

# The International Regime for Treating Civil War, 1988 – 2017

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*Abstract: The post–Cold War international order has promoted a “standard treatment” for civil wars involving the use of mediation to end conflicts and the deployment of peacekeeping forces to implement the resulting settlements. The United Nations has played a leading role in applying this standard treatment, which enjoys broad international support. By contrast, Western efforts to promote more robust humanitarian intervention as a standard response to civil wars remains controversial. While effective in relatively permissive postconflict environments, international mediation and peacekeeping efforts have proved insufficient to resolve harder cases of civil war, such as those in South Sudan and Syria. The UN has struggled to make the standard treatment work where governments refuse to cooperate or low-level violence is endemic. Growing major-power tensions could now undermine the post–Cold War regime for the treatment of civil wars, which, for all its faults, has made a significant contribution to international order.*

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The current international order is highly interventionist in civil wars. But this does not make the current order unique. What differentiates it from past orders is that these interventions are motivated by a belief that political agreement is a more appropriate end to civil wars than military victory. Since the late 1980s, civil wars have become a laboratory for experimentation in war termination, conflict resolution, and protection of noncombatants. Major powers, multilateral institutions, and, above all, the United Nations have acted on the assumption that civil wars are amenable to political, social, and military engineering, resulting in an international order that resolutely rejects giving war a chance.

These interventions fall into two distinct, though sometimes combined, treatments. The first is mediation and the use of peacekeepers to implement peace agreements. This approach has become so frequent and pervasive that it is uncontroversial in national capitals and in intergovernmental forums. The sec-

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doi:10.1162/DAED\_a\_00482

ond is the use of military force to protect civilians caught in war. This more radical form of intervention remains controversial and no consensus has emerged over when, where, and how it should be applied, or whether it should be applied at all.

The ascendancy of mediation as a frequent, almost automatic international response to civil wars over the last thirty years, as well as the development of institutions and technical capacity in peacemaking and peace-building, suggests that a new international regime for treating civil wars took hold in the 1990s.<sup>1</sup> The rise in mediation in intrastate conflicts led to a further expectation: if parties reached a political agreement to end their war, then they could expect the deployment of peacekeepers to assist and oversee the implementation of the agreement. These two norms – mediation as an expected and preferred international response to civil war and the use of peacekeepers to implement any agreement reached through mediation – form what we call the *standard treatment* for civil war.

While this regime for treating civil wars emerged and developed, more robust humanitarian intervention in civil conflicts also became frequent. But since there has been little consensus among governments over the appropriateness or utility of that approach, it has been unpredictable and deeply unsettling for international relations. Over the last decade, the infusion of humanitarian goals, especially the protection of civilians, into peacekeeping has eroded overall government commitment to and support for mediation and peacekeeping as the standard treatment of civil wars.

It is difficult to tell a coherent story about the emergence of this international regime. The sheer amount of experimentation in strategies, cases, and goals of intervention in civil war management since the early 1990s seems to be a tale of “one damn thing after another,” as crises and peace processes jostle for attention.<sup>2</sup> Nonetheless, four

broad themes have shaped this story: 1) A belief in the efficacy of mediation in ending intrastate conflicts; 2) investments in multinational peacekeeping operations to secure the resulting deals; 3) an overarching focus on the humanitarian obligations to minimize civilian fatalities and suffering in war zones; and 4) ongoing controversy about the limits and principles of humanitarian intervention.

As Bruce Jones and Stephen John Stedman have noted, different international orders treat civil wars differently.<sup>3</sup> During the Cold War, the United States, former European colonial powers, and the Soviet Union (and sometimes Cuba and China) backed governments or rebels because of their perceived ideological closeness to the superpowers. Civil wars were assumed to be zero-sum competitions for power, and for the superpower patrons, the goal was to ensure that their clients would win or, at the very least, not lose. At the same time, the superpowers did want to ensure that any escalation of war stopped short of bringing them into direct military confrontation.<sup>4</sup>

Several implications followed from this treatment. Wars were protracted as patrons tried to make sure that their clients would not lose.<sup>5</sup> UN involvement in civil wars was constrained by the Security Council and via the veto powers of two permanent members: the United States and the Soviet Union. Humanitarian relief was often stymied as the great powers would seldom coalesce to demand access for aid delivery to vulnerable populations. Reflecting these factors, civil wars during the Cold War were deadlier than civil wars have been since.<sup>6</sup>

These Cold War conditions directly influenced how scholars viewed the possibility of mediation and negotiation in civil war. Two of the leading scholarly texts on war termination at that time, Fred Iklé’s *Every War Must End* (1971) and Paul Pillar’s *Negotiating Peace* (1983), focused entirely on

interstate war and only made single references to the inapplicability of their work to civil wars, which they described as non-negotiable. One of the most famous critical books of the United States in Vietnam, Leslie Gelb and Richard Betts's *The Irony of Vietnam: The System Worked* (1979), described American policy in Vietnam as delusional because it assumed that civil wars could be negotiated. When one of us started our doctoral thesis on mediation in civil wars in 1986, there was only one book by an American scholar that explored the possibility for mediation to succeed in intrastate conflicts: I. William Zartman's *Ripe for Resolution* (1985).

