

The Anatomy of State-Building Assistance

Aid Promises and Donor Politics in War-Torn Africa

A Dissertation

Presented to the Faculty of the Graduate School

of Cornell University

in Partial Fulfillment of the Requirements for the Degree of

Doctor of Philosophy

by

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August 2012

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The Anatomy of State-Building Assistance:
Aid Promises and Donor Politics in War-Torn Africa

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Cornell University 2012

Can foreign aid re-build a collapsed state? This dissertation addresses the paradox of lackluster reform in recipients of massive state-building assistance and questions whether current aid doctrine, organized around the principles of local ownership and donor coordination, can generate the incentives necessary to curb persistent state capture.

The backbone of the modern state is a Weberian bureaucracy that keeps itself honest by restraining public actors. The effectiveness of aid in pursuing this ideal depends crucially on the anatomy of state-building assistance: the administrative politics of state organizations tasked with enforcing institutional change, the nature of the aid relationship that binds them to foreign donors, and the strategic dilemmas that donors face in their interactions among themselves and with recipient organizations. Theoretically, state-building assistance is defined by a principal-agent dynamic subject to the moral hazard problem, which can only be solved by deploying strong conditionality in favor of administrative enforcement; and by a donor collective action dynamic subject to the free rider problem, which can be solved more effectively by relying on a leading donor instead of an aid coordination mechanism.

I explore this analytical framework through a case comparison of the effects of foreign aid on the rationalization of the civil service, the fight against public corruption, and the civilian control of the security sector in post-conflict Sierra Leone (2000-2011) and Liberia (2003-2011). These two sub-Saharan African countries represent an ideal setting for comparative analysis,

equivalent in terms of state collapse and aid dependence but exhibiting cross-country and within-country variation in state-building assistance. The six case narratives, built around interviews with participating officials and primary documentation, confirm the theoretical expectations of the anatomy of state-building assistance: leading-donor conditionality is a more effective source of incentives for institutional change.

The findings of this dissertation serve as a springboard for a new set of analytical principles for state-building assistance. Faced with the powerful political implications of administrative reform, donors face a clear choice: Will they enable the continued capture of the state by corrupt elites? Or will they challenge them in order to induce meaningful and sustainable state-building?

Biographical Sketch

Pablo Yanguas was born in Seville (Spain) in 1983. In 2006 he obtained his Bachelor of Arts (“Licenciatura”) in History from the University of Seville’s Faculty of Geography and History, where he specialized in Archeology and Egyptology before switching his focus to Modern History. Pablo spent his last undergraduate year on a visiting scholarship at Complutense University of Madrid, and upon graduation he was awarded a fellowship to attend the University of Pennsylvania as a non-degree graduate student in the Department of Political Science. In 2007 he was admitted to the Ph.D. program of the Department of Government at Cornell University, where he obtained his Master of Arts in Government in 2010, and where he successfully defended his Ph.D. dissertation in 2012.

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To my nieces, Carmen and Ana

Never stop asking why

Acknowledgments

This dissertation is the result of an improbable personal trajectory full of remarkable individuals and fascinating conversations. Sanity is a precious commodity in Graduate School, and it is only with a strong group of friends and loved ones that one can come out of it unscathed. To them I owe a lot of what I have achieved so far.

I would first like to thank the one professor at the University of Seville who was instrumental in my journey towards obtaining my Ph.D.: Eulalia W. Petit de Gabriel encouraged me to pursue my international aspirations and was my first and most enthusiastic academic sponsor in the jump across the Atlantic. Not that I ever left entirely. No matter how far I traveled or how long I stayed away, back in Spain I could always count on the support of close friends whom I have come to regard as brothers and sisters: María Ledo, Irene Vilches, Belén del Boz, Ana Aramburu, Jimmy Bolaños, José Manuel Caro, Javier Vélez Escofet, Pablo Sabater, and Claudia Cinelli.

It was in the Department of Political Science at the University of Pennsylvania that I learned what this academic discipline was, and what it could be. I cut my teeth in Comparative Politics with Ian Lustick and Rudy Sil, two of the sharpest scholars that I have ever met. And it was under the tutelage of Tom Callaghy that I began to truly understand African politics and international development. Together, Tom, Rudy, and Ian were responsible for my admission into graduate school. My remarkable group of friends in Philly -especially Meredith Wooten, Allison Evans, Rosella Cappella, Murad Idris, Matt Mongiello, Randi Fair, Aida Gureghian, Barbara

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Elias-Sanborn, and Meral Uğur- were responsible for making me feel at home in this new world.

At Cornell I was fortunate to meet an exceptional community of professors and graduate students. Many of the ideas in this dissertation matured during the various courses and research colloquia held at the Department of Government, and I am grateful to those who were willing to argue with me about theories and concepts. Ron Herring, Thomas Pepinsky, Robert Braun, Noelle Brigden, Katrina Browne, Berk Esen, Gaurav Kampani, Aleksandr Matovski, and Elton Skendaj all provided insightful feedback on my dissertation project. I want to dedicate a special thanks to the unsung hero of the Government Ph.D. program, Tina Slater, who always made my life easier by ensuring that administrative concerns never got in the way of research. Cornell's Institute for African Development invited me to present my work on several occasions which proved to be incredibly rewarding; my thanks go to Muna Ndulo, Evangeline Ray, and Jackie Singh. The Judith Reppy Institute for Peace and Conflict Studies provided me with an intellectual home every Thursday noon, funded my field research through several grants and fellowships when no one else would, welcomed me into a fascinating group of Graduate Fellows, and offered me the opportunity to present part of my doctoral research; I am indebted to Elaine Scott, Jonathan Kirshner, and Judith Reppy for their trust and support.

Fieldwork in post-conflict countries is not easy, neither logistically nor emotionally. While my life in Sierra Leone was rather lonely and isolated, in Liberia I was fortunate to have access to a small but vibrant group of expatriates who kept my morale high. None of it could have been possible without Carmen Delgado (through the always supportive Margarita Conde), whose kindness I hope to repay some day when we finally meet in person. Adolfo "Alfie" Cires

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played Virgil to my Dante through the nightlife of Monrovia, and I still remember fondly our Friday evening soccer games. Guillermo López was extremely generous with his time, always open to sharing his political wisdom with a hapless visitor like myself. And Teresa Dybeck Garley and Adam Garley became two of my favorite people in Liberia after they adopted me into their little circle of fun and idealistic friends.

Once I was back from the field, in the process of writing this dissertation I had the privilege of working with an outstanding dissertation committee: Kevin Morrison, Valerie Bunce, and Matthew Evangelista all provided invaluable suggestions which have helped to improve this manuscript considerably. So did Richard Bense, whose detailed and insightful feedback far exceeded what is normally expected of an external reader. And none of this would have been possible without my dissertation chair, Nicolas van de Walle. It was my good fortune to have as my mentor the author of the very first book that I ever read on African politics. Throughout my years at Cornell his vast expertise, dry wit, and generous complicity have been instrumental in channeling my raw instincts into a coherent dissertation.

The fact that I came to see Ithaca -isolated, cold, and small- as my home away from home is entirely due to a fantastic group of friends. Julie Ajinkya, Ben Brake, Bhavna Devani, Simon Gilghooley, Sinja Graf, Michelle Greco, Ulas Ince, Desmond Jagmohan, Pinar Kemerli, Deondra Rose, Michelle Smith, Tariq Thachil, Martha Wilfahrt, Chris Zepeda, and others: they made me realize that every question in politics is a moral challenge, and in so doing they made me a kinder and more compassionate thinker. Jaimie Bleck's limitless enthusiasm, reckless audacity, and incorrigible excitement have been a constant source of warmth and encouragement from the

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day that she picked me up at the Ithaca airport for my campus visit. Phil Ayoub, Don Leonard, and Igor Logvinenko shared with me all the pains and triumphs of Graduate School from the very first day. To the extent that this project triumphs at all, it does so because of our countless blackboard sessions, perfect burgers, and late-night drinks. They have been emotional crutches, intellectual foils, and brothers in arms, and I am proud to call them my friends.

Any adventure such as this would be impossible without the unconditional love and support that only family can provide. My brother Ángel has been a source of inspiration, a model of honesty and hard work, and proof that intellectual excellence and devotion to family are not mutually exclusive. While I was working on this project he and his wife Elsa have managed to have two delightful daughters, Carmen and Ana, and it is to them that I dedicate the dissertation. My parents, Carmen Gil and Ángel Yanguas, should probably be listed as co-authors on the title page: they educated me to think critically, they encouraged me to follow my aspirations wherever they took me (even Liberia!), and they have always made our family home in Seville a wonderful haven to go back to. I love them dearly, and I offer them this dissertation as a token of appreciation for raising me to be the man that I have become.

As I prepared for fieldwork in Sierra Leone exactly two years ago I could not have possibly imagined that my most exciting adventure awaited me in the very place where I grew up. The fact that these past two years, which should have been unbearably stressful, were instead the most rewarding of my life is entirely due to one person: Mar Morales. Across oceans and continents she has always cheered me on, and she has made me want to be a better version of myself. She is my partner, my joy, and the moon of my life.

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List of Acronyms

ACC	Anti-Corruption Commission
ACR	Anti-corruption reform
AFL	Armed Forces of Liberia
AFRC	Armed Forces Revolutionary Council
AFRSL	Armed Forces of the Republic of Sierra Leone
AG	Auditor General
APC	All Peoples' Congress
ASSL	Audit Service of Sierra Leone
BRDG	Building Recovery and Reform Through Democratic Governance project
CCSSP	Commonwealth Community Safety and Security Project
CISCAB	Capacity Building for the Civil Service Program
CPA	Comprehensive Peace Agreement
CPDTF	Commonwealth Police Development Task Force
CSA	Civil Service Agency
CSR	Civil service reform
DEPAC	Development Partnership Committee
DfID	Department for International Development
EC	European Commission
ECOMOG	ECOWAS Monitoring Group

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ECOWAS	Economic Community of West African States
EGSC	Economic Governance Steering Committee
EU	European Union
FCO	Foreign and Commonwealth Office
GAC	General Auditing Commission
GC	Governance Commission
GEMAP	Governance and Economic Management Assistance Program
GRC	Governance Reform Commission
HRMO	Human Resources Management Office
IDA	International Development Association
IGAP	Improved Governance and Accountability Pact
IGP	Inspector General of Police
IMF	International Monetary Fund
IMATT	International Military Assistance Training Team
INPFL	Independent National Patriotic Front of Liberia
iPRSP	Interim Poverty Reduction Strategy Program
LACC	Liberia Anti-Corruption Commission
LNP	Liberia National Police
LRDC	Liberia Reconstruction and Development Committee
LURD	Liberians United for Reconciliation and Democracy
MDAs	Ministries, departments, and agencies

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MFR	Management and functional review
MIA	Ministry of Internal Affairs
MoD	Ministry of Defense
MODAT	Ministry of Defense Advisory Team
MODEL	Movement for Democracy in Liberia
MoJ	Ministry of Justice
MoND	Ministry of National Defense
MoU	Memorandum of Understanding
MP	Member of Parliament
NACS	National Anti-Corruption Strategy
NDA	National Defense Act
NGO	Non-governmental organization
NPFL	National Patriotic Front of Liberia
NPRC	National Provisional Ruling Council
NSSR	National Security Sector Review
NTGL	National Transitional Government of Liberia
NTLA	National Transitional Legislative Assembly
ODA	Official development assistance
OECD	Organization for Economic Cooperation and Development
ONS	Office of National Security
PMDC	People's Movement for Democracy and Change

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PNP	Peoples National Party
PRC	People’s Redemption Council
PRS	Poverty Reduction Strategy
PRSP	Poverty Reduction Strategy Paper
PSC	Public Service Commission
PSRU	Public Sector Reform Unit
RFTF	Results-Focused Transitional Framework
RSLMF	Republic of Sierra Leone Military Force
RSLAF	Republic of Sierra Leone Armed Forces
RUF	Revolutionary United Front
SES	Senior Executive Service
SILSEP	Sierra Leone Security Sector Program
SLP	Sierra Leone Police
SLPP	Sierra Leone Peoples’ Party
SOE	State-owned enterprise
SRSG	UN Special Representative of the Secretary-General
SSR	Security Sector Reform
STTA	Short-term technical assistance
ULIMO	United Liberation Movement of Liberia for Democracy
UN	United Nations
UNAMSIL	United Nations Assistance Mission in Sierra Leone

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UNDP	United Nations Development Program
UNMIL	United Nations Mission in Liberia
UNPOL	United Nations Police
USAID	United States Agency for International Development

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Quis custodiet ipsos custodes? (Who will guard the guards themselves?)
Juvenal, *Satire VI* (1st-2nd century AD)

And one should bear in mind that there is nothing more difficult to execute, nor more dubious of success, nor more dangerous to administer than to introduce a new order to things; for he who introduces it has all those who profit from the old order as his enemies; and he has only lukewarm allies in all those who might profit from the new.

