CHAPTER ONE

Local Orders in an Age
of International Disorder

WE LIVE IN AN AGE OF DISORDER. Yet the strife and wars that we witness every day are not primarily the product of international conflict, as might have traditionally been the case in previous centuries, but rather in large part the product of a breakdown in domestic institutions in a number of important states. Long-term institutional weaknesses persist in a large number of developing countries, and even well-developed countries contain functional gaps and holes in their governance structures. Around the globe the politics of identity, ideology, and religion further contribute to disorder by producing highly polarized societies and deepening conflicts among nonstate actors as well as between nonstate actors and the state.

In the Middle East, the Arab Spring disrupted long calcified political systems in ways that are still producing unpredictable effects not just on the regional order, but also on great power politics, and even on the future of the European project. The collapse of political order in Libya has had wide-ranging consequences for governance across the Sahel, exacerbating Mali and Nigeria's fragility. Meanwhile, Russia's annexation of Crimea was facilitated by a breakdown of political order in Ukraine, and Russia's aggressive external posture partially reflects and compensates for its internal weaknesses. In a growing number of countries, including long-established democracies, fear of refugees and migrants—themselves the product of disorder—is contributing to the resurgence of populist nationalism. Even emerging powers such as India and Brazil face profound and persistent governance problems, including those posed by criminal

organizations that take advantage of gaps in public safety and the rule of law.

Of course, the impact of national disorder on the international system is not a new phenomenon. The collapse of parliamentary democracy in Japan in the 1920s and the militarization of its domestic politics that followed sparked an extended conflict across Asia that did not end until well after 1945 with decolonization and the constitution of stable political systems in China, India, Indonesia, Myanmar, and Vietnam. The Cuban Revolution in 1959 set off a string of insurgencies and military coups across Latin America in addition to provoking some of the most serious confrontations between the superpowers during the Cold War. A stable new order only emerged following the re-democratization of the region in the 1980s. Whether it is a product of contagion or the emergence of revanchist local actors with international ambitions, disorder within states has repeatedly affected the shape of regional orders and accelerated international conflict. In short, what happens within states matters for what happens outside of them.

Nevertheless, order emerges in the most unlikely of places, even in territory where the state is absent or in disarray. Political orders can and do form around actors that are not recognized as legitimate by the international community. Nonstate actors such as Hezbollah and the Islamic State (popularly known by its old acronym ISIS) have exercised governance functions across large swathes of territory in the Middle East. Pirate clans in Somalia and Nigeria, militia along the Myanmar-Thailand and Myanmar-China borders, and terrorist organizations in Somalia control territory, benefit from licit and illicit economies, and deliver governance—often in ways that provide extensive public goods, including human security—to local populations. Even within relatively well-ordered states such as Brazil and Argentina, certain marginalized areas and communities, such as *favelas* or *villas miseria*, are de facto governed by violent criminal organizations that participate in transnational illicit economies, often with the acquiescence or complicity of state actors.

To the extent that governance is increasingly delivered in large parts of the world by nonstate or substate actors—such as slum lords or mayors, warlords, or criminals turned businessmen—the international community will have to grapple more and more with a profound dilemma: How should it respond to local orders dominated by armed non-state actors? Should it treat all such orders as a threat? Should it engage in direct relations with unsavory or violent (but sometimes relatively

legitimate) governance providers in the hope of promoting peace and security? Or should it respond, as it has done so far with mixed results, by strengthening the capacity and building up the legitimacy of the nominal sovereign, the central state?

The state is what we know, and the state is the basic building block of the global order as we have known it. Yet many of these central—and often overly bureaucratized and bloated—states are exclusivist, repressive, and intolerant of local culture and identity. To strengthen their capacity may be necessary, but this may sometimes be at odds with the goal of building the legitimacy of the state in the eyes of its own people. Meanwhile, local orders in opposition to the state may be perceived as more legitimate, but they are sometimes led by militants, extremists, or even terrorists who aim for nothing less than destroying the foundations of the post–World War II international order.[1] This gap between local legitimacy and the desires and expectations of the international community—and the seemingly intractable tensions that result—are a recurring theme of this book.

