The officers’ arrival had provoked unrest in the village, and the devil demanded that they retreat to their guesthouse while calm was restored. While the officers were inside, a group of young men began circling the guesthouse, shouting and scraping machetes along the outer walls. They let the air out of the tires on the officers’ truck, effectively marooning the team in the village. The message the young men intended to deliver was unambiguous. Zowienta had suffered at the hands of the LNP in the past. The police were not welcome anymore.
The incident in Zowienta illustrates a broader predicament afflicting many of the world’s weakest and most war-torn states. The rule of law is essential for sustained peace, good governance, and economic growth. Where it is strong, the rule of law provides a credible, unified framework for resolving disputes, allowing citizens to seek redress for grievances through transparent, publicly promulgated laws enforced by effective, legitimate security and justice institutions – police forces, courts, prisons – rather than vigilantism or violence. These laws and institutions preserve order, mitigate uncertainty, and facilitate collective action. Their effectiveness and legitimacy are often intimately intertwined with the effectiveness and legitimacy of the state as a whole (Brzoska and Law 2013; World Bank Group and United Nations 2018, 166). They are “essential for society to function – much more so than many other components of governance” (Arjona, 2016, 69).

Establishing the rule of law is also an integral part of peacekeeping, state-building, and post-conflict reconstruction more generally. A rule of law imperative has been inscribed in numerous United Nations (UN) resolutions and reports, and in the mandates of every multidimensional UN peacekeeping operation deployed since 1999. It is ingrained in US foreign policy as well, from the long, costly campaigns to erect stable states in Iraq and Afghanistan, to ambitious US-funded security and justice sector reform programs in Africa, Asia, Eastern Europe, Latin America, and the Middle East (McLeod, 2010). As Thomas Carothers wryly observed some twenty years ago, “one cannot get through a foreign policy debate these days without someone proposing the rule of law as a solution to the world’s troubles” (Carothers, 1998, 95). Carothers’s observation has become only more apt in the two decades since, as initiatives dedicated to rule-of-law promotion have continued to multiply with “ever-increasing interest” among policymakers and practitioners (Carothers, 2009, 50–1).

In countries recovering from civil war, however, restoring the rule of law often proves a “Sisyphean task” (Haggard and Tiede, 2013, 465). Obstacles abound at three distinct but interrelated levels. At the national (macro) level, many government officials flout legal limits on their power, encroach on the independence of the judiciary, and exploit the police to intimidate real and perceived opponents of the regime. As a result, at the local (micro) level, many citizens reject the state’s role as a purveyor of security and justice, opting to rely on informal (non-state) authorities instead – chiefs, elders, vigilante groups, gangs, warlords. These informal authorities occupy an amorphous “meso level” between citizens and the state. Some informal authorities are more popular, efficient, and accessible than their formal counterparts (Isser, 2011). But some also subvert the rule of law, contesting the state’s jurisdiction over even the most serious incidents of crime and violence, and resolving disputes in ways that violate basic due process protections – for example, through mob

---

1 I provide a more formal definition of the rule of law in Chapter 3.
justice or trial by ordeal. In the worst cases, tensions between formal and informal authorities may escalate into renewed paroxysms of violence (Sisk and Risley, 2005).

International institutions are increasingly tasked with overcoming these obstacles. But whether they are likely to succeed remains an open question. This book asks whether, how, and under what conditions international intervention can help (re)establish the rule of law in countries recovering from civil strife, focusing in particular on the role of the UN. The rule of law hinges not just on the integrity of state officials and the quality of state laws and institutions at the macro level, but also on the attitudes and behaviors of citizens and non-state authorities at the micro and meso levels, respectively. Can international organizations like the UN establish the necessary conditions for the rule of law at each of these levels? At the macro level, can international intervention shield the judiciary from political interference and reinforce constitutional constraints on executive power, even in settings where oversight is poor and corruption is rampant? At the micro level, can it enhance citizens’ cooperation with state officials and institutions and increase their compliance with state laws, even when those laws conflict with local norms, rules, and customs? And at the meso level, can international interveners induce non-state authorities to respect state laws and renounce the use of extrajudicial punishment, even in places where jurisdictional boundaries are blurred?