Niccolo Macchiavelli, *The Prince* (1513)

DFID's support was based on a technocratic approach, carrying out analysis and then developing proposals on what should be reformed. This approach assumed three conditions were in place. First, that there was sufficient political will and interest in place. Second, that the donors and government shared a common vision of what type of civil service should emerge from the reform process. Third, that there was sufficient technical and management capacity in place in ministries and government to actually implement proposals. None of these conditions held...

United Kingdom Department for International Development (2008)

1. The Anatomy of State-Building Assistance

On January 16th, 2006, the grounds before the Capitol building in Monrovia swelled with an optimism unusual for a country ravaged by a 14-year long civil war. A new Liberian President had been democratically elected, the first African female head of state. As she prepared to give her inaugural address, expectations were high that the Harvard-trained Ellen Johnson Sirleaf, a former World Bank official, would be able to galvanize the widespread thirst for change into an audacious program of national recovery. Beyond an entrepreneurial spirit and a not insignificant amount of luck, the daunting task would require “political will and a civil service that is efficient, effective and honest. . . . the creation of a meritocracy that places a premium on qualification, professionalism, and performance” (Government of Liberia 2006c). A tall order for any country, but especially for one destroyed by decades of abuse of public office. To that end the new President pledged to make corruption “the major public enemy,” and she called on her own ministers to lead by example. “Any member of my administration who sees this affirmation as mere posturing or yet another attempt by another Liberian leader to play to the gallery on this grave issue should think twice.” With this thinly veiled threat ringing in the ears of all key players in attendance -political leaders, appointed officials, career civil servants, and international partners- the stage was set for a state-building effort aiming to raise Liberia’s public institutions and organizations from the ashes of capture and collapse.

Barely one hundred miles across the Mano river in Liberia's Western border, a similar scene would soon take place as a newly elected President inaugurated in Freetown the incoming Sierra Leonean legislature. On October 5th, 2007, the man stepping up to address the assembled Members of Parliament, high-ranking public servants, and members of the diplomatic corps was former insurance businessman Ernest Bai Koroma. Although hailing from a different background from his Liberian counterpart, this newly-minted President formulated in his speech a remarkably similar diagnosis of the ills afflicting Sierra Leone: he specifically decried the "spates of indiscipline, both in the private and public sectors," which had undermined economic development, and committed himself to instill a new culture of government. "In my government, effective management and discipline will be the standard ways of doing business, underpinned by an appetite for enforcing laws, rules and regulations" (Government of Sierra Leone 2007c). The days of opaque and unaccountable administration were over: "every Cabinet Minister will be productive, every civil servant will accomplish his or her duty with performance targets . . . Good governance will also require public accountability in every sector. In the classroom, the hospital, government offices and everywhere public service is rendered." Echoing the claims made by Ellen Johnson Sirleaf, Ernest Bai Koroma assumed office with a commitment of "Zero Tolerance" on corruption that he reiterated in his address before legislators, public servants, and representatives of foreign donors. His words left no room for interpretation: "The culture of impunity that has taken root in Sierra Leone will be eliminated."

These were both remarkable speeches, made by two presidents committed to rebuilding the weakened and collapsed state institutions of their respective countries. A difficult task,

certainly, but one that they would not face alone, as the governments of Sierra Leone and Liberia would become the recipients of generous foreign aid from international partners. Together, local leaders and donors would draft comprehensive Poverty Reduction Strategy Papers (PRSPs) and sectoral reforms, all of them designed according to the latest thinking on state-building theory and practice. The scale of foreign support fueling these programs was truly gargantuan: between 2001 and 2010 Sierra Leone received almost \$4 billion in official development assistance, amounting to a yearly average of 30% of the country's gross domestic product; across the border, in the same ten years Liberia received \$4.7 billion in foreign aid, on average equal to 29% of yearly GDP. These funds were disbursed by a small group of donors comprising former colonial powers, international financial organizations, and regional organizations, all of them willing to use Sierra Leone and Liberia as veritable laboratories for new models of assistance. With such massive inflows of foreign aid, and with such ostensible commitment to reform on the part of local leaders and international partners, any reasonable observer would have expected post-conflict state-building in these two small West African countries to be a resounding success. It was not. In this dissertation I generate and test an explanation for this seeming paradox, demonstrating how easily aid promises fall prey to donor politics, especially in contexts of state failure and collapse. Even best-case intentions can fail in the face of worst-case incentives.

My analytical focus is the anatomy of state-building assistance: the administrative politics of state organizations tasked with enforcing institutional change, the nature of the aid relationship that binds them to foreign donors, and the strategic dilemmas that donors face in their interactions among themselves and with recipient organizations. I explore this variable

anatomy through a comparison of six processes of assisted institutional change: civil service reform, anti-corruption reform, and security sector reform in post-conflict Sierra Leone (2000-2011) and Liberia (2003-2011). The cases strongly confirm the central logic animating this dissertation, namely that the effectiveness of state-building assistance depends crucially on the outcome of two strategic dilemmas: an agency relationship between donors and recipients subject to the moral hazard problem, and a collective action relationship between donors subject to the free rider problem. These two dilemmas have long plagued the uneasy sleep of the international development community, but current doctrine and theory have neglected the central role of administrative politics in perpetuating them. By highlighting this forgotten side of state-building politics, I also provide an alternative to the usual prescriptions: in order to overcome entrenched patterns of state capture and corruption, donors have to rethink the myth of local ownership and the panacea of aid coordination, and instead they have to confront a fundamentally political challenge through a fundamentally political approach, one which empowers local reformers by using conditional aid to alter the structure of incentives for change.

1.1 The Administrative Politics of State-Building and the Strategic Dilemmas of Assistance

State-building in post-conflict countries lacks the grandiosity of modern European history: no warring dynasties, no massive armies lined up on the battlefield, no powerful bureaucracies gradually emerging over centuries, and no entrenched conflicts between socioeconomic classes. The outputs of such macro-historical struggles are simply taken as given:

on paper, countries are born (and reborn) with elaborate constitutions, legislative frameworks, standing armies, and bureaucracies. With all the formal trappings of the state in place from inception, post-conflict state-building reveals itself as a much finer-grained -although no less political- process; it is almost personal, to the extent that the potential for state strengthening often lies in the hands of public servants who on a daily basis face the choice between upholding public rules or using their office for private gain. The aggregation of thousands of such individual decisions, across the panoply of ministries and agencies, results in the macro-phenomena that state-building scholarship is so familiar with, the stuff that cross-national governance indicators are made of: regulatory strength, control of corruption, and the rule of law. At the end of the day, however, it all begins with a basic, very personal question that a civil servant must answer: Do I follow the rules?

I begin this dissertation with the conceptual claim that state-building is not just the process of establishing new public organizations: it is the process of ensuring that the public actors inhabiting those organizations behave according to the standards of modern bureaucracy. While the former is a question of institutional design, the latter is a matter of institutional enforcement, and more specifically, of administrative enforcement. Administrative rules are the lynchpin of the modern bureaucratic state, as conceptualized by German sociologist Max Weber a century ago and as pursued by aid agencies and reformist governments nowadays. Formalism, impersonality, and written record in the exercise of public office are the fundamental norms governing state actors. They represent an ideal type, an analytical construct that cannot be found in the empirical world but that nonetheless serves as the standard by which real bureaucracies are

measured. Administrative institutions are also the source of enormous political tension, and their enforcement or violation crucially determines state strength and weakness on a fractal level: every morning individual public officials have to decide whether they will abide by administrative rules and procedures, and their personal choices aggregate into organizational practices, inter-agency relations, and ultimately the dynamics of state-building and state failure. By shifting the focus of analysis from institutional design to institutional enforcement, this conceptualization also has momentous implications for the analysis of state-building assistance.

State-building in post-conflict countries lacks, not just the grandiosity, but also the intimacy of European political development: few leaders have the opportunity to experiment with home-grown institutional templates without well-intentioned foreigners telling them what to do and how to do it. Though a bit lost between the conventional policy areas of humanitarian relief, economic development, and democracy promotion, state-building as an international agenda is equally shaped by the ideas and resources of external actors—a community of “donors” encompassing organizations as diverse as United Nations peacekeeping missions, specialized agencies like the United Nations Development Program, international financial institutions like the World Bank or the regional development banks, bilateral aid agencies from OECD and non-OECD countries alike, and their omnipresent sidekicks, international non-governmental organizations. All these actors ostensibly deploy their expertise and resources in support of a local governance agenda, but in practice recipient governments in collapsed states seldom have the capacity to design strategies, let alone implement them. International “partners” provide them with technical assistance at all levels, sometimes supplying their own staff for

training and project implementation units, in order to make sure that the massive inflows of foreign aid are put to their intended use and ultimately contribute to some kind of public good. In the case of state-building, the public good is institutional: new rules at all levels -from constitution to intra-departmental units- which ensure that the country is governed properly (and, indirectly, that foreign aid is used effectively). Whether such aims can be achieved depends, fundamentally, on the interaction between two distinct sets of actors and organizations.

The protagonists of post-conflict state-building generally come in one of two categories. First there are foreign experts who have been hired to promote the establishment of modern public sector management practices in an utterly incapable ministry or agency, and whose counterparts are likely to be bureaucrats with no more than a high school education and politicians who in the morning will demand more money, only to publicly chastise foreigners in the afternoon for imposing alien ideas on their country. This is the sorry -if well-paid- task that confronts the international bureaucrats, development experts, seconded civil servants, and military advisers who are building states around the world. As members of a bilateral or multilateral aid agency their first allegiance is to their employers, and they rarely desire to undermine them—regardless of actual impact, evaluations sent home are likely to claim that progress is being made and that more funds are necessary to attain the stated objectives. That said, personnel in field offices are also prone to feeling that they are accountable to the recipient government or, more specifically, to the recipient population—they have supposedly come to help them, after all, and their needs should be the overriding concern. The second category of post-conflict state-building actors includes local public officials, natural-born survivors who have

endured years of violence and uncertainty to emerge as providers of an extended family or an entire community (a village, a tribe, even a region), only to face a bevy of international partners who are all too willing to help them rebuild their country as long as they dismantle the very informal welfare structures that sustain their dependents. As representatives and “big men” of large networks of clients, these public officials owe their followers patronage dues for both very practical and very moral reasons—mouths need feeding, traditions need upholding. And yet as recipients of foreign assistance they are forced to at least display a semblance of reformist attitude according to international standards and best practices. Take now these two types of actors and have them work together toward a supposedly common aim. The resulting mix will contain cognitive dissonance in no small measure.

The process of assisting the development of effective state bureaucracies after collapse is shaped by one conceptual premise and two strategic dilemmas. In essence, state-building requires public actors to substitute long-term and diffuse public institutions for short-term and tangible informal incentives. This is an especially demanding task in failed and collapsed states, in which state capture has become path dependent and thus the prospects of autonomous state-building are minimal. The conceptual premise of state-building assistance is therefore a modicum of resistance to meaningful reform -that is, to administrative enforcement- by local public officials. The first strategic dilemma stems from the introduction of external actors into this institutional dynamic: foreign donors aspiring to support state-building have to rely on local public actors for implementation of their assistance. The fact that donor as principals and recipients as agents may have incompatible objectives is likely to generate a moral hazard

problem in which local actors take the foreign aid but do not carry out substantive reform. Even if aid dependence imbues donors with the ability to use their resources as a potential inducement against such moral hazard, the eventual dynamic of reform will depend on the nature of their interests: specifically, I distinguish between committed donors focused on administrative enforcement, and uncommitted donors focused on administrative design. The second strategic dilemma arises from the proliferation of state-building donors, and is rooted in the fact that the effective use of foreign aid as an inducement for administrative enforcement is a public good for all aid actors, and as such it is subject to collective action dynamics. The potential free rider problem can only be solved by relying on an aid-coordination scheme, a strategy which itself generates a second-order problem, or on a disproportionately committed donor, a strategy which hinges crucially on that donor’s commitment to reform.