As the Cold War began to wind down in the late 1980s, policy-makers in Washington and Moscow began to view long-standing civil wars in Latin America, Africa, and Asia as a drain on resources and looked to diplomacy and mediation as a means of ending them. In Central America, regional diplomacy, with UN assistance and U.S. support, brought Nicaragua's decade-long civil war to a close in 1989. In turn, the UN began mediating El Salvador's civil war in 1990 and produced a successful agreement in 1993. The UN's historical responsibility for decolonizing Southwest Africa provided it a lead role in mediating and implementing an agreement that ended Namibia's civil war and secured its independence from South Africa in 1989. The peace process that ended Namibia's war was embedded in a larger regional and geopolitical process that wound down external intervention in Angola's long-running civil war, and delivered a mediated agreement there in 1991. The beginning of the Paris Peace talks in 1989 eventually produced a mediated settlement in 1991 to end Cambodia's civil war.

These early successes transformed international attitudes toward conflict resolution. Mediation in civil war became much more common, the deployment of peacekeepers in civil wars increased dramatically,

and humanitarian intervention in civil wars became more frequent and multilateral.

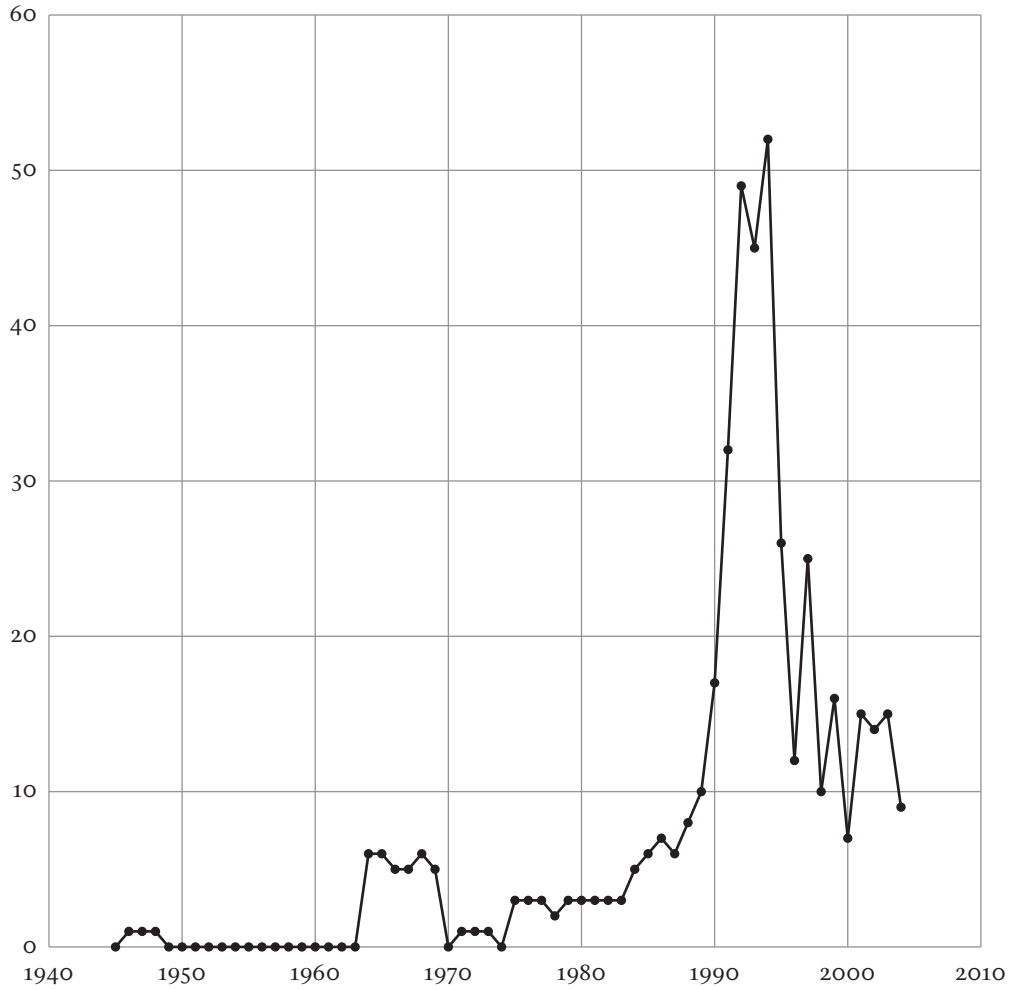
Figure 1 presents mediation attempts in civil wars from 1945 to 2004, and illustrates this sea change in how international actors treat civil war. Many of these mediations concerned the same civil war; some mediations lasted years, others weeks; and almost half of the attempts were by governments, but many were carried out by the United Nations and regional organizations.

Table 1 shows the numbers and percentage of civil wars with mediation from 1945 to 1987 and from 1988 to 2015. From 1945 to 1987, mediation was attempted in seventeen of seventy civil wars, or about 24 percent. Of those mediation attempts, about 49 percent were carried out by foreign governments, with the United Nations being the second-most frequent mediator at 19 percent. Regional organizations carried out about 18 percent of the mediation attempts, with the Organization of American States being particularly active. NGOs attempted 10 percent of mediation attempts.