WHY LOCAL ORDERS MATTER

Not all local orders are equally threatening to international order, even if they may not be particularly democratic or respectful of human rights. For example, state presence has always been light in two cases we consider in this book, rural Colombia and rural Afghanistan. Customary forms of governance—wealthy landowners in the former and tribal leaders in the latter—operated in its place. The state intervened rarely, if at all, but this did not automatically translate into a threat to international order. But when armed nonstate actors are able to successfully challenge state dominance, particularly when they become predatory toward civilian populations, they draw more focused attention from the international community. These actors, such as the FARC (Fuerzas Armadas Revolucionarias de Colombia [Armed Revolutionary Forces of Colombia]) and the Taliban in the cases of Colombia and Afghanistan respectively, illustrate two important threats to the international community and to international security. The first threat is spillover effects in the form of flows of refugees, flows of illicit goods, and trafficking in human beings. The second is that predatory nonstate actors operating in areas of limited statehood can prolong conflict and provoke the proliferation of competing armed groups, as well as contribute to the kinds of disorder

that shelter terrorist organizations. There is also a humanitarian risk, which revolves around how to protect civilian populations where the state is not strong enough or interested enough. And even where local orders are dominated by armed groups that are not predatory, their central role in the provision of governance places these populations in an international law limbo, beyond the effective protection of the norms, treaties, and conventions designed to protect human and other rights (which are after all commitments made by states, not nonstate actors).

The emergence of local orders led by successful armed actors creates a dilemma for the international community. It must decide when, how, or even whether to intervene. In an international system premised on the norm of sovereign equality among states, intervention, even on humanitarian grounds to protect civilians in conflict areas, is often viewed as a threat by the target state and frequently as suspect by its neighbors. As this book shows, armed nonstate actors operate within a larger political, social, and economic context—and on occasion with the complicity of state actors. This means that the nominal state, even where it is weak or absent, is able to influence the effectiveness of international community assistance and intervention for both better and worse.

It also creates a dilemma for policymakers in intervening states, particularly those that possess enough capabilities to make a difference. They must balance the requirement, under prevailing international norms, of working through the de jure government of the sovereign state experiencing the emergence of a problematic local order, with pressures to act unilaterally against a perceived threat to their own national interest. Sometimes this dilemma can be resolved successfully, for example when the United States was able to partner with the Colombian government during the 2000s to support an improvement in its military effectiveness against the FARC insurgents, as we discuss in chapter 5. On the other hand, the United States spent vastly larger sums on building new domestic orders in Afghanistan and Iraq, but owing in part to corrupt, feckless, or actively hostile local elites in control of the central government, the outcomes proved deeply unsatisfactory to the United States and local populations alike. This led to continuous policy debates during the course of the Bush and Obama administrations on whether the United States should abandon efforts to improve governance in these countries and instead focus more narrowly on U.S. interests in counterterrorism, leaving the task of state building mostly to local elites, as we discuss in chapters 3 and 4. With that in mind, understanding where the resources

and energy of the international community can be invested most successfully is a critical question for policymakers.

State Weakness and the Emergence of Armed Nonstate Actor Governance

The number of states around the world with effective sovereignty is quite limited. As noted international relations scholar Thomas Risse argues, areas of limited statehood are common, and the classic Westphalian state able to deliver governance across the full range of national territory is more rare than we might like to admit.[2] Taken to the extreme, the gaps in governance that emerge have given rise to failed or failing states. This became a particularly urgent concern after the September 11, 2001 attacks, when many U.S. policymakers shared the conviction that gaps in governance could provide shelter for terrorists.

But as political scientist Charles Call points out, the label of failed or failing states is much too broad to be useful, aggregating as it does states with very diverse characteristics.[3] The "failed state" label applies to everything from states experiencing civil conflict to those thought to be excessively corrupt. It is also clear that across large parts of the Middle East, Asia, Africa, and Latin America, the state—often with the tacit support of the upper or middle classes—fails to provide governance to the poorest and most disadvantaged citizens. Doing so would be costly in terms of blood and treasure and offers little material reward, so elites choose not to, preferring to look away (or worse). In short, the particular configuration of gaps in security, legitimacy, and capacity that such states experience produces a complex variety of governance deficits.[4]

It should be no surprise that weak states suffer from chronic elite disinterest, that elites are self-serving and often rapacious, and that politicians are unwilling to commit resources to marginalized urban areas or far-flung rural districts that are not necessarily politically important. To complain about endemic corruption in such cases is like complaining about the weather. It also still raises the question of *why*? Why do some states, whether in Latin America, Afghanistan, Syria, or Iraq, fall short, despite the widespread intellectual realization that state building is and will always be critical, particularly in postconflict contexts? In studies of governance and state building, questions of the role of religion, ideology, and ideas in guiding or motivating the provision of governance are often treated as peripheral, if they are taken seriously at all. There will

always be collective action problems, particularly as individual elites, bureaucrats, and politicians are consumed by competing agendas and short-term self-interest. Formal states, would-be states such as the Islamic State's "caliphate," and nonstate actors all struggle with setting priorities. Writing on the motivations that drew insurgents to act together in El Salvador during the 1970s and 1980s, Elisabeth Jean Wood captures this dynamic, arguing that "they took pride, indeed pleasure, in the successful assertion of their interests and identity, what I term here the *pleasure of agency*."[5] Ideology, in its various forms, can close the gap between intent and action.