In combination, this conceptual premise and these two strategic dilemmas generate clear theoretical expectations for the success of state-building assistance, which I explore through a explanatory typology (Elman 2005) summarized in table 1.1 below and detailed in chapter 2.

Table 1.1: Explanatory Typology of State-Building Assistance

	<i>Single or leading donor</i>	<i>Multiple donors</i>
<i>Administrative enforcement (committed)</i>	<p>Tension Political inducement Conditionality solves agency</p>	<p>Subversion Political inducement “Weakest-link” conditionality</p>
<i>Administrative design (uncommitted)</i>	<p>Concession Technical inducement Moral hazard problem</p>	<p>Diversion Contradictory inducement Common agency problem</p>

Taken at the most abstract level of generality, this argument need not be restricted to state-building: all processes of assisted change can in principle face the same challenges.

However, empirically all processes of reform that involve public actors in any way will be affected by the strength of administrative institutions. When civil servants are not constrained by the principles of Weberian bureaucracy, every policy decision becomes a potential source of rents, a potential target for state capture. Insofar as administrative institutions provide the behavioral infrastructure for all forms of state action, state-building assistance can fundamentally improve the effectiveness of all aid channeled through -or working with- public organizations. Therefore, while in the abstract the strategic dilemmas of principal-agent assistance and donor collective action may be applicable to many policy areas, in practice they are likely to have the greatest impact on aid effectiveness when they unfold in administrative state-building.

I explore this theoretical framework through an empirical analysis of three broad areas of institutional change: the rationalization of the civil service, the fight against public corruption, and the civilian control of the security sector. These areas are also three of the most fundamental dimensions of the modern state, and I discuss their practical and conceptual dimensions in greater length in chapters 4, 5, and 6.

The first task of post-conflict state-building is establishing an effective, efficient, and accountable civil service capable of delivering public services to citizens. The administrative institutions of bureaucracy are imbued with a certain subversive quality, to the extent that they require the severance of informal obligations between state officials acting on an public capacity and their private social environment. Bureaucratization is thus the first line of defense against state capture. The second task of post-conflict state-building is ensuring that, once public actors are formally and rationally organized, their performance is constantly measured against standards

of public integrity and transparency. Anti-corruption administrative institutions protect the state against the abuse of public office for private gains; they are true reform multipliers, representing the core of the modern state's immune system. The third task of state-building -even if it is usually the first one on everyone's mind- is developing the ability of the state to protect itself from external and internal threats without becoming a praetorian organization. The twin "problematiques" of civilian control and democratic governance represent attempts to enforce administrative institutions on coercive actors jealous of their organizational autonomy and symbolic prominence in national politics.

These three programs of reform are central components of the institutional agenda that foreign donors and local leaders officially seek to promote in post-conflict settings. In that sense they represent an intersection of policy challenge and conceptual formulation, and while the former is often confined to the specific conditions of each case, the latter can help us develop a better understanding of state-building assistance as a political process defined by conditional institutional enforcement.

1.2 The Limitations of Current Aid Doctrine and Conventional Reform Theory

One might wonder, at this point, what an entire dissertation devoted to obscure administrative processes in remote and unimportant African countries can contribute to an already large body of aid and state-building research. My answer is simple, yet ambitious: better concepts for better policy. Specifically, I aspire to make two main contributions with this

dissertation. First, I argue that administrative politics call for a theory of change that problematizes institutional enforcement, not just institutional design. This entails a shift of analytical focus from political regimes toward state bureaucracies, and from the limitations of aid toward the strategic interactions that it generates. Second, I argue that this theory of change justifies a revision of the principle of ownership in current aid doctrine, as well as an explicit reassessment of conditionality as a political instrument for post-conflict state-building. By deploying fundamental concepts and analytical tools in combination with detailed cases of assisted reform I aspire to challenge the conventional wisdom that has emerged in practitioner and academic circles over the last two decades.

State-building became a development priority in the 1990s. After more than a decade of structural adjustment programs focused on deregulation and privatization as a solution to government insolvency, practitioners and researchers alike reached the conclusion that one of the main problems of developing economies (especially in Africa) was not so much the excess of state as its deficit (Goldsmith 1999, 2000). Marketing boards, parastatals, and other state organizations did not actually embody a desire to over-regulate the economy and society, but the incentive to derive rents from the only consistently liquid segment of an impoverished economy (Krueger 1974; van de Walle 2001). Development policy thus turned away from deregulation and toward the promotion of an institutional environment conducive to economic growth. The realization that the state should be rethought as an instrument of development, not an obstacle to it, attained its most popular expression in the 1997 World Development Report published by the World Bank, with the title “The State in a Changing World” (World Bank 1997). Drafted with

advice from some prominent scholars of institutional economics, the Report brought institutions (“the rules of the game”) into the spotlight, and it highlighted the politics that arise around the costs and benefits that they generate for actors, that is, their incentive structure. In many ways the Report’s prescriptions for the public service encapsulated the ideal-typical features of Weberian bureaucracy: formalism, impersonality, and organizational rationality.

Just as the development community formulated a new set of institutional objectives for the promotion of state effectiveness, however, it came to simultaneously deprive itself of the means to confront the institutional politics inherent to state-building. The years of structural adjustment had also brought the realization that conditionality, the use of foreign aid as an incentive to pursue difficult reforms, for the most part did not actually work as intended (Nelson 1990; Rodrik 1990; Callaghy and Ravenhill 1993; Killick 1997; World Bank 1998; Dreher 2009; Wright and Winters 2010). Instead, many assistance processes devolved into what Tom Callaghy called the “ritual dances of reform,” an iterated dynamic of negotiation and disappointment in which recipient governments promised to reform in exchange for aid and international donors promised to believe them (Callaghy and Ravenhill 1993). A pattern of “permanent crisis” emerged throughout Africa, in which political leaders failed to pursue any policy or institutional reform which threatened the rents from public office captured by their patrimonial constituents (Herbst 1990; Dollar and Svensson 2000; van de Walle 2001; Wright 2010). The logical conclusion of a decade of failed reforms was to rethink the value of conditionality as a policy instrument, and to gradually shift toward selectivity, a system of aid-for-policies in which good performers would be rewarded (Nelson 1996). By the end of the 2000s, the development world

had ostensibly abandoned conditionality and substituted it with a new operating principle, “ownership,” according to which assistance should always be designed on local strategies and priorities (Chesterman 2007; OECD 2005; World Bank 2005). I will discuss the analytical limitations of ownership as a guiding principle in chapter 7. Suffice it to say for now that through this new paradigm the community of aid donors were responding to the political challenges of structural adjustment with a doctrinal retreat from any political entanglement, jettisoning whatever leverage for reform their resources may have given them.

In academic circles, too, the failure of institutional conditionality was met with an odd shift in attention from the characteristics of recipients to the characteristics of donors. A new intellectual and political climate emerged within donor countries in which aid was claimed to be “dead,” or at the very least in need of major reinvention (Easterly 2006, 2008; Banerjee 2007; Riddell 2007; Barder 2009). A not inconsiderable amount of time and effort were devoted to critiquing aid itself as a cause for institutional weakness in aid-dependent states: instead of promoting a strong system of rules for economic growth, the new conventional wisdom held, donors were culpable of major distortions in recipient state organizations, diverting local officials’ attention from actual problems, “poaching” human capital away from indigenous organizations, and weakening accountability by privileging the executive branch to the detriment of the legislature (Moore 1998; Bräutigam 2000; Svensson 2000; Bräutigam and Knack 2004; Remmer 2004; Moss, Pettersson, and van de Walle 2006; Knack and Rahman 2007; Morrison 2009; Wright and Winters 2010; see Goldsmith 2001 for a rebuttal of this approach). This concern with the legitimacy and limitations of donors accounts for much of the content of the

Paris Declaration on Aid Effectiveness, which largely blames them for the ineffectiveness of development assistance across the board (OECD 2005). Instead of directly addressing reform politics and the challenges of conditionality, through the emphasis on ownership and selectivity foreign aid had come to rely, as it were, on the kindness of strangers.

An unintended consequence of soul-searching and self-examination was that the development community neglected its theory of change, especially as it concerns state-building. What if local leaders are unable to overcome political resistance to reform? And most crucially for the cases in this dissertation and for current processes of post-conflict state-building around the world: What if leaders adopt institutional changes but state bureaucracies fail to enforce them? Within political science, the original effort to “bring the state back in” opened up the possibility of discussing policy reform both in terms of state-society relations and of bureaucratic politics (Skocpol 1979; Krasner 1984; Evans, Rueschemeyer, and Skocpol 1985; Tilly 1990; Barkey and Parikh 1991). However, recent research on the political economy of development has overwhelmingly followed the first path, focusing on the state as an arena for competition between different social interests. Scholars working within this approach have devoted themselves to investigate why political leaders adopt certain policies and not others, or why they provide certain public goods and not others, and in so doing they have exhibited a seemingly limitless fascination with democracy and autocracy, veto points, interest groups, and economic classes (Bates 1981; Haggard and Kaufman 1992; Haggard and Webb 1993; Geddes 1994; Boix 2003; Acemoglu and Robinson 2006; Keefer 2007; Gandhi 2008; Haggard, MacIntyre, and Tiede 2008; Pepinsky 2009; Slater 2010). But the fact is that this line of research is often concerned

with institutional design, not institutional enforcement (Levitsky and Murillo 2009), and whereas the former is intrinsic to political regimes (that is, to systems for the design of rules), it is to the latter that we must turn to if we are to fully understand state-building politics. Even the burgeoning research agenda on fiscal state-building, which should in principle focus on the administrative politics of taxation, can sometimes fall prey to this regime bias by emphasizing the centrality of the fiscal contract between governments and citizens (Moore 1998; Bräutigam, Fjeldstad, and Moore 2008). This tendency within modern political economy of development severely limits our ability to understand administrative state-building, a politics of reform which takes place not at the level of the regime, but at the level of the bureaucracy.

The twin focus on donor organizations and political regimes to the detriment of actual state organizations is also evident in the nascent field of state-building and intervention studies (e.g. Zisk Marten 2004; Brinkerhoff 2007; Call and Wyeth 2008; Kaplan 2008; Paris and Sisk 2009). Clare Lockhart and Ashraf Ghani are the authors of one of the most prominent policy books on state-building assistance, distilling their experiences in post-2001 Afghanistan (as foreign adviser and Minister of Finance, respectively) into a central prescription for successful state-building: a new social compact between leaders and citizens, that is, a refoundation of the political regime (Ghani and Lockhart 2008). Roland Paris, a prominent analyst of post-conflict peace-building, also focuses on regime institutions in his analysis of unstable democratization before comprehensive institutionalization (Paris 2004). And even Simon Chesterman, who is otherwise an ardent critique of the ownership norm, focuses on the contradictions of using an intrinsically authoritarian means such as international transitional administration to establish a

liberal democratic state (Chesterman 2004). It has been Francis Fukuyama, of all people, who after reneging on his earlier claim about the “end of history” has come to recognize the truly central role of Weberian public administration in the process of state-building (Fukuyama 2004, 2011).

In this dissertation I seek to add to these debates in two ways. First, I want to reclaim a conceptual space for state-building that is not subordinated to regime politics, one that is grounded in the anatomy of institutional change at a bureaucratic, administrative level. By problematizing implementation and enforcement, as well as the rules and regulations that govern public actors, I seek to shift the analytical spotlight onto a different layer of state-society relations which is not necessarily tied to levels of democracy or interest groups. Second, I want to use this conceptual space as the springboard for a theory of change that can explicitly connect donor politics with recipient politics. By articulating such theory with some of the most basic analytical tools of modern political economy (agency and collective action) I seek to bring conditionality back into the aid conversation, and to demonstrate that state-building assistance can work when it fully takes into consideration the administrative politics of enforcement. Only then can it aspire to effectively promote the establishment of public organizations according to the Weberian ideal.

1.3 Two Countries and Six Cases of State-Building Assistance

Of all the instances of assisted post-conflict reconstruction at the turn of the 21st century, I focus on Sierra Leone and Liberia, two sub-Saharan African countries which offer an almost

ideal testing ground for my typology on the anatomy of state-building assistance in that they exhibit remarkably similar initial conditions but have received very different types of support.