A quick examination of some of the cases of mediation during that period suggests that when mediation happened at all, it was largely initiated by neighboring states. Many of these efforts consisted of brief talks, some less than a week, suggesting a lack of interest, commitment, or attention to negotiation on the part of the warring parties and the mediators themselves. Many of the NGOs involved in mediation were Western church-based groups, with relatively little specialized mediation expertise.

Turning to the period of 1988 to 2015, we see fundamental shifts in how many civil wars receive mediation, but also in what it means to mediate a civil war. First, civil wars became the focus of multiple, serial mediation attempts. During the Cold War, failures of mediation were not usually followed quickly by more mediation. This changed after 1988, suggesting that, if nothing else,

Figure 1  
Civil War Mediation Initiated from 1945 – 2004



Source : The Civil War Dataset compiled in Karl DeRouen, Jacob Bercovitch, and Paulina Pospieszna, “Introducing the Civil Wars Mediation (CWM) Dataset,” *Journal of Peace Research* 48 (5) (2011).

Table 1  
Civil Wars with at Least One Mediation Attempt: Cold War and Post-Cold War

	Number of Civil Wars	Number of Civil Wars with Mediation	Percent Mediated
1945 – 1987	70	17	24.29%
1988 – 2015	78	57	73.01%

Source : Updated and revised data set based on the Civil War Dataset compiled in Karl DeRouen, Jacob Bercovitch, and Paulina Pospieszna, “Introducing the Civil Wars Mediation (CWM) Dataset,” *Journal of Peace Research* 48 (5) (2011). Revised data set available upon request at sstedman@stanford.edu.

mediators were more persistent in the last thirty years. Second, the proportions of UN and NGO mediation efforts flipped: after 1988, the UN was involved in 29 percent of mediation efforts; NGOs less than 2 percent. This reflects the fewer constraints on UN freedom of diplomatic action after the end of the Cold War. On the NGO side, the reduction in the percentage of mediation efforts was not a reduction in overall mediation efforts: the numbers of mediation efforts led by NGOs declined only slightly, while those leading them were more likely to be organizations dedicated to mediation and conflict resolution, such as the Carter Center and the Swiss-based Center for Humanitarian Dialogue.

This dramatic rise in mediation in civil wars is mirrored by the dramatic rise in deployment of UN peacekeeping missions. From the founding of UN peacekeeping in the 1950s until 1988, the UN had deployed fourteen blue helmet operations. Between 1989 and 1994, they deployed fourteen more, doubling the total in four years. The rapid growth of UN missions from the early 1990s was, in part, the result of their role in backstopping peace agreements in civil wars, a task that posed a steep learning curve and has involved repeated setbacks. Nonetheless, most UN peacekeeping missions are still deployed as part of a larger political agreement framework.

The third major shift in how international actors treated civil wars involved humanitarian intervention or the use of military force to protect civilians in war. Political scientist Martha Finnemore has identified three military interventions during the Cold War that could plausibly be described as humanitarian: India's intervention in East Pakistan in 1971, Tanzania's intervention in Uganda in 1977, and Vietnam's intervention in Cambodia in 1978. Since 1989, a large number of military interventions in civil wars have been justified on humanitarian grounds, in cases ranging from So-

malia and Bosnia to Darfur and Libya. And as Finnemore has pointed out, it is not just the frequency of humanitarian intervention that has changed; the humanitarian interventions of the last thirty years have been multilateral rather than unilateral.<sup>7</sup>

International relations theory suggests that regimes emerge under different conditions and for different reasons. They might reflect and reinforce the interests of the great powers; they might reflect the discovery of technical knowledge that can help solve problems and provide public goods; or they might simply reflect the tendency of governments and regional organizations to mimic the strategies and approaches of other governments and international organizations.<sup>8</sup>

The international regime for treating civil wars emerged in ways suggestive of all these explanations, but not in a straightforward manner. UN mediation and peacekeeping in civil wars, by definition, had to have great-power support since they could have vetoed any missions during that time. Although the great powers may have had an interest in ending specific wars – El Salvador and Cambodia, for example – their interest in ending civil wars writ large was constrained by the cost of peacekeeping missions and the risks of them going wrong.

Under the presidency of George H. W. Bush, the United States urged the United Nations to take a primary role in the mediation and implementation of peace agreements in the wars that the United States wanted to end, such as those in Central America. Emboldened by its new activism and informed by its universal mandate, the UN Secretariat sought to take on even more cases, including ones peripheral to U.S. interests, such as Rwanda and Mozambique. As the leading funder of the UN and the biggest contributor to peacekeeping, the United States was wary of growing costs. Because it was more susceptible to Congressional pressure than the Bush ad-

ministration, the Clinton administration began to heavily constrain the budgets of new peacekeeping operations. When the U.S. and UN intervention in Somalia escalated dramatically in 1993, the Clinton administration also grew cautious of the risks involved in UN deployments, fearing that U.S. forces would need to backstop UN missions under attack. The Clinton administration's Presidential Decision Directive 25, made public during the Rwandan genocide in 1994, put restrictive conditions on U.S. involvement in UN operations and on UN authorization and deployment of operations even when they did not involve U.S. personnel.<sup>9</sup>