When the state is weak or absent, it is frequently nonstate actors that step in to solve the collective action problem associated with governance, filling the vacuum and doing what states cannot or will not. In this book we define governance as the ability of actors to develop and enforce binding decisions upon others within the social and territorial context in which they operate. These decisions, which are usually but not always carried out by states, may range from providing order (resolving social conflict or establishing rule of law) to defining property rights to providing the conditions for improved socioeconomic welfare (deciding who has access to economic opportunity).[6]

Under some circumstances it would be reasonable to expect that state weakness would be compensated for by a civil society or private sector that stepped in to provide security, employment, and economic development. But more realistically, it is armed nonstate actors, such as al-Shabaab in Somalia or Hezbollah in Lebanon, that come to dominate through a mix of coercion, the provision of public goods and, as we just discussed, appeals to ideology, religion, or customary forms of governance to justify their rule. In deciding how to rule and how much coercion and public goods delivery to employ, they make strategic choices, interacting dynamically with other local actors. Their preferences, however, are influenced by group beliefs (such as ideology and religion) and the local contexts in which they operate. Sometimes the group's choices produce legitimacy through the establishment of a coherent and orderly state within a state, as in southern Lebanon. Sometimes the provision of public goods is accompanied by predation on the local population, as is the case with the Islamic State. This predation can displace public goods provision altogether, as often occurred with Boko Haram in Nigeria. Equally, criminal actors have to make similar choices on the right "mix" of provision and predation. For example, in Mexico the Sinaloa cartel

invested in social services and handouts while the Zetas chose to rule through brutality and intimidation alone. In short, the extent to which nonstate actors rule through coercion or choose to gain legitimacy by delivering order and services varies greatly.

Many militant groups may be coercive, even brutal, but they may nevertheless be perceived as legitimate by many in the populations under their control. Thus, brutality and legitimacy are not necessarily mutually exclusive, and organizations choose different configurations of coercive and noncoercive methods for establishing control.[7] For armed nonstate actors, legitimizing their rule is an important shortcut to reducing the cost of maintaining control. Authority is viewed as legitimate when it conforms to social conventions and is perceived by the ruled as more just and fair than the available alternatives. People comply with authorities they view as legitimate more or less voluntarily, which reduces the authorities' need to devote resources to control of the population and allows them to instead focus on other organizational goals.

Risky Business: International Responses to State Weakness and Nonstate Actor Threats

Governments and international organizations crafting responses to weak states and armed nonstate actors face complex choices with highly uncertain payoffs. The recent track record of the international community and particularly the United States in Afghanistan, Iraq, Libya, and Syria would not fill most observers with enthusiasm. Even relatively successful efforts—in Cambodia, East Timor, and Kosovo—remain deeply problematic on the local level, even if the international impact of these conflicts has diminished. The risks for the international community of responding to these threats have been compounded by the fact that violent nonstate actors are embedded in a complex web of relationships and institutions: with the incumbent sovereign, international and domestic civil society, the private sector, and traditional or informal authority systems.

One set of risks facing policymakers and intervening forces is associated with the tyranny of time. As we examine in chapter 2, the legitimacy and resilience of alternative local orders depends on the expectations of local populations, particularly the perception that the rule of armed nonstate actors will endure for some significant time period. This militates against quick-fix solutions by outside actors. Policymakers must calibrate the amount of assistance required to make a difference in local

governance against the length of time such a level of effort can be sustained—politically, economically, and militarily. The ultimate goal is to shift the expectations of all involved that armed nonstate actors will continue to play a central role in local governance. All involved will also keep an eye on the "clock" of donor fatigue and on the domestic politics of the states in the international coalition supporting the central government against nonstate actors.