In terms of similarities, they share an identical termination of protracted hostilities, mediated with the help of regional diplomacy, a military backer, and UN peace-keeping; they have held peaceful, free and fair elections (2002 and 2007 in Sierra Leone, 2005 and 2011 in Liberia); they have similar legacies of undemocratic rule and private capture of state institutions; they have undergone an almost complete merging of politics and coercion; and neither of them is strategically significant (e.g. in terms of natural resources) for external actors. Table 1.2 presents a comparison of basic political and economic indicators for both countries when hostilities ended (2001 in the case of Sierra Leone and 2003 in the case of Liberia): although Sierra Leoneans seemed to be slightly wealthier than their neighbors, both countries exhibited marked poverty and similarly low levels of democratization and governance indicators.

Table 1.2: Sierra Leone and Liberia, Basic Indicators After Civil War

	<i>Sierra Leone 2001</i>	<i>Liberia 2003</i>
<i>Population (millions)</i>	4.30	3.04
<i>GDP (current US\$ millions)</i>	805.66	410.20
<i>Per capita GDP (PPP, current US\$)</i>	437	308.69
<i>Polity2</i>	2	1
<i>WGI Government Effectiveness</i>	-1.51 (2002 data)	-1.50
<i>WGI Regulatory Quality</i>	-1.27 (2002 data)	-1.69
<i>WGI Rule of Law</i>	-1.33 (2002 data)	-1.68
<i>WGI Control of Corruption</i>	-0.75 (2002 data)	-1.22

Sources: World Development Indicators, Polity IV Data Series Version 2010 (indicator ranging from -10 to +10), Worldwide Governance Indicators (ranging from -2.5 to +2.5).

Above all, the legacies of state capture and collapse were equally pronounced on both

sides of the border. Though coming from drastically different colonial origins, Sierra Leone and Liberia converged over time on a institutional path of failure under the respective patrimonial regimes of Siaka Stevens (1967-1985) and Samuel Doe (1980-1990). These parallel dynamics became violently entwined during the Mano River conflicts of the long 1990s (1989-2003), in which the Sierra Leonean and Liberian states virtually collapsed under the weight of insurgents and rapacious public actors. After conflict, local elites in both countries were faced with the same challenges: ensuring domestic peace through electoral democracy, and stimulating economic recovery through foreign aid. Sierra Leone's post-conflict politics were shaped by the administrations of Ahmad Tejan Kabbah (1996-2007) and Ernest Bai Koroma (2007-2012), protagonists of the central political rivalry between the Sierra Leone Peoples' Party and the All Peoples' Congress. In Liberia an interim National Transitional Government (2003-2005) was succeeded by the democratic presidency of Ellen Johnson Sirleaf (2006-2012), whose administration was defined by the minority status of her Unity Party in the Liberian legislature. I review these political and institutional dynamics in greater detail in chapter 3.

There are some differences, of course, which can be invoked as alternative hypotheses for the variable success of state-building assistance in these countries. Colonial legacies, for instance, could conceivably have significant effects. Freetown became a British Crown colony in 1806, with the rest of Sierra Leone following as a protectorate in 1896. Liberia, in turn, was founded and colonized in 1821-22 by freed American slaves, who in 1847 founded a republic modeled on the government of the United States. Another competing explanation could be the fragmentation of the party system, which can make the political compromises necessary for

institutional reform difficult or even impossible. The greater the number of parties in the Liberian legislature compared to Sierra Leone (eleven and three, respectively) could mean that more interests had to be incorporated into a ruling coalition, and therefore that policy agendas were more prone to hijacking by particularistic interests. However, these country- or regime-level factors can seldom account for the kind of within-country variation that I explore in this dissertation. Bureaucratic capacity could be invoked in that case as a plausible cause for variable organizational effectiveness. However, the capacity scapegoat simply cannot explain why similarly endowed organizations -or even the same organization, at different times- enforced administrative institutions to different degrees.

I focus on a different causal mechanism: the specific patterns of donor assistance for each state-building process. In particular, I am interested in the different identities and agendas of aid actors and how these inform their interactions with local actors and other donors. The United Kingdom was Sierra Leone's leading international partner, as was the United States in Liberia. The specific identities and aid strategies of these bilateral donors, together with their changing interactions with other key donors like the World Bank, European Commission, and United Nations Development Program, have shaped the post-conflict process of state-building in these two African countries. Each of the six cases represents a different instance of the core analytical logic of this dissertation: due to the entrenched structure of incentives for state capture, it is variation in the identity and interests of donors that results in divergent expressions of the two strategic dilemmas, as shown in table 1.3 below.

Table 1.3: Case Comparison of State-Building Assistance

	<i>Sierra Leone</i>	<i>Liberia</i>
<i>Civil Service Reform</i>	First period of Concession : UK as leading donor focused on administrative design. Second period of Diversions : UK conditionality undermined by EU, UNDP, and WB focus on design.	Diversions : Multiple donors with disparate interests mostly centered on administrative design.
<i>Anti-Corruption Reform</i>	Tension : UK as leading donor focused on administrative enforcement; its conditionality prompts institutional change.	Subversion : Coordinated Governance and Economic Management Assistance Program (GEMAP) fails to apply conditionality.
<i>Security Sector Reform</i>	Concession : Strategic concerns of UK as leading donor result in a focus on administrative design.	Diversions : Multiple donors with disparate interests mostly centered on administrative design.

I analyze the dynamics of foreign assistance to civil service reform (CSR) in chapter 4. In Sierra Leone, CSR unfolded in two distinct periods: a first one under President Kabbah dominated by British assistance and a focus on organizational restructuring, and a second one under President Koroma devoted to personnel reform with assistance from multiple donors. Due to a lack of commitment to enforce truly substantive changes on the part of both the United Kingdom and its erstwhile partners, a decade of assistance resulted in a bevy of reviews and strategies with little implementation and inconsistent sanctioning by donors. In Liberia, CSR under both the transitional and Johnson Sirleaf governments was supported by a multiplicity of donors often animated by technical rather than institutional concerns, and this resulted in uncoordinated expectations and monitoring of reform, leaving the government free to stall politically sensitive changes without fear of donor conditionality. The contrast between CSR efforts in these two countries perfectly illustrates the most basic incentives at play of state-building, as well as the ways in which lack of commitment and coordination by donors can

ultimately hinder their reform agendas. Moreover, they highlight the importance of strong administrative reporting and sanctioning which can begin to induce public actors to behave according to the law.

In chapter 5 I turn to the dynamics of foreign assistance to anti-corruption reform (ACR), which began in both Sierra Leone and Liberia as a response to donor concern for the effective and transparent use of foreign aid. While it was the Kabbah government that originally proposed an Anti-Corruption Commission for Sierra Leone, over the next six years the United Kingdom would become the principal political and financial backer of the national auditing and anti-corruption system. When political interference and stalling became glaring towards the end of Kabbah's second term, Britain decided to suspend its assistance. In the ensuing climate of controversy and public outcry the incoming Koroma administration was forced to deliver on its promise to turn the Anti-Corruption Commission into an independent and effective organization. Liberian ACR, in contrast, did not arise out of local political commitment. In fact, it was the evident corruption of the National Transitional Government that led international actors to design a scheme of coordinated aid conditionality, the Governance and Economic Management Assistance Program (GEMAP). However, even under the ostensibly committed administration of President Johnson Sirleaf, GEMAP's main backers -United States, European Commission, and World Bank- did not manage to induce sustainable administrative enforcement due to their failure to agree on shared programs, expectations, benchmarks, and monitoring. The failure of GEMAP, a much-touted "success" of aid coordination, exemplifies the collective action problems facing even those donors who are avowedly invested in reform, especially when

measured against the decisive political action that the United Kingdom was able to achieve in Sierra Leone.

Lastly, in chapter 6 I analyze the dynamics of foreign assistance to security sector reform (SSR). After the historical protagonism of ungoverned security actors in the collapse of both the Sierra Leonean and Liberian states, the very basis for the monopoly on the legitimate use of coercion was in question in the two countries. However, donors supplying SSR assistance were forced to reconcile their competing interests in administrative reform and post-conflict stability, and for the most part they decided that the uncertain institutional benefits to come were not worth risking political unrest within the security apparatus. That said, despite this lukewarm commitment to SSR state-building the two processes of reform unfolded according to vastly different dynamics due to the variation in external support: whereas Sierra Leone SSR was assisted from the start by a more or less holistic intervention from the United Kingdom, Liberian SSR was by design split between two large actors, the United Nations Mission in Liberia (police) and the United States (military), around which a coterie of minor donors congealed over time. While perhaps unsuccessful in terms of uprooting state capture in everyday management, the British effort in Sierra Leone succeeded in consolidating the subordination of the entire security sector under a clear civilian hierarchy. In Liberia, however, eight years after the end of the war the military was not operational, the police was incapable and corrupt, and there was no overall strategic or operational coordination of the sector. Assistance from multiple donors had again proved to have a confounding effect on Liberian state-building.

The crafting of such detailed narratives of institutional continuity and change is always a

challenging task in terms of data availability and validity, but more so when the cases in question involve post-conflict countries. In the process of collecting data for this dissertation I have come to realize that perhaps I would have been better off studying institutional change in early modern Spanish colonies, if only because of the existence of vast archival materials which have already been identified and cataloged. Centuries later, the quest for data in post-conflict Sierra Leone and Liberia is a much more daunting proposition: many official records have disappeared in the burning and looting that accompanies civil war, and even when they have survived they are seldom organized or cataloged in a manner that suits the needs of the Ph.D. researcher. Post-conflict bureaucracies are often not very good at keeping what little paper trail they produce. Document collection in these organizations thus resembles less archival work than archeology, relying on unexpected finds scattered between layers and layers of emptiness. Luckily for me, international donors are much better at recording everything they do and say. Many of them have a mandate or habit of making such information public, and among those who do not, there are some officials out there who are still friendly towards plucky researchers. By sheer happenstance some of this documentation consists of government policies and reports, and so at times donors have been a better source of information about local policy than governments themselves.

All told, the case narratives in this dissertation are based on some 150 official documents, supplemented with insights and evaluations from about 70 middle- and high-level local and international public officials directly involved in the reform processes. In combination these primary sources form the skeletal core of each case, which I have fleshed out with secondary sources: peer-reviewed academic publications, whenever possible, as well as reports from expert

organizations and articles from the specialized or local press. It would not be surprising if participants in the events that I describe objected to some of my data and interpretations. The resulting case studies are not perfect; they simply can't be. But they are, given the available evidence and to the best of my ability, faithful narratives, and thanks to the analytical logic that guides them they are also internally coherent. Despite an endless fascination with the specifics of each case, I try not to indulge in thick description for the sake of thickness, and the cases are detailed only in so far as the argument requires it.

1.4 An Analytical Challenge to Current Aid Policy

The foreign aid system exists in a constant state of crisis and self-examination. To some degree this stems from the tendency among development scholars and practitioners, as with any other community, to consider theirs is the most interesting job there is. But this lack of complacency has an undeniable empirical basis: development assistance has flowed out of -mostly- Western liberal capitalist states for about half a century now, and yet its recipients continue to be -largely- dependent on aid inflows for the most basic tasks of governing and providing services to their populations. Aid recipients have seldom graduated, and when they have it is not clear that they have done so because of aid; Sub-Saharan Africa, in particular, remains a open wound in the conscience of the development community.

The main lesson of this dissertation, however critical it is of current doctrine and practice, is nonetheless optimistic when compared to conventional wisdom: state-building aid can actually be effective as long as it is designed to address the administrative politics that it is bound to

generate. The rumors of the death of aid have been greatly exaggerated, probably as a result of misplaced anger at the mixed record of reform in weak states. But these states are weak for a reason, and the same informal politics of clientelism and corruption that perpetuate state failure are likely to hamper the effectiveness of foreign interventions. Aid is not dead, just vulnerable to some powerful incentives that are stacked against its success, not least of which is the militant timidity with which development agencies sometimes approach political problems. Ownership is a truly noble aspiration, both philosophically and ethically, but it simply does not make sense analytically, and moreover it is easily refuted empirically. States fail and collapse not due to cosmic or metaphysical factors, but due to the actions of people, and especially of political leaders. Once we acknowledge this fact, it is simply unreasonable to expect those same leaders and their clients and constituents to jettison the rents of state capture for some ideal-typical reform. Even those public officials who are reform-oriented may be unable to become agents of change, due to pressures and expectations from their families and communities as well as the countervailing efforts of reform spoilers. In such contexts of persistent state capture, it falls on donors to become agents of transformation by using their aid to generate incentives for state-building, and thereby to empower local reformers.