Given the challenges, it is tempting to assume that international efforts to establish the rule of law in the wake of civil war are doomed to fail. Many analysts subscribe to precisely this view. While academics have long argued that UN missions are effective at protecting civilians and preventing civil wars from reigniting, they are generally much more skeptical of the UN’s ability to rebuild states and repair damaged state/society relationships. Scholars have criticized international organizations for taking a “breathtakingly mechanistic approach” to rule-of-law promotion (Carothers, 2006, 21), and for pursuing “cookie-cutter” reforms with an almost “template-like quality” (Clunan and Trinkunas, 2010, 288). Many believe the UN should abandon these efforts altogether, either because international intervention is an ineffective mechanism for rehabilitating weak and war-torn states (Luttwak, 1999; Weinstein, 2005), or because states themselves are ineffective mechanisms for sustaining order in the developing world (Anderson, 2004; Brooks, 2005; Herbst, 1996).

THE ARGUMENT

This book argues that such pessimistic perspectives are misguided. Skeptics underestimate how successful the UN can at rehabilitating state institutions and closing the gap between state laws and “lived values” that tends to characterize communities long accustomed to state absence or predation (Fukuyama, 2010, 37). The book provides a new theory to explain how UN intervention can promote the rule of law, anecdotal examples to illustrate the theory in action,
and systematic empirical evidence to demonstrate its validity. I do not dispute critics’ claims that UN efforts at rule-of-law reform generally follow a more or less standardized template, though always with some adjustments for context. These claims are correct. But the fact that UN missions follow a template is not in itself an indictment of their approach. This book offers theory and evidence to show that the template works.

The book makes four contributions to the study and practice of international intervention – one conceptual, one theoretical, one empirical, and one practical. Conceptually, the book offers a framework for understanding the necessary conditions for the rule of law in post-conflict countries. The rule of law is widely viewed as a “panacea for all the problems that afflict many non-Western countries, particularly in post-conflict settings” (Rajagopal, 2008, 1348). Some have gone so far as to describe it as the “foundation of a civilized society” (Bingham, 2011, 171). Perhaps unsurprisingly, the concept is associated with a variety of lofty but disparate goals, from equality to human rights to peace itself. Definitions are equally myriad and conflicting – a “complex admixture of positive assumptions, inchoate political and legal theory, and occasionally wishful thinking” (Rodriguez, McCubbins, and Weingast, 2009, 1455). This book proposes a more coherent definition that preserves the essential elements of existing accounts while adapting them to the realities of law and daily life in the developing world.

Legal scholars typically conceptualize the rule of law in terms of the quality of state laws, the behavior of state officials, and the performance of state institutions. These are important concerns, but they do not address what Simon Chesterman rightly describes as the “heart of the problem,” which is “to whom people turn for solutions to problems that would normally be considered legal” (Chesterman, 2007, 19). In the rich, industrialized nations of the West, state institutions are typically the only venues for adjudicating all but the pettiest disputes, and even when non-state alternatives exist, they are usually subject to the ultimate jurisdiction of the state. Not so in countries recovering from civil war. In these settings, security and justice are provided not by a unitary sovereign state, but by a multitude of formal and informal institutions whose jurisdictions shift and evolve over time. In many conflict and post-conflict environments, informal institutions are at least as prominent and powerful as formal ones, and often more so (World Bank Group and United Nations 2018, 167; see also Isser 2011). The relationship between formal and informal security and justice providers is sometimes symbiotic but often adversarial, with each actor angling to transform its own rules, whether state law or “some other implicit code,” into the “routine basis upon which people act” (Migdal and Schlichte, 2005, 15).

What does the rule of law even mean under these challenging and ambiguous circumstances? Drawing on the positivist tradition in legal theory and the empirical literature on civil war, this book posits three necessary conditions for the rule of law in post-conflict countries, which I develop in detail in Chapter 3. First, state authorities must abide by constitutional constraints on their power,
and must defer to an independent, legally designated arbiter (e.g. a Supreme Court) when jurisdictional conflicts arise. Second, citizens must rely on state rather than non-state authorities to adjudicate crimes that fall unambiguously under state jurisdiction (e.g. murder). Third, non-state authorities must comply with legal limits on their power and renounce mechanisms of dispute resolution that violate state law in and of themselves (e.g. mob justice or trial by ordeal). These are the macro-, micro-, and meso-level conditions for the rule of law, respectively. They are interrelated and mutually reinforcing, each helping to sustain the others.