A second set of risks surrounds the potential for perverse incentives created by international interventions. Outside forces bring to the table material resources on a scale that almost invariably surpasses the military and governance resources in the target states and in the territories where nonstate actors operate. Under such circumstances, local actors are more likely to maneuver tactically to gain access to the largesse of the international community. Even violent nonstate actors may do so, either by directly hijacking international community resources or through a process of penetration of formal local authorities, using local elections to place what are effectively "double agents" in control of key municipal governments. And we should not lose sight of the fact that the actors that make up the international community are a complex ecosystem of their own, one defined by internal competition and inefficiencies.[8]

A final set of risks lies in the distance between the preferences of the international community, target states, and communities living under the rule of local armed actors. What is preferable to one may not be to the others. For example, generally accepted international standards for protecting the rights of women and minorities, viewed as essential by many Western donors and governments, may run headlong into the prejudices and preferences of traditional authority systems.[9] In addition, Western standards of "stateness" may not be feasible; they may be perceived as paternalistic or a Trojan horse for outside interests. More important, they may run counter to the interests of key local powerbrokers.[10] At the same time, assumptions in the West that local rule by warlords and traditional elites is "good enough" for local populations and something that they are "used to" are often deeply misguided. Militant groups have often emerged precisely because "traditional" rule collapsed or came to be seen as illegitimate.

Outside interveners and state builders face a profound dilemma between supporting a social order led by leaders loyal to outside forces versus backing social orders that are more locally acceptable or legitimate, as political scientist David Lake has recently argued.[11] Among local

populations, predictable, even if brutal, rule by nonstate actors may well be preferable to the chaotic efforts of a weak, feckless, and corrupt state that enjoys the imprimatur of intervening forces, and is certainly preferable to outright civil war, as the case of Afghanistan shows. However, Afghanistan also shows that simply relying on local powerbrokers and warlords for governance can severely backfire if their rule is capricious and predatory, as it often is. In some weak states, cooperation with some local warlords and militias to combat insurgents and other violent nonstate actors may seem effective in the short run, offering up a path of least resistance. But it may also quickly prove counterproductive from the perspective of building legitimacy and anchoring a lasting political order. Finding the sweet spot among this complex and competing array of interests and preferences is frequently elusive. Sometimes, it is impossible. All too often, the international community embraces short-term expediency to the detriment of legitimate and lasting order, even as it tries to preserve some commitment to its human rights standards.

Case Selection and the Plan of the Book

To understand what works and what does not, this book examines the international community's considerable track record of both success and failure in dealing with armed nonstate actors and local orders. Chapter 2 develops a framework to analyze when and why armed nonstate actors engage in the provision of governance; what mix of public-goods delivery, appeals to ideology, religion, or custom, and outright coercion they employ; and whether they derive legitimacy from these activities. The chapter argues that the emergence of governance by armed nonstate actors requires more than simple territorial control, but rather *stable* control grounded in a shared expectation that this pattern will endure. When an armed actor enjoys stable control over a given territory, it is more likely to invest in governance provision because it knows that it will still be in control in the future to reap the rewards of its investment. The longer that an armed nonstate actor remains the dominant source of governance, the more that a local population will come to expect this form of rule and assign it legitimacy. This legitimacy benefits the armed nonstate actor, lowering as it does the costs of social control and increasing access to rents in the form of "taxes," supplies, recruits, and intelligence.

To build legitimacy over the long term, armed nonstate actors act both from a logic of consequence, providing public goods in return for local

support, and a logic of appropriateness, appealing to shared norms, ideology, religion, or customs to justify their right to govern. Conversely, when time horizons are short or when armed nonstate actors face competition—from other armed groups, the central state, or intervening forces—they rely more on coercion and maximizing short-term rent extraction. This finding raises the troubling observation that intervening in an alternatively governed local order actually raises risks and costs to civilian populations, at least in the short term and very often in the long run, as the cases in this book document.

The rest of the book examines a diverse set of cases of armed nonstate actor governance, beginning with a comparison of the Taliban in Afghanistan and the Islamic State in Iraq and Syria. The challenges posed by Taliban and Islamic State activities have been of utmost importance to the United States, the international community, and regional and local orders. The successes and, more often, failures of the international community in addressing them have had vast repercussions for global counterterrorism efforts and have profoundly affected global attitudes toward counterinsurgency and state building. In addition, the wars in Afghanistan, Iraq, and Syria have resulted in considerable human suffering and humanitarian crises, often with destructive spillover effects. We then turn to a comparison of the ways insurgents in Colombia and criminal groups in Latin America, particularly in Mexico, engage in the provision of similar forms of governance but under different circumstances and for considerably different motives.

Chapter 3 of the book discusses the case of the Taliban in Afghanistan, and chapter 4, the case of the Islamic State in Iraq and Syria. Considering the Taliban and the Islamic State together provides a number of methodological advantages: the peak activities of both organizations overlap in historical time; both have aspirational political and ideological goals, even as they differ in motive and content; both organizations have experienced periods of territorial control as well as the loss of that control; both organizations have had access to resources afforded by territorial control and to resources from participation in international illicit trafficking and other illicit economies; both have engaged in predation, coercion, and varying degrees of brutality as well as in the provision of public goods to local populations; and the international community has had to address the threats they pose more or less simultaneously. These circumstances afford opportunities to assess and compare what motivates these groups and, by extension, other armed nonstate actors

with ideological objectives to engage in predation versus public-goods provision and the implications of their strategic choices on their legitimacy, rule, and militancy. It also allows a comparison of the policy tradeoffs in the international responses to these conflicts and identifies successes that might be replicated in future crises.