At first, the standard treatment of mediation and peacekeeping certainly seemed to represent the discovery of a new approach or technology for addressing a global problem. The difficulty with this argument is that it didn't take long for failures to confound early successes. From 1989 to 1994, Namibia, El Salvador, Cambodia, Mozambique, Angola, and Rwanda all followed a treatment of mediation, negotiated agreement, deployment of peacekeepers to monitor and oversee implementation of the agreement, and then elections. A strategy of confidence-building based on neutrality, impartiality, and consent helped to end wars in four of these six countries, but in Angola and Rwanda, the strategy was woefully unprepared and useless against spoilers who undermined the peace. In Angola in 1993, an estimated three hundred fifty thousand people died when one of the warring parties, the National Union for the Total Independence of Angola, returned to war rather than contest a second round of elections. In Rwanda, the United Nations withdrew peacekeepers instead of confronting *génocidaires*, who killed up to eight hundred thousand Rwandans.<sup>10</sup>

In truth, the intervention of peacekeepers in civil wars in the early 1990s was nonstrategic and more closely resembled

throwing a solution at multiple problems and hoping something would stick. For example, in Somalia and Bosnia, peacekeepers were deployed to assist in the delivery of humanitarian assistance and to protect vulnerable populations. In the former, the United States intervened militarily to create security for humanitarian work to proceed safely. The United States and the UN found themselves in a dilemma: to invest heavily in creating a Somali state and make peace among clans, or withdraw after the famine had been stopped. The United States and UN chose to double down on state-building and quickly found itself in a shooting war with one of the Somali factions, and after a battle in Mogadishu that led to the death of eighteen American soldiers, the United States withdrew from Somalia, leaving the UN to turn to a long-term strategy of mediation.

In Bosnia, the United Nations deployed peacekeepers soon after the war erupted, but their mission was limited to the protection of the delivery of humanitarian assistance. Although the provision of humanitarian relief saved lives, the UN mission was derided for not standing up to Bosnian Serb forces, and for observing rather than stopping violence. A common assessment of the futility of the mission was that the UN was keeping civilians alive from starvation so that they could later be killed by the Bosnian Serbs. At the same time, the European Union and UN attempted to mediate a political settlement to the war, but were undercut when the United States and its newly elected president, Bill Clinton, dismissed the terms of settlement. The Clinton administration advocated a more forceful strategy for ending the war, but was unwilling to put its own soldiers on the ground.

From 1992 to 1995, the UN and NATO simultaneously attempted contradictory strategies: lightly armed peacekeepers acting under a doctrine inappropriate for the military situation found themselves hos-

tage whenever NATO chose to use force to deter or punish the Serbs; the use of force was largely untied to a diplomatic strategy for ending the war. It was only after 1995 and the genocide of Bosnians at Srebrenica that NATO took full charge and combined the use of force and mediation to produce a negotiated settlement, and then deployed sixty thousand troops to implement it.

Non-Western regional organizations also intervened in civil wars during this period. Nigeria, under the aegis of the Economic Community of West Africa, intervened early in Liberia's civil war, at a time when one faction seemed on the verge of a military victory. The intervention failed to end the fighting, but did create a military situation in which no faction could win. Realizing that their intervention would turn into a military quagmire, the Nigerians also turned to mediation among warlords to try and bring the war to a close. After more than a decade and ten failed peace agreements, a peace treaty finally stuck, and more than sixteen thousand UN peacekeepers implemented it.

By that time, the Liberian conflict had helped destabilize neighboring Sierra Leone, which, in turn, went through its own protracted cycle of military intervention, mediation, fragile peace agreements, and then, finally, a UN-mediated agreement backed by peacekeepers. In both countries, successful implementation of the agreements depended on further deployment of force: Nigeria's intervention in Liberia to depose the former warlord and elected president, Charles Taylor, and Britain's deployment of forces in Sierra Leone.

Although great powers were ambivalent about the regime and the regime itself was in desperate need of learning, the regime institutionalized itself within the United Nations with special training of mediators, the development of a mediator-support network of global experts on issues pertaining to the negotiation of civil wars, and the

creation of a mediation-support office in the UN's Department of Political Affairs. Other international organizations, such as the European Union and African Union (AU), have mimicked these innovations, as have many governments. It has also been institutionalized in international civil society as organizations, such as Humanitarian Dialogue and the Carter Center, define their mandate in terms of helping warring parties make peace. Regional organizations routinely name and send special envoys to mediate wars in their regions.

The 1990s were a harsh test of the international belief that civil wars were easily amenable to outside political and military intervention.<sup>11</sup> From the beginning of the dramatic growth in political and military intervention in civil wars in the early 1990s, the standard treatment – mediation and peacekeepers for implementation – had its detractors. The first were the doubters who asserted that civil wars are non-negotiable and can only be ended through dominant military force. While acknowledging mediation as well-intentioned, they dismissed it as ineffective. Under the rubric of “give war a chance,” doubters either advocated policies of benign neglect or support for warring factions in the hope of tilting the military balance to one side, thus hastening the end of the war.<sup>12</sup>

A second objection to the standard treatment came from humanitarian interventionists who decried the suffering of civil wars and demanded the use of military force to protect civilians caught in the violence. Humanitarian interventionists did not necessarily disagree with the goal of ending wars through mediation, but they were seldom patient enough for mediation to bear results. This led to several experimental treatments of civil wars involving peacekeeping in the absence of any credible political agreement – as in Somalia or Bosnia – with poor to mixed results. UN

forces often lacked the equipment and desire to handle violence where there was no peace to keep. Many Western military and political leaders, scarred by the UN's early post-Cold War failures in Somalia, Bosnia, and Rwanda, continue to distrust UN peacekeeping for these reasons. Beginning with President Clinton in 1994, the United States decided to dramatically limit its participation in UN missions and send minimal numbers of soldiers on blue helmet operations.