Theoretically, the book proposes a solution to three puzzles that follow immediately from this conceptual framework. In countries recovering from civil war, why do some state authorities abide by constitutional constraints while others ignore them? Why do some citizens rely on state authorities to intervene when crimes are committed or violence occurs, while others seek redress for even the most serious grievances through non-state alternatives? Why do some of these non-state alternatives defer to the ultimate jurisdiction of the state, while others defy it? These questions apply to the macro, micro, and meso levels, respectively. I argue that the answers lie in part in the actions (or inactions) of international interveners, and that UN missions, in particular, can play an indispensable role in establishing the necessary conditions for the rule of law at all three levels simultaneously.

The book’s core theoretical claim is that UN missions promote the rule of law by acting as catalysts for state reform at the macro level, surrogates for reformed states at the micro and meso levels, and liaisons between state authorities, non-state authorities, and citizens across the three levels of my analysis. States recovering from civil war typically remain feeble long after the fighting stops, incapable of enforcing their rule beyond a handful of relatively isolated enclaves, or of restoring the confidence of citizens long estranged from, or persecuted by, state institutions. With sufficient time and resources, UN missions can serve as “temporary stand-ins” for these states (Hampson, 1997, 708), restructuring and reforming them from within while reviving respect for them from without. The former process – reconstruction of state capacity – has been relatively well documented, though seldom empirically evaluated. The latter process, restoration of state authority, remains understudied and poorly understood.

At the macro level, UN missions catalyze state reform by drafting laws and lobbying for their passage, as UNMIK did in Kosovo, UNIPSIL did in Sierra Leone, and BINUCA did in the Central African Republic (CAR) (Tansey, 2009; UN Criminal Law and Judicial Advisory Service, 2013); by coordinating or promoting the separation of powers between state institutions with overlapping jurisdictions, as ONUSAL did in El Salvador (Howard, 2008); by recruiting,
vetting, and training judges, police officers, and prison wardens, as UNTAET did in East Timor (Chesterman, 2001), and as many other UN missions have done in Asia, Africa, and beyond (UN Criminal Law and Judicial Advisory Service, 2013); by monitoring arbitrary arrests, indefinite detentions, and other excesses of state power, as MINURCAT did in CAR and MONUSCO did in the Democratic Republic of Congo (DRC) (UN Secretary-General 2009, 2012b); and, when monitoring fails, by mediating or forcibly resolving disputes between elites with competing claims to executive power, as UNOCI did in Côte d’Ivoire (Smith, 2011).

UN missions complement these macro-level activities with micro- and meso-level efforts to induce adherence to state laws and encourage cooperation with state officials and institutions. This involves two interconnected roles. First, UN missions serve as substitutes for the state in the eyes of local populations—proxies for centralized power in the absence of a powerful center. UN missions are “institutions of local governance”; while their mandates derive from the international community, they are increasingly expected to “act as domestic authorities” and thus assume responsibilities “traditionally understood to reside with the sovereign state” (Whalan, 2014, 19, 24). By modeling the state in the eyes of citizens, UN missions demonstrate, by example, the relative merits of formal over informal security and justice provision; sensitize civilians to an increased third-party presence in and around their communities; create opportunities for government officials to claim credit for the UN’s own achievements; and instill habits, norms, and beliefs that empower the state as a legitimate purveyor of order at the local level. UN missions thus help to create an “ideological backdrop” that elevates the role that newly reformed security and justice institutions will eventually play in post-conflict societies (Kaspersen, Eide, and Hansen, 2004, 18).

In this sense, UN intervention “amounts to nothing more nor less than intervening in a social contract, in the relationship between society, the individuals that compose it, and the state” (Pouligny, 2006, xvii). This is not merely a theoretical point. Civilians often perceive UN missions as proxies for the state, for better or worse, as in El Salvador, where locals believed the UN “acted as the state,” or Haiti, where UN personnel were “described in terms very similar to those used to describe the state” (Pouligny, 2006, 101, 103), or Kosovo, where UNMIK created a system of authority so state-like that it was known as “UNMIKistan” (Higate and Henry, 2009, 47). I have heard this idea echoed in my research on UNMIL in Liberia, where I spent more than fifteen months conducting fieldwork for this book between 2009 and 2015. As one rural resident succinctly put it to me, “UNMIL and government, that’s the same thing.”