The contrast provided by insurgent and criminal actors in Latin America is instructive. Even if armed nonstate actors with explicitly ideological objectives have by and large been defeated across the region, the history of one of its largest Marxist-inspired insurgencies, the FARC, provides insight into how armed nonstate actors choose to deploy different mixes of coercion and governance in response to different pressures and incentives. As discussed in chapter 5, the FARC governed by being the dominant actor in rural areas far from state control. At other times it negotiated for areas to govern as part of peace negotiations with the government, as with the *zonas de despeje* (demilitarized zones) in the late 1990s. It engaged in hybrid governance by infiltrating local governments or having undercover loyalists run for local office with the objective of subverting local institutions and diverting state resources to support the insurgency. But the FARC also engaged in lethal brutality, supporting itself by engaging in a broad range of organized criminal activities such as kidnapping, racketeering, cattle rustling, and drug trafficking.

The case of Colombia also provides useful comparisons with another set of armed actors, right-wing paramilitaries and their strikingly different choices when it came to deciding whether to rule through coercion (mostly) or public goods provision (hardly at all). How militant actors rule across time and how governance varies among militant groups operating in the same space is also something we explore in the case of Afghanistan, when we compare and contrast the Taliban with the Islamic State in Afghanistan, and, in the case of Syria, the Islamic State with the al-Qaeda affiliate Jabhat al-Nusra.

Even when aspirational or religiously motivated armed nonstate actors retreat, weak states still offer opportunities for alternatively governed local orders to emerge. Colombia is a good example. Peace negotiations that began in 2010 have now concluded in a signed agreement, the FARC has disarmed, and Colombia has one of its best opportunities for an enduring settlement in many decades. Yet as the FARC demobilizes, Colombians are now faced with the reality that criminal organizations are stepping in to occupy the spaces that the FARC once controlled. This illustrates how the absence or continued weakness of the state after the

end of a conflict often encourages new nonstate actors to engage in governance—in this case organized crime—if only to improve their own security and reduce the costs of their operations. Chapter 6 delves into this phenomenon of criminal governance in greater depth, focusing on Latin America, a region where ideologically motivated armed nonstate actors have faded in importance but organized crime remains a powerful presence. To provide a more focused comparison of organized crime participation in local governance, we examine several criminal cartels operating in Mexico in greater detail. Mexican cartels are particularly well resourced and capable due to their central role in international drug trafficking and close proximity to the largest market for illicit drugs in the world, the United States. Mexico can also claim the distinction of having an unusually large number of competing criminal organizations to compare, arguably rivalled in the region only by Brazil.

After taking stock of this diverse set of cases, chapter 7 concludes with lessons learned from a comparative evaluation of the role of armed actors in local governance. It also provides policy implications and recommendations on how to more effectively deal with militants, criminals, and warlords who govern (or try to govern) local orders. Among the key policy implications is that limited interventions create limited effects. Sustained engagement by the state and by international actors—we are not necessarily talking here about military force—is crucial to signaling to local populations that the power of armed nonstate actors to enforce their rule is coming to an end. What international actors can do to contribute to restoring a state-led local order entails a complex mix of policies. But most important among these is supporting the governance priorities that local populations demand: access to relatively swift justice, predictability and rule of law, and opportunities for economic advancement. As the central state becomes the dominant actor in making these available, it accrues legitimacy and marginalizes armed nonstate actors.

These recommendations may sound either unrealistic or overwhelming in scope in a world where the United States seems increasingly disengaged or inward looking. But encouraging and helping to build stable local orders after years or even decades of civil war does, in fact, require concerted leadership. There is simply no way to get around it. A "hands-off" approach is likely to fail to produce outcomes desirable to either the international community or local populations. The conventional wisdom around strengthening repressive states, prioritizing central and centralized authority, and trying to minimize or counter the role of religion and

ideology in the construction of local orders should also be questioned. To put it more simply, too many of the assumptions on which the international community acted have been wrong, but incorporating these lessons learned into new policy approaches has proved complicated and challenging. We do not deny how messy and difficult these questions and dilemmas are, but this book hopes to provide some clarity in thinking about a famously complex problem set. In the process, this book aims to show that there is a way to think about local orders and local governance that is more creative, effective, and even realistic.