A third source of dissatisfaction came from human rights critics, who asserted that mediation and its focus on war termination was feckless toward issues of justice and accountability for atrocities and war crimes. This too led to experimental treatments that struggle to combine mediation and its need to assure combatants that they will be secure in any future political dispensation, with provisions for tribunals, truth and reconciliation commissions, and courts to hold some of those same combatants accountable for past deeds.

Did the standard treatment for civil wars work? Or to ask a better question, under what conditions did the standard treatment work? In 2002, political scientist George Downs and Stephen Stedman examined the sixteen cases of civil wars between 1980 and 2002 in which mediation produced a peace agreement and international forces were used to implement it.<sup>13</sup> They concluded that the efficacy of the treatment depended on the difficulty of the case and the amount of resources available, which, in turn, was related to whether the civil war affected the strategic interests of the great powers.

They scored their cases on a simple scale of difficulty based on the number of warring parties, the number of soldiers, the likelihood of spoilers, the presence of hostile neighboring states, the presence of easily looted valuable commodities, the quality of the peace agreement, whether the war

had collapsed the state, and whether the war had involved demands for secession. They also scored the cases on whether a great power or regional power had a vital security interest in ending the war. Their findings, while maybe not surprising, were telling. The UN treatment worked well in the easiest cases, where there was interest of a great power or regional power that ensured adequate resources (El Salvador, Guatemala, Nicaragua, Mozambique, and Namibia). Great-power interest could overcome the challenge of slightly more difficult cases (Cambodia). Where the cases involved high difficulty and low great-power interest, the United Nations either created a stalemate (Liberia and Sierra Leone) or failed (Somalia). The worst outcomes involved middling difficulty and low interest and hence low resources (Rwanda and Angola).

For the standard treatment to continue and the international regime for treating civil wars to survive, two things had to happen. First, the regime itself had to learn what worked and what did not, and to make accurate assessments and recommendations about the difficulties of any potential case.<sup>14</sup> Second, the regime, and in particular the UN Secretariat overseeing the regime, had to convince the great powers and Security Council that it had a stake in making the regime succeed.

Serious reflection inside the United Nations about peacekeeping produced an excoriating report on the failure to prevent the Srebrenica genocide.<sup>15</sup> This warned member states against the deployment of UN peacekeepers where there was no political framework and their rules of engagement and doctrine were inappropriate. A second study, the 2000 Brahimi Report on peace operations, defined a framework for better-managed and more robust UN missions.<sup>16</sup> It emphasized issues of assessing mission difficulty, appropriate resourcing of missions to succeed, and the need to move doctrine away from traditional



peacekeeping to deter and defeat spoilers. Both the Srebrenica and Brahimi reports can be read as straightforward assessments of the weaknesses of peacekeeping in the 1990s, but the tone and information reveal an underlying message from the UN Secretariat to the Security Council: you are implicated in the catastrophic failures of UN peacekeeping, and if you want to avoid any such failure in the future, then you need to stop setting up missions to fail.

This message seems to have hit the mark. Members of the Security Council not only launched a new generation of blue helmet missions to support mediated settlements, but also intervened militarily to reinforce these missions when they came under threat. When rebels took UN peacekeepers hostage in Sierra Leone in 2001, swift action by British special forces routed the rebels and put the peacekeeping mission on firmer footing. In the Democratic Republic of the Congo (DRC), France led a similarly firm intervention by the European Union in 2003 to stop marauding rebel forces overwhelming UN troops in the east of the country.

Great-power support, including from the United States, for the regime and the standard treatment increased dramatically after September 11. The Security Council, with support from the United States, looked to UN peacekeeping as a means of preventing state collapse in war-torn states. The Council also endorsed and followed recommendations of the Brahimi Report, and authorized much greater troop numbers, more coercive mandates, and more flexibility in using coercive force in missions. From 2001 to 2007, the UN deployed missions to support a series of mediated settlements in countries including Burundi, South Sudan, and Nepal (although, in the latter case, it deliberately avoided inserting a large-scale military force).

None of these were easy missions. In cases such as the DRC and South Sudan, UN

forces were asked to police long-term political reform processes, involving not only postwar elections, but also constitutional reforms and the formation of new states (as in Kosovo and East Timor). Peacekeepers often found that high-level mediation had failed to stop widespread low-level violence or significantly ease ongoing humanitarian crises. In a series of cases – most notably the DRC – militia groups overran cities and regions under the supposed protection of peacekeepers, fueling calls for the UN to take a tougher approach to putting down spoilers.