4 Gbarnga, October 22, 2010. Of course, these comparisons are not always flattering. But as I discuss in Chapter 4, accounts claiming that host populations resent UN presence are typically anecdotal (e.g. Pouligny 2006) or focused on “least-likely” cases (e.g. Autesserre 2010; Veit 2011), and are belied by systematic survey evidence from multiple host countries (Blair, Blattman, and Hartman 2011; Krasno 2005, 2006; Mvukiyehe and Samii 2008, 2010).
By acting as surrogates for reformed states at the local level, UN missions transmit internationally sanctioned standards of governance to the countries in which they intervene – a process that Roland Paris aptly describes as a “globalization of the very idea of what a state should look like and how it should act” (Paris, 2002, 638). In Paris’s account, this process occurs cross-nationally, through the diffusion of norms and institutional models from the Global North to the Global South, and from more developed to less developed countries. I argue that a similar process occurs sub-nationally as well, through interactions between citizens and UN personnel on a face-to-face, day-to-day basis. UN missions transmit norms by intervening “at the heart of the state–society relationship” (Whalan, 2014, 218). This is a crucial but often overlooked role for the UN to play. Establishing the rule of law is not just about preparing states to govern citizens. It is also about preparing citizens to be governed by states.

Second and equally important, UN missions serve as liaisons between citizens and states at the micro level, and between state and non-state authorities at the meso level. At the micro level, UN missions disseminate information to help citizens better understand their legal rights and obligations, as BINUB did in Burundi and UNAMA did in Afghanistan (UN Department of Peacekeeping Operations 2010a, 2011b); establish mobile courts and legal aid offices in rural areas, as UNMISS did in South Sudan and UNAMID did in Darfur (UN Criminal Law and Judicial Advisory Service 2013, 2016); organize town hall meetings to promote citizen cooperation with the police, as UNMIL did in Liberia (Friedman and MacAulay, 2014); and facilitate sustained, mutually respectful contact between civilians and state security and justice personnel, as UN missions do through joint patrols and co-location with government counterparts around the world.

At the meso level as well, UN missions train non-state authorities in state-approved conflict resolution techniques, as UNMISS did in South Sudan (UN Secretary-General, 2015b); intervene to ensure that criminal offenses are adjudicated in accordance with state laws, as MONUSCO did in DRC (UN Criminal Law and Judicial Advisory Service, 2013); and investigate and denounce abuses committed by informal authorities, as UNOCI did in Côte d’Ivoire (Diène, 2014; Palus, 2013). These efforts can help align non-state authorities’ actions with both national and international standards for the rule of law.

By addressing the macro, micro, and meso dimensions of international intervention simultaneously, my theory provides a corrective to accounts that focus exclusively on state reconstruction and reform in the capital city. Most research addresses these macro-level processes alone, ignoring the subtler but equally important mechanisms through which state authority is projected nationwide. In promoting the rule of law, rehabilitating state institutions is often just the “tip of the iceberg” (Manning, 2003, 36). As the incident in Zowienta illustrates, the rule of law is more than just a set of institutions. It is also a “normative system that resides in the minds of . . . citizens” (Carothers,
2006, 20), and that cannot be manufactured by the “simple expedient of creating formal structures and rewriting constitutions and statutes” (Brooks, 2003, 2285). Establishing the rule of law thus requires a “transformation in mentality as much as it does in politics” (Chesterman, 2005, 181). The UN’s success in achieving this transformation depends on the beliefs and behaviors not just of political and military elites but also of the population writ large. Theories focused on macro-level dynamics shed little light on the mechanisms through which these micro- and meso-level changes might occur.

Both thematically and methodologically, this book sits squarely at the intersection of international relations and comparative politics. International relations scholars will recognize elements of both constructivist and realist (or rationalist) perspectives in my theory. Realists typically emphasize the role that incentives, sanctions, rules, and institutions play in shaping actors’ behavior. Constructivists acknowledge the importance of these factors but tend to focus on norms and beliefs instead. Realists argue that coercion (broadly defined, and not necessarily involving the use of physical force) is the most prominent mechanism through which behavior change occurs. Constructivists assert the importance of persuasion, socialization, and inducement instead – what Michael Barnett and Martha Finnemore describe as “normative resources” (Barnett and Finnemore, 2005). My argument draws on both of these schools of thought, illustrating the ways that UN missions combine material and normative resources to compel change among citizens and state and non-state authorities alike.