I conclude this dissertation with a series of eight analytical principles for state-building assistance, which I enumerate in box 1.1 below. Each of these principles is further elaborated with illustrations from my case studies in chapter 7. The common analytical thread guiding all of them should be evident, as it is rooted in the basic claim that I have repeatedly made in this introduction: state-building is a political process, and therefore so is state-building assistance. To

assume that foreign aid can promote new administrative institutions in an apolitical fashion is to invite disaster.

Box 1.1: Analytical Prescriptions for State-Building Assistance

- (1) Focus on administrative organizations as state-building multipliers
- (2) Promote administrative enforcement before regulatory reform
- (3) Commit to longer and open-ended programs of assistance
- (4) Design an incremental and flexible schedule of priorities and disbursements
- (5) Attach clear, credible, and substantial aid conditionality to disbursement phases
- (6) Share monitoring and evaluation information with citizens
- (7) Pursue donor harmonization before engagement with the recipient government
- (8) Disburse funds through a donor leader capable of political confrontation

Donors aiming to support state-building are faced with a clear choice: Will they support the political survival of corrupt elites? Or will they challenge them politically in order to induce meaningful and sustainable institutional change? In post-conflict Sierra Leone and Liberia it is evident that donors could have done more, that they could have helped empower the often scattered and embattled reformers. Granted, such a line of action would have entailed a lot of political bickering, even political confrontation. But aid agencies have to come to terms with the tragedy of post-conflict state-building: sometimes real institutional change depends crucially on the presence of committed and determined external actors. And they also have to internalize the inherent tension of state-building assistance: even the most generous and altruistic of aid promises will be of little worth when they fail to recognize the strategic nature of donor politics.

2. Donors, Incentives, and Institutional Change

Interactions with a weak state are sometimes the source of as much absurdity as they are of uncertainty. That was my experience in Liberia, at least, when I was faced with the challenge of renewing my visa. Like most countries, Liberia requires foreign visitors to carry some form of visa which has to be procured in advance for a hefty fee. In my case I had to request it from the Honorary Consul of Liberia in Madrid, a charming Spaniard who assured me that my 100 euros entitled me to a 90-day stay in the country. Once I landed at Roberts International Airport outside of Monrovia, the queue for passport control was predictably long and slow. It was nighttime already, and like all visitors I was slightly taken aback at the lack of information that customs officials were giving us as they handled our passports. I seem to recall a female officer letting me through with some quick words about a visit to a police precinct thirty days later, but I was drowsy and distracted by more pressing concerns -such as not having transportation arranged for the 80-mile trip to Monrovia- so I did not pay much attention. Towards the end of my first month in Liberia I checked my passport again, just in case, and there it was: a 30-day temporary stamp. Determined to figure out what this meant but unsure of where to actually go, I decided to head into the belly of the beast, the central office of the Bureau of Immigration and Naturalization.

I was welcomed by a dour-looking security guard, who after hearing the reasons for my visit kindly led me up a flight of stairs and into an unmarked office. There an unidentified man

told me that I had to pay \$20 to renew my temporary entry visa. Temporary entry visa? Whatever happened to my 90-day stay, for which I had paid 100 euros already? Determined to pursue some impromptu state-building participant observation, I asked him to show me the regulations that mandated this fee. He handed me a faded sheet of paper with some granulated text. “This is not a regulation,” I said. “This is a photocopied brochure.” He stared at me with that enigmatic smile that I had come to expect from some post-conflict public officials, and told me that I could either pay \$20 or he could “take me to see the boss.” Not knowing who he actually meant, but determined not to pay just to get out of that situation, I did ask him to take me to his boss. We walked up another flight of stairs and into yet another unmarked office, populated by the usual coterie of errand boys, bored secretaries, and idle maybe-civil-servants that I had grown used to seeing back in Freetown and elsewhere in Monrovia. After a short wait I was shown to the adjacent office, where an older man with slightly better clothes sat behind a chair. I explained my situation. He impatiently told me that I had to pay. An argument ensued. In the heat of the moment I told him that if the Bureau could not coordinate with Liberian consulates abroad that was their problem, not mine, and that I had already paid one hundred euros, which was a lot of money for a student like myself. Eventually, seeing that I would not budge, he gruffly dismissed me by telling me to bring a signed letter of request for the extension of my visa. “No money?” I asked. No money.

That was a Friday. The following Monday I brought an official-looking letter and my passport was promptly stamped. As I waited in the office, the older man walked out with a small retinue of assistants. It was then that I realized that the “boss” may have actually been the

Commissioner for Immigration and Naturalization, and that I may have actually talked my way out of a \$20 fee through sheer foolhardiness. The whole episode made me wonder if other foreigners -NGO workers, traveling investors- would have found it easier to pay the fee and get it over with. They probably did. The fact that I did not was a testament to a dysfunctional public organization, in which a well-dressed expatriate can waltz into unmarked office to speak with unnamed officials and, if he is stubborn enough, circumvent whatever norms are in place, whether they are formal regulations or not. The Bureau of Immigration and Naturalization as a public bureaucracy did not make any sense: its procedures were not transparent to outsiders, its hierarchy could be circumvented, documentation was nowhere to be seen, and ultimately the enforcement of its organizational mandate could come to rely on personal interactions with the “boss.” Why didn’t the Bureau work as it was supposed to? Was there anyone in charge of assessing the performance of these public officials? Did any state-building donor care that this public organization evidently did not follow the rules?

2.1 Conceptual Premise: The Administrative Politics of State-Building and State Failure

Before 1989, Sierra Leone and Liberia were internationally recognized states, enjoying the usual monopoly on the legitimate use of violence, and extracting at least part of their revenue from a more or less compliant population. By the most commonly used definitions of the state in political science, they were doing fine; nowhere near Sweden or even Mexico, clearly, but basically inhabiting the same conceptual space. Which means that those definitions are at best

incomplete, and at worst deeply misleading. For in a matter of months both countries succumbed to small military challenges that would unravel the canopy of state trappings and expose what truly lay underneath: civil war was not the cause of state collapse—it was the symptom. In this chapter I develop an analytical framework that relies on very much the same sources that inspire conventional understandings, but that emphasizes a fundamentally political problem that is central to the process of state failure and reconstruction: the enforcement of public institutions.

I conceptualize the state as an organization tasked with enforcing a set of public institutions over a territory. This formulation builds directly on the conceptual foundations laid out by Max Weber in the densely-packed first chapter of *Economy and Society*. While the monopoly of violence, as a method of enforcement, is indeed intrinsic to the state as a political organization, it cannot convey in full the essence of the state as a social organization, with an administrative staff concerned with the enforcement of an order. An order is a set of “determinable ‘maxims’” toward which actors orient their behavior, a set of rules or prescriptions perceived by actors to be binding. It can be enacted either voluntarily or through imposition by the staff of the organization acting under claims of legitimacy (Weber 1978, 54). Without an order there would be nothing to orient the members’ behavior to, nothing to enforce. Therefore any concept of the state -at least of the Weberian state- requires mention of the order that justifies it in the first place. And yet the vague notion of order may not be very accessible to empirical study, which is why instead I prefer to use the much crisper term *public institutions*. I borrow the term institutions from neo-institutionalist economics and the expansive scholarship in political economy that it has spawned (e.g. North 1981; Levi 1988; North and Weingast 1989;

North 1990; Greif 2006). Institutions in this sense are the “rules of the game” or, more formally, humanly devised constraints on action; they specify what one can (should) and cannot (shouldn’t) do in a given setting, and conceptually they lend themselves to a more straightforward translation into empirics—they can be, for the most part, observed.

Public institutions are impersonal, written, and formal institutions governing (Weber would say “dominating”) social action within a given jurisdiction. All three attributes are necessary. The distinction between personal and impersonal is a traditional one in institutionalist thought: a specific contract between two individuals may be a private institution, but the law that guarantees such contract -any contract- is a public institution. Without impersonality there simply can be no state. “If the notion of state is to be at all meaningful, and not merely a ragbag synonym of government, it must be divorced from and even *opposed* to personal power—not in the legal but in the political sense” (Nettl 1968, 563 italics in the original). Therefore the state as an organization cannot be equated with the interests of those individuals occupying public office; if it can, it has ceased to be a state as such. Likewise the distinction between written and unwritten institutions is key. Written rules are by definition knowable by anybody who can read, regardless of who the drafter is, and they reinforce impersonality by broadcasting power in an indiscriminate way. Insofar as they are recorded in a physical medium, they are more or less stable, and subsequent revision and derogation have to be registered too. Unwritten rules, in contrast, are knowable only by a select group; informed outsiders notwithstanding, they govern only those insiders who are in the know: unwritten rules are, inherently, private rules. They are also subject to the vagaries of the personal relations that inform them, constantly updating as

external conditions change. Incipient public registry and documentation, in contrast, is the mark of the early state (Gledhill, Bender, and Larsen 1988), and one of the central characteristics of the modern one (Scott 1998); it separates it from other forms of social organization not devoted to the enforcement of public institutions. Finally, public institutions are a subset of formal institutions: they are enforced by organizations officially vested with the power to ensure institutional compliance, and not by social convention or mere habit. Together, impersonality, written form, and formality result in permanence and continuity of enforcement within a jurisdiction, and that is precisely what the bureaucratic state is supposed to ensure.

The conceptual opposite of Weberian bureaucracy is the set of private institutions -personal, unwritten, informal- which have grown in the cracks and around the borders of public institutions: pervasive patterns of behavior and accountability which have come to be known as clientelism, prebendalism, nepotism, or corruption. The interaction of public and private institutions is crucial for processes of continuity and change: “Although a wholesale change in the formal rules may take place, at the same time there will be many informal constraints that have great survival tenacity because they still resolve basic exchange problems among the participants, be they social, political, or economic” (North 1990, 91). And this resilience, together with its attendant learning and adaptation effects, implies that private institutions are in no small part responsible for increasing returns and path dependence. Public institutional change depends on private institutional change, and vice versa (Helmke and Levitsky 2004). State-building, from this perspective, is the process of superseding the private institutions which may govern a political community by enforcing the public institutions of bureaucracy. State weakness

or failure, in contrast, arises from the consolidation of private institutions which hinder or prevent such public enforcement. Therefore the politics of state-building cannot be construed merely as those surrounding the design of new state institutions, as conventional political economy approaches would have it. Instead, the real politics of state-building involve the category of actors whose job it is to make sure that public institutions trump private ones.

The Weberian state, just like any Weberian social organization, is defined by the presence of an administrative staff tasked with carrying out organizational tasks. Weber identified bureaucracy as the most advanced form of administration, and associated it with the modern state, capitalism, and even democracy. In today's world "staff" is a rather broad term that includes every kind of public official: elected representatives, judges and magistrates, civil servants from all corners of the executive branch, from doctors and teachers to financial comptrollers and soldiers, and even private contractors working for the state. These are all public actors who are delegated the authority to enforce public institutions and supplied with the public resources to do so. They are a product of the state, deriving their livelihood and reputation from state resources and authority; they have therefore a powerful incentive to ensure the survival of the public order, or a façade thereof (Englebert 2009). More importantly, public actors wield power over the allocation of state resources and the enforcement of state institutions, but in so doing they do not have free rein: their responsibilities are carefully delineated, and their performance is expected to conform to certain rules. State organizations require a certain "common purpose," which is alien to personal aims and objectives: "Individual motive is necessarily an internal, personal, subjective thing; common purpose is necessarily an external,

impersonal, objective thing even though the individual interpretation of it is subjective” (Barnard 1938, 89). Another way to express this idea is to refer to the “public will,” but the central notion is the same: “the duties of the civil service are defined and limited by a formal expression of public will, i.e. a law, and the performance of those duties, whether non-feasance, malfeasance, or even ‘super’ feasance are judged by reference to the express terms of that law. Accountability is *not* personal, *not* a matter of inner conscience” (Finer 1950, 34 italics in the original). This is what makes the state a fascinating concept from an institutionalist perspective: not only does it enforce public institutions on its citizens and subjects, it enforces them on itself.