The argument that peacekeepers should be willing to use force to protect civilians “under imminent threat of physical violence” (a goal that the Security Council set for most UN forces from 1999 onwards and that the Brahimi Report strongly endorsed) became entangled with broader debates about the international responsibility to protect (R2P), posited by the International Commission on Intervention and State Sovereignty in 2001.<sup>17</sup> This was problematic: While most governments were willing to grant that peacekeepers might sometimes have to act robustly to defend endangered communities or sustain an established peace process, many were far less enthusiastic about the notion that protection could be an overarching moral imperative. Indeed, some of the countries most heavily involved in blue helmet operations in this period, such as India and Pakistan, were ardently skeptical about R2P. This debate over protection would contribute to growing dissensus at the UN over the limits of peacekeeping.

More practically, peace operations also had to contend with the fact that, in many of the postconflict countries on their watch, the national institutions necessary to make a peace agreement stick were broken or simply nonexistent. In the mid-2000s, the UN emphasized the need for “peace-building” and institution-building to guide and con-

solidate the gains of mediation and peacekeeping, although there was often little realism about the timelines necessary to get state structures up and running. The UN became quite skilled at managing elections in postconflict states, but these rarely seemed to guarantee stability. Missions such as those in Liberia and the DRC dragged on far longer than expected. Nonetheless, by roughly 2007, the standard treatment of mediation and peacekeeping appeared to have proved its worth.

In the ensuing decade, the Security Council tried to apply versions of this treatment to a series of hard cases that have pushed the regime to the breaking point. The first of these was Darfur, where the UN took over “peacekeeping” duties in 2007 from the African Union on the basis of a profoundly flawed mediated settlement. Many veteran peacekeepers predicted that this would backfire, but a large-scale advocacy campaign in the United States and Europe – firmly framed in terms of R2P – pushed the Bush administration and the UN to deploy forces regardless. Although the Darfur mission was for some time the UN’s largest, a mix of political, logistical, and operational constraints have rendered it unable to offer more than minimal support to advance flawed political efforts and aid operations.

The 2008 financial crisis further constrained new, large-scale UN deployments until 2013, when the organization took on peacekeeping duties in Mali after France intervened against Islamist and secessionist forces there. Again, the standard treatment has proved unequal to new challenges: radical Islamist groups, borrowing insurgent tactics from Afghanistan and Iraq, have targeted the operation, claiming nearly one hundred lives while efforts to mediate a lasting political settlement have made faltering progress. In the meantime, the UN also deployed peacekeepers to the Central African Republic, where state institutions

are so weak that real stability may be unattainable in the foreseeable future.

While the UN struggled with these cases, some of its longer-running missions have also been plunged into crises as mediated settlements have fallen apart. The worst example has been South Sudan, where the UN was poorly prepared for the country’s descent into an all-out civil war in 2013. Peacekeepers in the DRC have also continued to be thrown off-balance by repeated crises in the east of the country. These cases, involving large-scale killing and displacement, have raised three recurrent questions about the UN’s ability to secure and sustain political settlements.

First, uncooperative – and often corrupt and predatory – national and local leaders have frequently found ways to undermine the UN’s role as a mediator and peacekeeper. In a few instances, such as Burundi in 2006, local actors succeeded in forcing the UN to pull out altogether. Using tactics such as delaying political processes and elections or simply initiating renewed violence, leaders like the DRC’s Joseph Kabila and South Sudan’s Salva Kiir have succeeded in limiting the UN’s influence for long periods. In many cases, the Security Council and UN officials have prioritized maintaining relationships with these high-ranking spoilers, for fear of new major conflicts, rather than confronting them over their behavior. In such situations, UN forces often end up looking like enablers of continued political abuse and repression.<sup>18</sup>

A second recurrent source of concern for the UN has been its inability to mediate or project security in persistent local conflicts that often plague the peripheral regions of weak states. While the sort of mediation promoted by the standard treatment focuses on forging elite pacts in national capitals, and sometimes also offers a basis for more inclusive talks with amenable elements of civil society, the UN has struggled to forge political relationships with

local power brokers in cases ranging from the militia-plagued Eastern DRC and Northern Mali to gang bosses in Haiti's urban slums. For some critics, this lack of local-level peace-making capacity is the UN's primary political flaw.<sup>19</sup> Others see it as an adjunct to its difficulties with obstreperous leaders such as Kabila and Kiir. Wherever the balance lies, it is clear that the UN is often hamstrung by both elite-level and grassroots political challenges.

These political limitations have been compounded by a third recurrent concern: the inability and unwillingness of UN peacekeeping forces to deter or defeat spoilers, despite changes in mandate and doctrine. In cases such as the DRC, Sudan, and South Sudan, international contingents have continued to fail to protect civilians systematically. This is often due to a lack of intelligence and military resources, but, in many cases, UN units simply refuse to act or are under orders from their capitals to minimize the risks of casualties. As in Rwanda and the Balkans, spoilers have assessed the UN's vulnerabilities and harassed and targeted peacekeepers to keep them in line. In one emblematic case in 2010, a militia launched a campaign of mass rape in the area around an Indian base in the Eastern DRC to prove to the civilian population that the UN would not respond.<sup>20</sup> Lacking the language skills, communications equipment, and intelligence to grasp what was happening, the Indians remained duly passive.