But my theory also extends beyond existing accounts – realist, constructivist, and otherwise – by integrating national- and local-level peacekeeping into a single unified framework. I argue that the UN acts as a catalyst, surrogate, and liaison simultaneously, and that this simultaneity is key to understanding the UN’s efficacy. The “traditional” model of international intervention assumed that “local-level action could be deferred for years while national state structures were being recreated” (Sisk and Risley, 2005, i) – a sort of “if you build it they will come” approach to rule-of-law promotion. I argue that this approach is misguided. Efforts to restructure state institutions must be accompanied from the outset by the “practical establishment of state authority throughout the national territory” (Manning, 2003, 26). By acting as catalysts, surrogates, and liaisons, UN missions advance both of these goals simultaneously. This book thus complements the recent “local turn” in peacekeeping research (Leonardsson and Rudd, 2015), while also illuminating the ways that national and local peacekeeping practices interact with and, in the best cases, reinforce one another.

TESTING THE ARGUMENT

Empirically, the book provides the first systematic analysis of the impact of UN intervention on the rule of law after civil war, using uniquely rich data from
both within and across countries. As Stephen Haggard and Lydia Tiede note, despite the “exploding practical interest” in rule-of-law promotion in post-conflict settings, empirical research remains “surprisingly limited” (Haggard and Tiede, 2013, 406). This is true even within the UN system, which typically relies on retrospective anecdotal studies of particular missions or projects, and which lacks a coherent and coordinated approach to measuring the impact of rule-of-law-related activities (Geneva Centre for the Democratic Control of Armed Forces, 2012, 5). As a result, there is a risk that “assumptions, isolated observations, and anecdotal accounts are elevated to the status of facts” about how UN rule-of-law promotion works and what it has achieved (Sannerholm et al., 2012, 11). Research has lagged behind practice, obscuring the UN’s prior successes and limiting its ability to learn from past mistakes (Kavanagh and Jones, 2011, 26).

To evaluate the UN’s impact on the rule of law, this book blends macro-level evidence from thirty-three post-conflict African countries with micro- and meso-level evidence from Liberia, one of the world’s poorest, most aid-dependent, and most war-ravaged states. Cross-nationally, I combine existing data on the number of uniformed UN personnel deployed to each peacekeeping operation in Africa since the end of the Cold War with new datasets capturing the number of civilian personnel deployed to each mission, the number of personnel assigned specifically to rule-of-law-related tasks, and the frequency of rule-of-law-related activities undertaken in the field. I built the latter dataset with my collaborator Hannah Smidt using the UN Secretary-General’s own publicly available progress reports, which include detailed discussions of the UN’s strategies for promoting legal, security sector, justice sector, and prison reform. The dataset also captures the intensity of UN involvement in each of these activities – monitoring, training, provision of technical and material assistance, etc. While other scholars have coded similar activities using UN mandates (Lloyd, 2017), UN Secretary-General progress reports are unique in capturing not just what peacekeepers are mandated to do, but also what they actually do on the ground.

After testing the macro-level implications of my argument across Africa, I then focus on Liberia to establish the theory’s micro- and meso-level foundations. Liberia is both a hard and a crucial case for evaluating my theory. It is one of the least developed countries in the world, where more than a decade of civil war precipitated state collapse and the disintegration of an already tenuous rule of law. Formal and informal security and justice providers coexist within a constitutionally hybrid legal system, but the boundaries between them are ambiguous and jurisdictional conflicts are rife. Anecdotally at least, UNMIL was effective and legitimate enough to plausibly overcome these obstacles, and the UN has long viewed the mission as success. But Liberia is not so unique as to preclude external validity. Indeed, many of the problems afflicting Liberia are typical of post-conflict countries more generally, especially in Africa, and UNMIL shared many similarities with other missions in the region – including resource constraints and accusations of misconduct.
To test UNMIL’s impact on the rule of law, I leverage an original panel survey covering 243 rural Liberian towns and villages over a period of four years. My focus on rural areas is intentional: despite rapid urbanization, some 60–70 per cent of all African citizens continue to live outside of cities (Boone, 2014), and many civil wars begin in regions within the state’s de jure borders but beyond its de facto control. The survey yields a wealth of data on Liberians’ attitudes towards state institutions, including their perceptions of state corruption and bias, and their willingness to defer to state jurisdiction in the most severe cases of crime and violence. The survey also includes a list experiment designed to measure the prevalence of trial by ordeal, an illegal but still widely practiced mode of adjudication in rural regions. My ability to combine rigorous, systematic data at multiple levels of analysis is itself an important empirical contribution to the literature on peacekeeping and the rule of law, much of which remains impressionistic and anecdotal.