There is a subset of public institutions specifically tasked with ensuring that public actors do their job properly, and with sanctioning them whenever they do not. I call them administrative institutions after Weber’s notion of administrative order (Weber 1978, 51). These rules set limits to what public actors can and cannot do, as well as sanctions for those who venture beyond such limits. They represent the answer to the age-old question *Quis custodiet ipsos custodes*: Who will guard the guards themselves. As Weber himself put it: “A bureaucratic organization may be limited and indeed must be by agencies which act on their own authority alongside the bureaucratic hierarchy. This limitation is inherent in the fully developed legality type so that administrative action can be restricted to what is in conformity with rules” (Weber 1978, 271). Administrative institutions are public institutions governing the enforcement of public institutions, and as such they are different from those regulating state-society relations, which I call regulative public institutions after Weber’s notion of regulative order. “The distinction between administrative and regulative order coincides in its broad lines, though not always in

detail, with the distinction between public and private law” (Weber 1978, 52). One could think of the analogy with civil or criminal law, on one hand, and administrative law on the other; in a more specific example, the prohibition of robbery would be a regulative institution, whereas the prohibition of police brutality would be an administrative one.

Administrative institutions are ubiquitous in the modern state. At the highest level, constitutional design offers checks and balances between public organizations so that they do not overstep their mandates and there is always a watchful eye on their performance; in the study of democracy this type of counterweight informs what is usually referred to as horizontal accountability (O’Donnell 1998). The judiciary, for instance, may review the constitutionality of a law enacted by the legislature; legislative committees, in turn, oversee and investigate the performance of executive agencies; and independent watchdog bodies monitor the probity of all public actors, ensuring that they abide by their own internal regulations. But at the level of state agencies and organizations, too, administrative institutions govern how they are to carry out their dealings with the public, their hiring and promotion practices, or their financial accounting. They are often enforced by audit and oversight bodies which can receive complaints or launch probes of their own, and whose findings and recommendations are supposed to be binding over all members of the agency. An internal affairs unit in a police department, an ethics committee in parliament, and an anti-corruption agency or bureau, are all administrative state organizations tasked with enforcing rules upon public actors.

Administrative institutions are central to the concept of the state because they protect it from infiltration by private institutions, the kind of parallel rules that would motivate public

actors to take advantage of their position. In so doing they represent, in a way, the state's immune system: by ensuring that every rule is enforced in an impersonal, documented, and formalized manner, they are protecting the state from the kind of private subversion, sabotage, or profiteering that could undermine it and ultimately destroy it. Since the state by definition cannot be personal, it has to have some means to hinder the personalistic temptations of public actors. Administrative enforcement is thus the first line of defense against "non-rational considerations, personal feelings and sympathies, clientelism, and corruption" (Olsen 2008, 22). Such checks may take the form of constitutional provisions on who gets what kind of power, ethics codes or administrative law governing the conduct of civil servants, or watchdog bodies tasked with overseeing the executive bureaucracy from within. What all these mechanisms do is to hamper and prosecute the use of public resources for private use, and to promote the enforcement of regulative public institutions -those that govern state-society interactions- in an impersonal fashion. In short, they ensure that political leaders, judges, or bureaucrats cannot just take office and do as they please (Krasner 1984, 228).

When administrative enforcement diminishes or ceases altogether state failure ensues, and social relations simply re-orient themselves toward non-public orders (Herbst 2000). Allegiance, dispute resolution, and redistribution shift downward to lower levels of social aggregation, whether based on more or less ascriptive characteristics, such as ethnic or kinship groups, or on pseudo-voluntary association, such as rebel movements and warlord factions: as the state collapses, all politics becomes personal. This represents the triumph of the competing private institutions of patrimonialism: clientelistic politics structured around vertical networks

oiled by the distribution of patronage (in cash, services, licenses, offices, etc.) (Médard 1982; Callaghy 1984; van de Walle 2001). The incentives for the private capture of public resources become so comparatively strong that the state eventually withers away to irrelevance. Without the strength to enforce compliance, with no public resources to distribute, and with no claim to legitimacy, it can do nothing against competing private institutions run amok. Like other informal institutions, patrimonialism displays that tenacious survival ability that North wrote about. Hence the “institutional resilience in and of failed states” (Englebert and Tull 2008).

Afflicted by state failure or collapse, post-conflict countries find themselves at a critical juncture in terms of institutional design. There is a window of opportunity for the adoption of new legal and regulatory templates that are antithetical to the previous regime. Powerful local actors may indeed endorse a “window-dressing” reform agenda, but they have much to lose from impersonal and formalized government, as it will either check or entirely dispel reputations and resources accrued through the personal politics of failure and collapse. There is one weakness in such a distribution of power, however, a true Achilles heel: its over-reliance on foreign assistance. Aid which pays salaries and buys equipment, builds infrastructure and equips offices, and ultimately generates opportunities for profit in an otherwise famished economy: without aid inflows the post-conflict power structures of clientelism and corruption would all but collapse. Because of this dependence state-building donors are faced with a fundamentally political question: Are they willing to use their assistance as leverage to generate the kind of enforcement of administrative institutions that state-building requires? More importantly: Can they?

2.2 First Strategic Dilemma: Donor Principals and Recipient Agents in State-Building Assistance

The first dilemma of state-building assistance in the 21st century, in the attempt to use foreign aid as a catalyst for institutional change, is how to induce the recipient actor to implement reforms that may undermine his private interests. In other words, the effectiveness of aid ultimately depends on a working relationship between someone who wants to avoid the failure of aid at all costs and someone who wants to avoid the success of aid at all costs.

A common answer to this challenge is for the aid “contract” to adopt some kind of conditionality, whereby disbursement of future assistance is predicated on the achievement of specific institutional and organizational benchmarks. Most conditionality stems from the idea that aid can be used as leverage to prod a reluctant government into implementing what the donors consider are necessary reforms (Collier et al. 1997). But how to design the use of inducements? There has been considerable debate as to the form that conditionality should take. Is it better to have *ex-ante* conditionality, so that aid is disbursed under the promise of reform, or to have *ex-post* conditionality (also called selectivity) that rewards good performers only? (Bräutigam 2000; Nelson 1996; H. White and Morrissey 1997) Should it be delivered in one lump sum, or split in tranches so that intermediate outputs can be measured as indicators of performance? (Adam and Gunning 2002; Adam et al. 2004; Collier et al. 1997) In any event, if there is even the slightest chance that the interests and incentives of donors and recipients are not perfectly aligned, conditionality inevitably generates a strategic interaction between them.

I conceptualize state-building assistance as a principal-agent dynamic subject to the

moral hazard problem (Laffont and Martimort 2002). The principal (a donor) delegates the production of a good (administrative enforcement) to the agent (a recipient), subject to two strategic complications. First, the agent's effort is unobservable by the principal, only the final level of production is (the donor cannot be sure whether the recipient is fully committed to reform or simply lacks the required technical capacity). Second, principal and agent do not have the same interests, insofar as effort generates a utility for the principal and a disutility for the agent (administrative enforcement would increase aid effectiveness while limiting the chances of using public office for private profit). Since the outcome (administrative enforcement) is only partially due to the agent's effort (commitment to reform), the agent has an incentive to put as little effort as possible into the execution of the task. This is the kind of problem that the idea of "moral hazard" captures. Luckily for the donor, the story does not stop there: in order to induce the desired level of effort, the principal can use a transfer of resources (disbursement of conditional aid) to link the agent's utility to the final level of production. In conventional formulations the principal's transfer has to fulfill the following requirements: it must be high enough to make the contract attractive for the agent (the "participation constraint"), and it has to induce the desired level of effort (the "incentive-compatibility constraint"). Post-conflict state-building follows this basic model, with two key differences: first, elites are unlikely to reject any form of financial assistance, no matter how many conditions it entails, so the participation constraint is irrelevant; second, there is no third-party beyond the donor itself who can verify the recipient's performance, and thus the donor must bear the costs of monitoring and enforcing conditionality. Besides such caveats, the incentive-compatibility constraint at the heart of a moral

hazard problem remains crucial: it will determine to what extent the recipient of foreign aid actually enforces administrative institutions as required in the conditionality arrangement.

This abstract formulation can seem a priori too reductionist, considering the complex politics of state-building in post-conflict Africa, but there is in fact a solid tradition of thinking about aid conditionality as a principal-agent problem (Collier et al. 1997; Killick 1997; H. White and Morrissey 1997; Svensson 2000). At a very practical level, the enforcement of donor-sponsored public institutions depends on the decision of individual politicians and civil servants who have to weigh the benefits of reform against the material and ideational incentives of entrenched private institutions. However abstract a basic principal-agent model may seem, it actually encapsulates the daily process of building the new state, one rule at a time. Whenever a civil servant considers taking a bribe or kick-back, whenever a politician refuses to investigate an administrative infraction in order to protect a client, whenever a prosecutor refuses to convict a corrupt official in exchange for political favor: in each case a principal-agent dynamic unfolds between the public actor and the international partners who back him. As the empirical chapters below demonstrate, public actors in post-conflict Sierra Leone and Liberia were acutely aware of donor expectations and the prospect of conditional disbursement and withholding of funds. Thus moral hazard in state-building assistance is not an abstraction, but a empirical pattern.

Are donors creating the necessary incentives for compliance by recipient public actors? Agency models emphasize the ability of the principal to credibly commit to its threat of sanctioning non-compliance: without an expectation of punishment, the agent simply will not enact meaningful policy change. Empirically this logic maps onto some of the causes for the

recurrent “ritual dances of reform.” For instance, the World Bank rarely withholds its funds in light of obvious non-compliance, choosing to follow the interests of its dominant stakeholders instead of its own ostensible policy objectives (Dreher 2004). The same behavior is apparent in cases of political conditionality by bilateral donors. For instance, the inconsistent application of human rights conditionality, together with a weak correlation between violations and sanctions, undermines the credibility of a normative agenda introduced by donors themselves (Crawford 1997). This was especially the case during the Cold War, when geopolitical imperatives prevailed over democracy promotion (Dunning 2004).

In general, lack of donor credibility may just be a factor of an interest in aid disbursement which has little to do with state-building aims. Domestic political consideration often shape bilateral foreign aid policy, as do security concerns, diplomatic support in the United Nations, or colonial attachment (Drury, R. S. Olson, and Van Belle 2005; Travis 2010; Alesina and Dollar 2000). The behavior of multilateral donors too is sometimes inconsistent with their professed goals: for instance, aid from regional banks and UN agencies is affected by economic need, but not so much by governance goals like political freedom or control of corruption (Neumayer 2003). At the most basic level, like any other bureaucratic organization, bilateral and multilateral aid agencies have a powerful incentive to keep giving aid in order to maintain their budgetary presence (van de Walle 2005). “Window-dressing” changes are not necessarily a bad thing for them: for an aid donor concerned with costs, for whom the task of monitoring compliance is too burdensome, formal reform provides a visible indicator of impact even if it does not reflect meaningful change—legislation was passed, regulations adopted, organizations set up. Even on

those rare occasions when there is actual ideational commitment, the problem of material costs remains: enforcement requires monitoring of compliance through reliable indicators of progress, as well as a credible commitment to sanctioning the recipient in case of non-compliance, for instance by withholding further aid disbursement.

In principal-agent terms, by and large, donors are principals more interested in disbursing the reward to the agent than in ensuring task execution through monitoring and sanctioning of compliance. It is beyond the scope of this dissertation to determine why some donors are more committed principals than others. Instead, in the case comparison of state-building assistance to various sectors in Sierra Leone and Liberia, I take donor interests as given, confident that -as the case narratives clearly show- there is no reason to suspect that the interests of donors are endogenous to the expected difficulty of reforms. I operationalize these variable interests by focusing on assistance strategies, not on stated goals or aspirations, in such a way as to split foreign actors into two categories: uncommitted donors, whose aid seeks to promote changes in administrative design, and who consequently are more tolerating of faulty implementation by the recipient; and committed donors, whose aid seeks to promote changes in administrative enforcement, who are more prone to use their resources as an incentive for reform.

Donors are only one side of the strategic interaction, however. Absent incentives to the contrary, recipients of state-building assistance are likely to succumb to moral hazard—they will take aid funds, undermine reform implementation, and come back for more. Their interests, after all, are different from those of donors. The principal-agent dimension of conditionality is rooted in “a disjunction between politics as it happens in the minds of international administrators and

politics as it happens on the ground” (Chesterman 2004, 236). Such disjunction stems from the unwarranted assumption that local actors share the donors’ understanding of collapse and reconstruction. “Donors typically see such failure as a systemic breakdown and reconstruction as a new form of social contracting,” write Pierre Englebert and Denis M. Tull. In contrast, “African elites are more likely to view both as an opportunity to maximize their political fortunes. They may see reconstruction as the continuation of war and political competition for resources by new means” (Englebert and Tull 2008, 118). This evidently complicates the task of identifying internal stakeholders for the reconstruction process, and gives rise to an uncomfortable question: Do local actors have any real incentive to support the return to a strong state?