This combination of political and operational challenges has raised doubts about the standard treatment for civil wars, and not only among the UN's longtime critics in the West. Some of the most severe criticisms have come from African governments and the African Union, which charge the UN with responding slowly and passively to crises, such as those in the DRC. AU members have shifted toward a vastly more robust if often under-resourced ap-

proach to war-fighting stabilization in Somalia, and called on the UN to imitate this method.<sup>21</sup> In 2013, Southern African countries inserted a "force intervention brigade" into the UN operation in the DRC to fight spoilers, and the Security Council recently authorized a similar regional force to respond to violence in South Sudan.

Within the UN itself, however, officials tend to maintain some belief in the standard treatment for civil wars and warn against more robust options. This conservative approach was captured in the 2015 report of the High-Level Independent Panel on Peace Operations, a blue-ribbon group of UN veterans appointed by Secretary-General Ban Ki-moon to write a "new Brahimi Report."<sup>22</sup> This group issued a lengthy defense of "the primacy of the political" and the need to invest in mediation, while giving only half-hearted endorsement to robust efforts to protect civilians and explicitly warning that peacekeepers should not attempt to engage in counterterrorism. Yet beyond the UN, the case for the standard treatment has become increasingly difficult to sell.

The future viability of the international treatment regime depends on several factors. Much rests on the very nature of civil wars and whether today's and tomorrow's wars are less amenable to mediation and political settlement than the wars of the previous twenty-five years. While instability continues to occupy the UN and the AU in sub-Saharan Africa, the emergence of a new generation of civil wars in the Middle East and North African region poses an immense test for existing models of international intervention. Essays in this issue of *Dædalus* and in the previous volume suggest that civil wars have mutated in ways that render the standard treatment ineffective.

Questions about relations among the great powers, and their strategies for addressing civil wars, hover over the post-

Cold War regime. One reason why the wars in Syria and Yemen have created such consternation is that they look like throwbacks to the Cold War treatment of civil wars: external military intervention and support to ensure that one's client wins or at least does not lose. But this treatment reflects the larger breakdown of relations and tension between two of the great powers: Russia and the United States.<sup>23</sup> In such cases, the UN and other multilateral actors have been reduced to forms of peace observation, such as the lightweight and short-lived UN monitoring mission in Syria in 2012, that also look like throwbacks to Cold War peacekeeping. The Syrian conflict in particular has also demonstrated the weakness of multilateral mediation in the face of great-power rivalry, as a series of UN envoys (Kofi Annan, Lakhdar Brahimi, and Staffan de Mistura) have acted as conduits for ineffective efforts at Russo-American diplomatic coordination. In the meantime, the humanitarian system is buckling under the weight of these crises, and international arguments over Libya and Syria have detracted from the political credibility of R2P. The fundamental premise of the post-Cold War regime for treating civil wars – that there is a basic duty of care to states affected by civil wars – is in question. One could imagine that, with an improvement in relations between the major powers, they would, as the United States and Soviet Union did in several proxy wars thirty years ago, revert to support for a mediated settlement to the wars in the Middle East. One could just as easily imagine that the rivalry between these two powers poisons their willingness to cooperate in the Security Council on applying the standard treatment of civil wars outside the Middle East. There has recently been an upsurge in diplomatic tensions at the UN between the West, China, and Russia not only over the Arab world, but also over how to handle crises in Burundi, Sudan, and South Sudan.<sup>24</sup>

Beijing and Moscow appear increasingly keen to place limits on the application of the standard treatment in such cases for a mix of political reasons and economic interests. If such tensions increase in the years ahead, the UN's ability to care for countries in civil war will narrow, and other organizations and coalitions are liable to fill the gap, peddling "cures" of civil wars such as peace enforcement or assisting proxy forces that may often do more harm than good.

The Trump administration's attitude toward peacekeeping, which was still emerging as we completed this essay, potentially exacerbates this challenge. The United States has called for major financial cuts to peace operations and questioned the political viability of several missions.<sup>25</sup> Such questions are sometimes valid, but the administration's approach to multilateral affairs seems more ideological than strategic in its outlook.

While the standard treatment for civil wars that emerged over the last quarter-century may have been imperfect, we have seen that it has at least proved adaptive, and the UN has been willing to learn from past experiments and errors. If future interveners ignore these lessons, the current regime for dealing with civil wars with its emphasis on mediation and peacekeeping may soon be a historical artifact. It will be unfortunate if a standard treatment for conflicts that has proved at last partially successful is replaced by less well-tested, and perhaps bitter, medicines.