I use this survey of 243 Liberian communities to estimate the effects of UNMIL’s presence on Liberians’ perceptions of, and reliance on, formal over informal authorities, and on informal authorities’ reliance on legal over illegal mechanisms of dispute resolution. My results are robust to multiple identification strategies, including one that leverages an attack on peacekeepers in neighboring Côte d’Ivoire to generate as-if random variation in the intensity of exposure to UNMIL on the Liberian side of the border. I further contextualize my quantitative results with qualitative insights gleaned from in-depth, semi-structured interviews conducted with dozens of civilians and government and UN personnel during fifteen months of fieldwork on the ground. By combining quantitative and qualitative data at cross-national and sub-national levels of analysis, the book triangulates between multiple measurement, identification, and estimation strategies, providing the most comprehensive assessment to date of the UN’s sometimes complex effects on the rule of law both within and across countries.

Lastly, from a practical perspective, the book generates a number of lessons for UN missions in the field. I show that UN presence has strong, persistent, and overall positive effects on the rule of law after civil war; that these effects manifest both within and across countries, at the macro, micro, and meso levels; and that they are transmitted at least in part through relatively mundane, interpersonal interactions. Unlike much research on UN intervention, this book focuses primarily on the activities that peacekeepers actually pursue during their deployments, from legal and constitutional reforms at the national level to patrols and interventions to resolve disputes at the local level. UN missions have much more discretion over these specific operational decisions than over the broad contents of their mandates, meaning that the former

---

5 List experiments help overcome the problems of social desirability bias and non-random refusal to respond that are common in surveys, especially when respondents are asked sensitive questions. I discuss the benefits of list experiments in further detail in Chapter 7.
are particularly relevant for practical purposes. I show that UN missions are especially effective at promoting the rule of law when they are proactive not just in rehabilitating state institutions at the macro level, but also in reviving the authority of those institutions at the micro and meso levels, and when they invest not just in troops and Military Observers, but also in the civilian and police personnel who typically assume responsibility for propelling rule-of-law reform.

S C O P E  O F  T H E  A R G U M E N T

While the theory and evidence presented in this book are potentially generalizable to many types of international intervention in many settings, I focus in particular on UN intervention in Africa since the end of the Cold War. I focus on the UN because no other institution has engaged in rule-of-law promotion in such a deep or sustained way, especially in countries recovering from conflict. Rule-of-law reform is now perceived as a “core peacekeeping task” (Carlson, 2006, 2) and an “integral part of the UN’s approach to peace and security” (Sannerholm et al., 2012, 14). While foreign donors and non-governmental organizations (NGOs) participate in rule-of-law-related activities as well, most play narrow advisory roles and limit their efforts to countries with intact (if defective) security and justice institutions (Trenkov-Wermuth, 2010, 10).

Regional peacekeeping operations like ECOMOG in West Africa typically have more “traditional” mandates, which do not involve rule-of-law promotion at all (Heldt and Wallensteen 2011; Ruggeri, Gizelis, and Dorussen 2012, 9). While these operations may be quicker to deploy than other multilateral missions, and may have a greater interest and better understanding of the contexts in which they operate, they are often poorly funded and equipped, and tend to prioritize military intervention above other forms of engagement (World Bank Group and United Nations, 2018, 92, 238). The UN takes a much more comprehensive approach, and operates in many more settings. Over the past twenty years, UN deployments have increased by more than 600 per cent. The number of police and military personnel deployed to UN peacekeeping operations nearly tripled from the turn of the millennium to the late 2010s alone (World Bank Group and United Nations, 2018, 35). Today, the UN manages thirteen peacekeeping operations worldwide, staffed by tens of thousands of personnel. Many of these missions operate in the hardest cases, where the rule of law is all but non-existent. Indeed, only the UN has been mandated to establish new legal systems “virtually from the ground up” (Trenkov-Wermuth, 2010, 10).