State failure and state collapse are the result of competing private institutions whose incentives are more appealing to public actors than those of public ones. This usually happens in places where the state is the main source of steady employment and resources, and thus the ultimate prize of politics. A public official who thinks about embezzling money may do so because his salary is too low to satisfy his material needs, because his extended family expects that he will provide for them through his office, or because embezzling is simply what individuals in public office have always done. That same official would perhaps refrain from such behavior if the risk and penalties for getting caught were too high, if he believed in the intrinsic value of the law, or if nobody ever embezzled money. In a failed state these latter considerations are feeble, and the weaker they are the greater the failure of the state. When a critical juncture like civil war brings into question the survivability of institutions, the actors who

stand to lose the most from change are those who reap the greatest benefits -material and ideational- from the status quo. In any process of state-building these will be public actors at the very top, the political and bureaucratic elite.

Whenever donor-sponsored institutional reforms are expected to limit access to the rents that keep private institutions properly oiled (for instance by checking embezzlement of public funds or ensuring technocratic recruitment), there are powerful -and very rational!- incentives for local public officials to undermine the reform effort. When an elite as a whole is built atop the privatization of public resources for patronage, not a single member of them has an individual incentive to unilaterally promote reform (Geddes 1994). One can easily imagine instances in which some local public actors do value administrative enforcement over the immediate rents of persistent failure; idealists occur frequently in weak states, after all, although rarely on the scale necessary to spur change by themselves. In order to simplify the basic analytical logic presented in this chapter, however, I assume that all local public actors in a failed state are individually rational and thus reluctant reformers. Reality is of course much more complicated, but that is a problem for chapters 4 through 6 to explore.

The implications of principal-agent theory are clear: as long as donors fail to establish an incentive structure that overrides moral hazard reluctant public actors will stall whenever possible with complaints of limited capacity or foreign imposition, and when the need to secure international assistance becomes too pressing they will simply adopt formal reforms that are never meant to be enforced (van de Walle 2001, 2005; Wright 2009, 2010). For instance, a government may reform its constitution to grant autonomous powers to a public audit service,

and then reserve appointment of its top officials for the president or make sure that it never has the budgetary allocations it needs to properly work. State-building will remain an exercise in delaying and window-dressing, constantly undermined by the competing informal institutions of particularism and patrimonialism. With other principal-agent problems this would be the end of the story. Not so with conditional aid and institutional change, however. State-building assistance is a labor of not one but many principals who, even when they share a common purpose, may not be able to agree on the best strategy for achieving it.

2.3 Second Strategic Dilemma: Donor Proliferation and the Collective Action Problem of Administrative Conditionality

The second dilemma of state-building assistance in the 21st century is the fact that the multiple donors involved in the business of institutional change may have conflicting agendas which undermine each other. Even on those rare occasions when they agree on aims, moreover, they may not necessarily agree on means. Such unintended consequences of donor proliferation have long plagued the uneasy sleep of the aid community: in principle, it is theoretically better to have as many contributions to development as possible; in practice, a “too-many-cooks” kind of problem emerges when each donor has an independent relationship with the recipient government. The local ills of aid fragmentation -overwhelmed public organizations, civil servants serving donors and not citizens- are well-established in the “aid-institutions paradox” and “aid dependence” scholarship (Bräutigam 2000; Bräutigam and Knack 2004; Moss, Pettersson, and van de Walle 2006). But there are also consequences for donors themselves:

confusion of messages and incentives can enable rent-seeking public actors; competing or contradictory objectives may undermine reform agendas and encourage “donor shopping”; and a large number of donors may create collective action problems when dealing with the government (van de Walle 2005, 47; Knack and Rahman 2007, 177).

Conventional agency theory deals mostly with problems involving a single agent and a single principal. A situation with multiple principals who do not act in unison poses an additional layer of complexity, and it is referred to as a common agency problem (Bernheim and Whinston 1986; Spiller 1990; Dixit, Grossman, and Helpman 1997; Siqueira and Sandler 2004). Consider the difficulty of overcoming the incentive-compatibility constraint of the basic agency problem, but compounded by the presence of conflicting incentives: it becomes all the harder to infer moral hazard from the agent’s unobservable performance when he is executing tasks for multiple principals. In a multiple-donor aid relationship, for instance, competing benchmarks provide cover for officials unwilling to comply with specific conditions, and contradictory agendas may undermine each other and enable a sort of “donor shopping” whereby the recipient chooses to partner with the less demanding donor. The only way for aid actors to avoid the inefficiencies intrinsic to common agency would be to somehow “collude” around shared demands (Bernheim and Whinston 1986). But that is a tall order, even for like-minded donors.

The effective use of aid conditionality as an inducement for administrative reform is a public good for aid actors: insofar as stronger public institutions are likely to increase the effectiveness of aid for all, enforcing them provides to the group of international partners as a whole with a non-excludable, non-rivalrous benefit. Non-excludability means that one actor or

set of actors cannot prevent others from enjoying the good; non-rivalry means that one actor's enjoyment does not detract from others' (Buchanan 1965; Cornes and Sandler 1986; Sandler 1992). Since all donors would benefit from better local institutions, the collective application of administrative conditionality is a socially optimal strategy which would dispel the nightmare of aid ineffectiveness. However, like all public goods, the effective use of aid conditionality suffers from the fact that its benefits are enjoyed collectively while its costs are borne individually. I have already discussed the credibility problem that donors face when they have multiple objectives (some of which may be even contradictory) as well as the bureaucratic survival imperative to report success instead of failure. Withholding or suspending aid is a risky proposition, not so much in terms of the relationship with the recipient government, but with the donor's own principals. Upon receiving reports of aid under-performance, enterprising elected officials back home may seize the perfect opportunity to score costless political points, and domestic constituencies may come to question the whole notion of siphoning off part of the national wealth for the enjoyment of ineffective leaders in a faraway land. The aid agency or its field missions may reach the conclusion that it would be so much easier if some other donor bore the costs of enforcing the kind of administrative reforms that improve aid effectiveness for everyone. Hence the risk of donor free-riding that development scholars have identified.

Mancur Olson's famous work, *The Logic of Collective Action*, was devoted in large part to discussing possible solutions to this free rider problem (M. Olson 1965). He came up with two logical ways of preventing or limiting collective good under-supply. The first one was the use of excludable selective incentives that reward participants or punish non-participants; in other

words, an institutional mechanism for facilitating collective action. If there was a way to bind actors' interests closer together, he argued, the incentive to free-ride would be weakened. As a matter of fact the aid community has come to a remarkably similar conclusion: the age-old prescription for the ills of donor proliferation is greater aid harmonization and donor coordination, ranging from exchanging information or agreeing on policy and program priorities to coordinating operations (Ross 1990). This miracle cure to donor proliferation has come to dominate much of the development discourse, and the zeitgeist dictates that "no reform can succeed without donor coordination" (van de Walle 2005). However, there are several powerful obstacles to coordination, such as different understandings of the role of the recipient in pooling mechanisms, divergent donor interests regarding the aims and modalities of aid, and bureaucratic resistance within donor agencies themselves, all of which hinder the development of deeper and more frequent coordination schemes. There is an easy explanation for this suboptimal outcome that does not require deviating from Olson's thinking: coordination mechanisms are themselves second-order problems of collective action, and as such they too fall prey to individual rationality despite their social optimality.

Much more promising is Olson's second solution to the free rider problem. It is built around the notion of group heterogeneity, and in particular the asymmetry of preferences between actors: if at least one of them is more interested than the rest in supplying the collective good, then that single actor may be willing to shoulder the costs of provision even if the rest free-ride. Since this type of actor has a disproportionate stake in the success of collective action, Olson dubbed his hypothesis the "exploitation of the great by the small" (M. Olson 1965, 29).

Within the aid community, too, those thinkers who have identified the potential problems of collective action have come to prescribe, absent an effective mechanism for aid coordination, the notion of a dominant or leading donor who takes over external support for the reform of a single sector or even for a whole country (Bräutigam 2000; Bräutigam and Knack 2004; van de Walle 2005). A leading donor would address some of the concerns associated with aid fragmentation: it would solve donor common agency and free-riding problems within its scope of action, clarify the terms and conditions of aid disbursement, and provide a single interlocutor for the recipient government. More importantly, it could solve the principal-agent problem. In that regard heterogeneity of resources, and not just interests, is crucial: a donor with a disproportionate aid presence -and thus a disproportionate investment in aid effectiveness- would more readily bear the costs of compliance and sanctioning, and its disproportionate resources would make non-compliance all the more costly for the recipient. Such powerful incentive to comply could easily trump the temptation of moral hazard. But why would a donor behave this way? Because a leading donor disproportionately invested in the country's agenda of sectoral change stands to lose the most from a failure to reform—the material and ideational costs of failure may be in fact greater than the material costs of monitoring and sanctioning. Even if every other donor free-rides off its effort, the enforcement of conditionality by the leading donor would still be high enough to promote institutional change.

The question remains whether the leading-donor solution would elicit greater compliance in the recipient than the ideal donor-coordination solution. For this we have to turn to a frequently overlooked aspect of collective action models: the aggregation technology or social

production function.

Olson's formal logic assumed that all participants' contributions to the collective good aggregated in an additive fashion that made contributions interchangeable. Later collective action theory has revised this assumption, however, and in so doing it has come up with alternative aggregation technologies beyond straightforward summation (Hirshleifer 1983; Oliver, Marwell, and Teixeira 1985; Sandler 1992, 1998; Cornes 1993; Cornes and Hartley 2007). "Weakest link" and "best shot" technologies, in particular, represent two interesting ideal types in which the lowest or highest contribution, respectively, sets the level of the public good. An example of "weakest link" public good would be the containment of a transnational pandemic, where the least capable state determines the chances of a disease spreading. A "best shot" example would be the research to develop a vaccine for a pandemic, which would be as good as the contribution of the best laboratory; this aggregation technology is similar to the "dragon-slaying" solution to collective action, in which the individual least tolerant of a dragon's predation will be the first to attack it (Bliss and Nalebuff 1984).

These abstract ideas are in fact directly applicable to the dilemma of donor collective action. Enforcement by an aid coordination mechanism will have its upper bound set by the donor partner least willing to enforce conditions on the recipient—a donor-coordination model aggregates contributions into a public good through the "weakest link" technology. Enforcement by a leading donor, in contrast, will have the upper bound set by the donor with the greatest stake in the success of conditionality—a leading-donor model aggregates contributions into a public good through the "best shot" technology. If we allow for different aggregation technologies,

therefore, collective action theory generates clear expectations for the effects of aid on post-conflict state-building: leading-donor conditionality is more likely than donor-coordination conditionality to alter the incentive structure for public actors to enforce public administrative institutions.

2.4 An Explanatory Typology of State-Building Assistance

The analytical framework of this dissertation is built atop the premise that the local enforcement of new administrative institutions -the essence of state-building- is a difficult proposition, one which gives rise to a principal-agent strategic dilemma between recipient public actors and donor agencies who may not have identical interests, and which is further complicated by the presence of multiple donors whose collective action is undermined by the public-good nature of administrative reform. All three analytical claims have strong hypothetical implications in isolation. In combination, however, they can articulate an explanatory typology (Elman 2005) of state-building assistance which illuminates the variable causal logic of different cases.

Given the recipient moral hazard and donor free riding, the anatomy of state-building assistance can be categorized into four ideal types (table 2.1): tension, subversion, concession, and diversion.

Table 2.1: Types of State-Building Assistance

	<i>Single or leading donor</i>	<i>Multiple donors</i>
<i>Administrative enforcement (committed)</i>	<p>Tension Political inducement Conditionality solves agency</p>	<p>Subversion Political inducement “Weakest-link” conditionality</p>
<i>Administrative design (uncommitted)</i>	<p>Concession Technical inducement Moral hazard problem</p>	<p>Diversion Contradictory inducement Common agency problem</p>

When a single or leading donor is the major aid interlocutor of the recipient, the second dilemma that I have presented above basically disappears, as it all comes to rest on the commitment of the donor in question to induce institutional enforcement, and not just changes in institutional design. A committed donor is guided by a strategic understanding of the politics inherent in state-building and a willingness to overcome the competing private institutions of state capture. Such an actor is thus likely to focus on the establishment and consolidation of administrative institutions, and on their unhindered enforcement throughout state bureaucracies. Given the likelihood that recipient officials will attempt to undermine such reform in order to protect rent-seeking, a committed donor imbues its foreign aid with clear and strict conditions, which it is ready and able to deploy in light of evident political interference. Given the confrontational nature of this aid relationship, I call this first type of state-building assistance “tension.”