ENDNOTES

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- <sup>1</sup> Regimes are "sets of implicit or explicit principles, norms, rules and decision-making procedures around which actors' expectations converge in a given area of international relations." See Stephen D. Krasner, "Structural Causes and Regime Consequences: Regimes as Intervening Variables," in *International Regimes*, ed. Stephen D. Krasner (Ithaca, N.Y., and London: Cornell University Press, 1983), 2.
- <sup>2</sup> Richard Gowan, "The Security Council and Peacekeeping," in *The UN Security Council in the 21st Century*, ed. Sebastian von Einsiedel, David Malone, and Bruno Stagno Ugarte (Boulder, Colo.: Lynne Rienner, 2016), 752.
- <sup>3</sup> Bruce Jones and Stephen John Stedman, "Civil Wars & the Post-Cold War International Order," *Daedalus* 146 (4) (Fall 2017).
- <sup>4</sup> Alexander George, "U.S.-Soviet Efforts to Cooperate in Crisis Management and Crisis Avoidance," in *U.S.-Soviet Security Cooperation: Achievements, Failures, Lessons*, ed. Alexander L. George, Phillip J. Farley, and Alexander Dallin (Oxford: Oxford University Press, 1988), 583.
- <sup>5</sup> For an interesting argument on how the Cold War affected duration of wars as well as the types of civil wars that were fought, see Stathis N. Kalyvas and Laia Balcells, "International System and Technologies of Rebellion: How the End of the Cold War Shaped Internal Conflict," *American Political Science Review* 104 (3) (2010).
- <sup>6</sup> Bethany Lacina, "Explaining the Severity of Civil Wars," *Journal of Conflict Resolution* 50 (2) (2006): 286.
- <sup>7</sup> Martha Finnemore, *The Purpose of Intervention: Changing Beliefs about the Use of Force* (Ithaca, N.Y.: Cornell University Press, 2003). See also Andrea Talentino, *Military Intervention after the Cold War: The Evolution of Theory and Practice* (Athens: University of Ohio Press, 2006).
- <sup>8</sup> See the discussion of power and the formation of regimes in Krasner, "Structural Causes and Regime Consequences." Knowledge as a basis and source of regimes is associated with the works of Ernst Haas. See Ernst Haas, *When Knowledge is Power: Three Models of Change in International Relations* (Berkeley: University of California Press, 1990). Ideas about organizational mimesis can be found in the works of John Meyer. See John Meyer, *World Society* (Oxford: Oxford University Press, 2009).
- <sup>9</sup> Stephen John Stedman, "The United States in the Security Council," in *The UN Security Council in the 21st Century*, 61–64.
- <sup>10</sup> Stephen John Stedman, "Spoiler Problems in Peace Processes," *International Security* 22 (2) (1997): 5–53.
- <sup>11</sup> Stephen John Stedman, "The New Interventionists," *Foreign Affairs* 72 (1) (1993): 1–16.
- <sup>12</sup> Edward N. Luttwak, "Give War a Chance," *Foreign Affairs* 78 (4) (1999).

- <sup>13</sup> George Downs and Stephen John Stedman, “Evaluation Issues in Peace Implementation,” in *Ending Civil Wars: The Implementation of Peace Agreements*, ed. Stephen John Stedman, Donald Rothchild, and Elizabeth Cousens (Boulder, Colo.: Lynne Rienner, 2002), 43 – 69.
- <sup>14</sup> Lise Morje Howard, *UN Peacekeeping in Civil Wars* (New York: Cambridge University Press, 2008).
- <sup>15</sup> United Nations General Assembly, *Report of the Secretary General Pursuant to General Assembly Resolution 55/35, The Fall of Srebrenica* (A/55/305 – S/2000/809), November 15, 1999.
- <sup>16</sup> United Nations General Assembly and Security Council, *Report of the Panel on United Nations Peace Operations* (“Brahimi Report”), August 21, 2000.
- <sup>17</sup> The Security Council directed the UN force in Sierra Leone to protect civilians in imminent danger in *Resolution 1270 of 22 October 1999*, and versions of this injunction regularly appeared in Council mandates thereafter. See Ian Johnstone, “The Dilemmas of Robust Peace Operations,” in *Annual Review of Peace Operations 2006*, ed. Ian Johnstone (Boulder, Colo.: Lynne Rienner, 2006), 2 – 17.
- <sup>18</sup> See William Reno, “Fictional States & Atomized Public Spheres: A Non-Western Approach to Fragility,” *Dædalus* 146 (4) (Fall 2017); and Richard Gowan, “The Peacekeeping Quagmire,” *The Georgetown Journal of International Affairs* 16 (2) (2015): 39 – 46.
- <sup>19</sup> Severine Autessere, *The Trouble with the Congo: Local Violence and the Failure of International Peacebuilding* (Cambridge: Cambridge University Press, 2010).
- <sup>20</sup> Jeffrey Gettleman, “Mass Rapes in Congo Reveal UN Weakness,” *The New York Times*, October 3, 2010.
- <sup>21</sup> On AU-UN tensions over peacekeeping, see Jean-Marie Guéhenno, “The United Nations & Civil Wars,” *Dædalus* 147 (1) (Winter 2018).
- <sup>22</sup> United Nations, *Uniting Our Strengths for Peace – Politics, Partnerships and People: Report of the High-Level Panel on United Nations Peace Operations* (Geneva: United Nations, 2015).
- <sup>23</sup> For other perspectives on great-power relations and the future of UN peacekeeping, see Barry Posen, “Civil Wars & the Structure of World Power,” *Dædalus* 146 (4) (Fall 2017); Jones and Stedman, “Civil Wars & the Post-Cold War International Order”; and Guéhenno, “The United Nations & Civil Wars.”
- <sup>24</sup> In December 2016, for example, China and Russia blocked an American-backed Security Council resolution that aimed to impose an arms embargo on South Sudan. See Michelle Nichols, “UN Council Fails to Impose Arms Embargo on South Sudan,” Reuters, December 23, 2016.
- <sup>25</sup> Colum Lynch, “Trump Administration Eyes \$1 Billion Cuts to UN Peacekeeping,” *Foreign Policy*, March 23, 2017.