Of course, not all UN missions are equally equipped to pursue rule-of-law reform. My theory applies directly to transitional administrations, such as UNTAET in East Timor, where UN missions assume responsibility for all functions of the state. The theory applies equally directly to missions that are not officially designated as transitional administrations, but that are
nonetheless given sweeping mandates for legal, political, and institutional reform – UNMIL in Liberia or MINUSMA in Mali, for example. Missions of this sort are increasingly common, particularly in Africa, where the expansion of UN mandates in recent years has been especially dramatic, and where UN missions are often more state-like than host states themselves. But as we will see, the UN’s role as a catalyst, surrogate, and liaison runs deeper than even these examples would suggest, and the theory is applicable to most UN missions on the ground today.

I nonetheless opt to focus on Africa because it is the locus of UN intervention worldwide. Since the early 2000s, the share of UN personnel deployed to African countries has grown dramatically relative to other parts of the world. Figure 1.1 plots the number of UN peacekeepers, police officers, and Military

![Figure 1.1 Deployments of uniformed UN personnel by continent, 1990–2016](image)

*Source: Providing for Peacekeeping project.*
Observers in Africa, Asia, Europe, and South America since the end of the Cold War, using data from the Providing for Peacekeeping (P4P) project.\(^6\) Over the course of the 1990s, the UN’s focus shifted from Asia to Africa to Europe, then back to Asia. With the turn of the millennium, however, the UN began directing its efforts much more specifically towards Africa. By 2016, the number of uniformed personnel deployed to African countries was almost five times the number deployed to all other regions of the world combined. These missions tend to have especially extensive mandates, in which the rule of law features prominently. They also tend to operate in some of the most challenging environments, where prospects for the rule of law are especially dim.\(^7\) Africa thus constitutes the most important test case for the efficacy of UN rule-of-law promotion around the world.

I focus on the years since the end of the Cold War in order to capture changes in the dynamics of UN intervention while also ensuring consistency in peacekeeping priorities over time. Some of the UN’s most conspicuous failures of the early 1990s occurred in Africa – notably the disastrous UNOSOM I mission in Somalia and the tragically inadequate UNAMIR mission in Rwanda. Ignoring these missions would paint too rosy a picture of UN intervention, and would likely overestimate the UN’s effectiveness in promoting the rule of law. But I exclude missions completed before the end of the Cold War because these predated the era of multidimensional peacekeeping (or “peacebuilding”), in which missions are mandated not just to separate belligerents and monitor ceasefires, but also to transform the social, political, and economic fabric of host states. The rule of law lies at the heart of this transformation. While it is possible that earlier missions inadvertently promoted the rule of law, they were not mandated or expected to do so, and including them would likely yield too bleak an account of the UN’s record.

Finally, a word on terminology. Throughout this book, I use the term “peacekeeping” broadly to refer to UN missions and the civilian and military personnel of which they are composed. These include not just “blue helmets,” but also UN police officers, advisers, lawyers, human rights officials, and other civilian staff. While many of the activities I describe in this book might be more appropriately characterized as “peacebuilding” (Call, 2007a), I use the term peacekeeping in order to distinguish the actions of UN missions from those of the myriad bilateral, multinational, governmental, and non-governmental organizations that participate in the wider peacebuilding process.

---

\(^6\) See [www.providingforpeacekeeping.org/](http://www.providingforpeacekeeping.org/).

\(^7\) According to data collected by Richard Sannerholm and co-authors, of the 36 peacekeeping operations deployed to Africa between 1989 and 2012, 28 were deployed to countries with “intense” civil wars that caused at least 1,000 battle-related deaths in at least one calendar year (Sannerholm et al., 2012, 23).
Chapter 2 traces the history of UN rule-of-law reform and summarizes the limited empirical record on its efficacy (or lack thereof). Chapters 3 and 4 develop the conceptual and theoretical framework that undergirds the rest of the book. Chapter 3 begins by canvassing existing definitions of the rule of law, many of which are problematic in their tendency to conflate the rule of law with an assortment of empirically related but conceptually distinct phenomena. The most influential definitions also tend to underestimate or altogether ignore the insidious challenges to the rule of law that often plague countries recovering from civil strife. These are the settings in which the rule of law is arguably most urgently needed, but also where it is most sorely misunderstood. Chapter 3 posits a three-dimensional conceptualization of the rule of law that better reflects the lived realities of these countries.

Chapter 4 then develops a theory to explain how UN intervention can help establish the rule of law along all three dimensions proposed in Chapter 3. UN missions serve simultaneously as catalysts for state reform, surrogates for reformed states, and liaisons between state authorities, non-state authorities, and citizens themselves. Peacekeepers are thus responsible not just for rehabilitating formal institutions at the macro level, but also for restoring the authority of those institutions at the micro level, and for rationalizing their relationship with informal institutions at the meso level. Chapter 4 documents the repertoire of strategies that UN missions have developed to pursue these goals, providing illustrative examples from around the world. After describing these strategies, the chapter proposes a set of theoretical hypotheses for my empirical analysis to test. The chapter concludes by considering several rival theories, each of which generates more pessimistic predictions than my own.

Chapter 5 tests the macro-level implications of my theory across all UN missions in Africa since the end of the Cold War. The chapter begins by showing that increases in the number of UN personnel are associated with stronger executive constraints, greater judicial independence, and improved rule of law more generally. The nature and magnitude of this relationship vary over time in largely intuitive ways. While UN presence is only weakly and inconsistently associated with the rule of law during periods of ongoing conflict, a more pronounced positive correlation materializes immediately after the fighting stops. The correlation holds for both uniformed and civilian personnel, and for four different types of engagement in rule-of-law-related activities: police reform, justice sector reform, prison reform, and legal reform. The relationship is strongest during the “golden moment” for reform that begins shortly after civil war termination (UN Department of Peacekeeping Operations, 2013, 6), and is most robust when the UN monitors, pressures, or assists host governments, rather than bypassing them entirely.

Chapters 6–8 then examine the impact of UN intervention on micro- and meso-level indicators for the rule of law in Liberia. Chapter 6 introduces the
case by describing historical and contemporary obstacles to the rule of law in Liberia, focusing in particular on the dynamics of contestation between formal and informal security and justice providers. In Liberia, as in other African settings, many citizens perceive the police and courts as corrupt, ineffective, and inaccessible, and so opt to rely on informal authorities to adjudicate crimes and resolve disputes, even in cases over which the state claims both original and ultimate jurisdiction. Informal authorities dispense quick and inexpensive justice, but they are also beset by inefficiencies and biases of their own, and often rely on mechanisms of adjudication that violate state law and undermine the rights of the accused. UNMIL was intimately involved in efforts to resolve these problems.

As Chapters 7 and 8 show, these efforts yielded some important successes. Chapter 7 summarizes my approach to testing UNMIL’s impact on Liberia; Chapter 8 presents my results. I find that exposure to UNMIL increased citizens’ reliance on formal over informal authorities in the most serious criminal cases, and increased informal authorities’ reliance on legal over illegal mechanisms of dispute resolution. Perhaps surprisingly, Chapter 8 also shows that UNMIL’s presence did not mitigate Liberians’ perceptions of state bias, and actually exacerbated their perceptions of state corruption – at least in the short term. The chapter attributes these apparently conflicting effects to the messages UNMIL delivered to Liberian citizens, urging them to obey state laws and trust state institutions, while simultaneously encouraging them to recognize and report acts of state malfeasance. Importantly, however, I find that these adverse effects diminished over time, while UNMIL’s more beneficial effects were still detectable even two years later, and even in communities that reported no further exposure to UNMIL personnel. While I cannot say for certain whether these results will persist after UNMIL’s withdrawal in 2018, taken together, they suggest the possibility of a durable and overall positive change in citizens’ attitudes towards state authority in Liberia.

The book concludes in Chapter 9 by considering the generalizability of my findings and their implications for the study and practice of UN intervention in the future. From an academic perspective, my results suggest that UN missions have a more profound impact on the rule of law than is typically assumed, and that their effects are transmitted not just through state reconstruction and reform at the national level, but also through face-to-face, day-to-day interactions with host populations at the local level. The salience of these interactions has long been recognized in research on police/community relations (Tyler 2004, 2006; Tyler and Fagan 2008; Tyler and Huo 2002) and state/society relations more generally (Joseph and Nugent, 1994), but has only recently begun to emerge in the study of international intervention. I argue that more attention should be paid to these micro- and meso-level dynamics, which are vital to the UN’s success (Autesserre, 2014a; Kathman et al., 2017).

From a more practical perspective, I argue that UN missions must be sensitive to the role they play as state surrogates, especially in the eyes of local
populations. My theory implies that the UN’s actions affect civilians’ perceptions not just of the mission, but of the host state itself. If UN personnel engage in acts of negligence or abuse, the consequences may reverberate long after their mandate is complete, damaging state/society relations in lasting ways. Anticipating and avoiding this outcome should be a priority for peacekeeping operations in Africa and beyond.