Not all leading donors have the same interest in administrative reform, however, whether because of organizational constraints on its mandate or the presence of extraneous motivations for disbursing state-building assistance. An uncommitted donor is likely to use foreign aid as a means for promoting changes in institutional design, without attaching clear conditions to their eventual enforcement by public actors. State-building assistance under this type of relationship is likely to involve mostly technical assistance, with little political dialogue. Most crucially, lack of compliance with assistance programs and strategies is seen by the uncommitted donor largely as a problem of limited capacity or limited resources. Any progress -however limited- is

satisfactory, and failure becomes an opportunity for rethinking benchmarks and time frames without undermining the partnership. This creates an opportunity for recipient public actors to take foreign aid and maintain the appearance of reform without actually threatening the prevalence of private institutions. The leading donor's lack of commitment actually enables local leaders to perpetuate private institutions, and that is why I call this second type of state-building assistance "concession."

Donor proliferation can give rise to two potential scenarios, depending on whether aid actors are mainly interested in institutional enforcement or design. If multiple committed state-building donors manage to solve their collective action problem through some sort of aid coordination mechanism, in principle the nature of their interaction with recipient public officials should not be at all different from that of a single or leading committed donor, and thus it should unfold according to the dynamics of "tension." However, collective action solutions live and die by the aggregation technology that governs public good production, and due to a weakest-link technology coordinated conditionality can only be as strong as that of the least committed member of the group. As compared to a leading committed donor, even coordinated commitment with clear and observable benchmarks is likely to result in a higher degree of tolerance for noncompliance in the process of translating monitoring into inducement. Given that the aspirations of the most vocal donors will always be tempered by the timidity of the least confrontational one, I term this third type of state-building assistance "subversion."

Finally, if proliferation results in a wider spectrum of motives, aid actors are unlikely to achieve coordination in support of any kind of institutional enforcement. Even if one or more of

the donors within the group of international partners are truly committed to administrative reform, the potential effect of their conditionality will be dampened by the relative size of other donors' unconditional aid flows. The coexistence of disparate programs and standards of success and failure creates contradictory inducements, neglects the moral hazard problem, and thus creates the perfect aid environment for persistent state capture. Given the likelihood that local public actors will turn donors on each other in an attempt to protect private institutions, I call this fourth type of state-building assistance "diversion."

The four ideal types generate clear implications for the empirical study of the anatomy of state-building assistance to the extent that each of them expects donor-recipient interactions to unfold according to different, observable dynamics. I explore the causal logic behind this explanatory typology in sector-level narratives of state-building assistance in post-conflict Sierra Leone and Liberia: chapter 4 focuses on civil service reform, chapter 5 studies anti-corruption reform, and chapter 6 analyzes security sector reform. Instead of simply presenting case studies, those three chapters are organized theoretically as part of an attempt to demonstrate that each of these areas of state-building can be construed as a problem of administrative enforcement, and therefore that foreign aid to such diverse aims as pay reform, auditing, and military budgeting is subject to the same strategic dilemmas as I have presented in this chapter. Before delving into the narratives that substantiate the explanatory typology, however, in chapter 3 I introduce the trajectories of state capture and failure for Sierra Leone and Liberia, as well as the specific contours of their post-conflict aid-dependence.

3. Local Imperatives and Global Agendas in Sierra Leone and Liberia

The streets of Freetown and Monrovia are an incongruous mix of occasional scenes of wealth interspersed with a general landscape of poverty. For the pedestrian as for the passenger of hot and overstuffed public taxis and minibuses, the ubiquitous air-conditioned SUVs occupied by a single passenger and a driver can only inspire an unhealthy dose of envy. Either white and emblazoned with black “UN” letters or with the emblem of this or that aid agency or NGO, or shiny dark and with no mark of identification besides obvious socioeconomic power, these SUVs ferry the two classes of the post-conflict elite between air-conditioned offices, guarded compounds, and overpriced luxury hotels. On the one hand, the senior elected and appointed officials who hold in their hands the public resources of their country, the jobs and contracts and business opportunities, often old and rotund, with a lord-like attitude towards local subordinates, grizzled veterans of the uncertain game of political survival in weak states. On the other hand, the expatriates, split in two distinct groups. The younger ones are usually Europeans and Americans who manage aid agency missions and international NGOs, misfits or missionaries fascinated by a world too different from their own, bent on making a difference in a small corner of Africa and enjoying responsibilities far superior to what they could have attained in their home countries. The older ones are sometimes diplomats serving their time in a high-pay, low-

cost post, and more often the transnational mercenaries and bureaucrats who staff the middle ranks of UN missions and international organizations. Away from the capitals, the government officials and expatriates who form the post-conflict elite may be a distant thing, a rare sight except on the occasion of project inaugurations and similar events. But in Freetown and Monrovia they are at the top of a very clearly delineated socioeconomic and political hierarchy, and with good reason, insofar as they control the fate of Sierra Leone and Liberia.

This chapter presents the political trajectories of the two countries that this dissertation focuses on: their regime dynamics since the mid-20th century, the key individual names and collective labels, as well as the gradual erosion of the state at the hands of exploitative governments and clientelistic networks. These brief narratives provide the background information necessary to fully comprehend the empirical narratives of chapters 4 through 6. Absent a consolidated historiographical opus on Sierra Leone and Liberia, these histories are by necessity cursory and fragmentary, based on a variety of academic and lay sources documenting observation as well as expertise. The central narrative is analytically focused on the use and abuse of public office, the legacies that precipitated civil war and collapse as well as the post-conflict structure of incentives that Kabbah, Bryant, Johnson Sirleaf, and Koroma were forced to contend with. The last part of the chapter turns to international actors, detailing the aid profiles for Sierra Leone and Liberia: who were the most important donors in total aid and in state-building, what their strategies looked like, and how they interacted with one another and with the government. Taking together, these discussions of local and global actors create the tapestry of relations, the *dramatis personae*, against which the empirical part of this dissertation will unfold.

3.1 The Path to State Collapse in Sierra Leone

The recent political history of Sierra Leone, much like that of Liberia, could be glibly summarized as a succession of corrupt big men seizing power for the ostensible purpose of uprooting corruption once and for all. Such a cynical perspective, however, is not tremendously informative, as it could be applied to most other countries in sub-Saharan Africa at one point or another since independence. The story is in fact more interesting once the details become exposed, in particular the emergence and crystallization of ethnopatronage cleavages which have empowered and constrained political leaders since the mid-1960s. It is in this historical perspective that the figures of Ahmad Tejan Kabbah and Ernest Bai Kororma can be fully comprehended as leaders. Whatever virtues and vices they had as moral and political individuals, they both had to juggle the responsibility to nurture clientelistic party networks with the aspiration to establish a strong depoliticized state. Their failures and successes in civil service reform, anti-corruption reform, and security sector reform become meaningful only when contextualized in this manner.

Post-Independence Politics and the Emergence of State Capture

The specific contours of modern Sierra Leone resulted from the fusion of two separate geographical, cultural, and political entities belonging to the British empire: a small urban “colony” of freed slaves settled in the Freetown peninsula and given official status in 1808; and a large inland “protectorate” of indigenous peoples formally demarcated in 1896 as part of Franco-British competition in West Africa. The basic cleavage that this haphazard colonial process generated defined Sierra Leone’s colonial politics, pitting a Western-educated elite from the

colony (the creoles or “Krio”) against traditional agrarian chiefdoms in the protectorate (Kandeh 1992). State-building has historically grafted onto this original divide: just as the British colonial state was once limited to the colony and a few protectorate outposts, the 21st-century Sierra Leonean state is a meaningful concept only in Freetown and the major provincial capitals of Bo, Makeni, and Kenema. But even as the tension between the peninsula and the interior persists to the present, the major political split and principal source of private allegiances in Sierra Leone is broadly ethno-regional: the Mende peoples in the south and east, on the one hand, and the Temne and Limba peoples in the north and west, on the other. Two ascriptive and patrimonial coalitions which coalesced around the politics of negotiated independence.

The Sierra Leone Peoples’ Party (SLPP) was born in 1951 as the then colony’s first truly representative party, bringing together part of the Krio elite from Freetown with two crucial segments of the protectorate elites: Western-educated professionals and paramount chiefs. Collectively, this alliance assumed a central role in the devolution and independence process and propelled the SLPP to victory in the elections that followed the enactment of an interim constitution by the British in 1951. The Party was able to establish a government led by Milton Margai, who in 1954 became “chief minister” of the colony. Other parties emerged in the following elections, in 1957, but by the time of independence on April 27th, 1961 the SLPP had become the dominant political force of Sierra Leone, shaped by the personality and philosophy of its leader.

Milton Margai had been the first protectorate Sierra Leonean to graduate from Fourah Bay College, and was a member of the Colonial Medical Service until his decision in 1950 to

pursue private practice in order to reconcile his professional and political activities. He was a prominent member of the association of Westernized protectorate elites that eventually merged onto the SLPP, and later became the party's first national chairman (Fyle 2006, 122–123). A conservative man respectful of traditional values, Milton had a knack for reconciling what would have otherwise been competing sociopolitical groups, slowing down the process of “Africanization” of government in order to allay Krio fears while ensuring that paramount chiefs became the preeminent authority in the provinces (Cartwright 1978, 186). As a result of this strategy of flexible accommodation the SLPP remained a loose organization of local notables and chiefs. When smaller parties challenged this status quo in the 1959 district elections, Milton's answer was to “decapitate” the opposition by inviting them into a United Front for the final stage of independence negotiations with Britain (Cartwright 1970, 115–117).

Among the opposition politicians co-opted into the United Front was Milton's own brother, Albert Margai. A lawyer by training, Albert had also been politically active as a member of the educated protectorate elite, and had served as Minister for Health in the colony's first cabinet in 1952 (Fyle 2006, 121–122). Fifteen years younger than Milton, Albert did not share the cautious and traditionalist political approach of his brother, and he became one of the leaders of a “modernizing” wing of younger backbenchers within the SLPP which resonated with Krio professionals and those dissatisfied with the prominence of paramount chiefs. After the 1957 elections he successfully challenged Milton for the leadership of the party, but was eventually persuaded to stand down in favor of his brother. In 1958 he resigned from the SLPP, and together with three other dissident MPs he founded the more radical Peoples National Party (PNP).

However, in 1959 he returned to the SLPP fold under the umbrella of the United Front, and in the first post-independence cabinet he assumed the portfolio of Minister for Natural Resources (Cartwright 1970, 98–100, 110–115).

Albert's swings in and out of the SLPP had momentous consequences for Sierra Leone's ethnic politics. Before the younger Margai's defection, the SLPP had managed to encompass protectorate elites and paramount chiefs both from the south and east (Mendes like the Margais) and from the north and west. When the PNP split from the SLPP, Albert took a collection of the more radical Mende and Temne politicians with him, leaving the SLPP at the mercy of traditional leaders. But when he rejoined his brother in 1959 many Temnes and Limbas from the north refused to follow him, and the Mende leaders who accompanied him in fact displaced some prominent SLPP Temnes within the United Front (Cartwright 1970, 125). As a result the SLPP came to be seen as an increasingly Mende party, especially once Albert outmaneuvered Milton's logical successor, a Temne, and became Prime Minister upon his brothers' death in 1964 (Kandeh 1992, 92). Meanwhile, northern Temne and Limba politicians managed to organize their own party in 1960, the All Peoples' Congress (APC).

Once he assumed power, Albert Margai had to face two political challenges that he himself had helped create: first, the coalescence of radical opposition to paramount chiefs around the APC party; and second, the deepening of ethnopolitical cleavages along Mende-Temne or southern-northern lines, which worked to empower the opposition. The paradox for Albert was that the only way to make the SLPP more inclusive in the north would be to limit the power of chiefs, who were the only actors with enough capacity to block the ascendance of the APC at the

local level. Replacing an alliance of local notables with a modern party organization would prove impossible, especially given the resentment that the “old guard” harbored towards Albert Margai for his PNP defection. Unable to alter the distribution of power within the SLPP, the new Prime Minister turned to the civil service, where former PNP colleagues held prominent positions, and where young professionals were much more sympathetic to his modernizing and developmental agenda. Gradually Albert began to replace “neutral” public actors with compliant ones. Mende identity became in such cases a useful screening device: “If the civil servants were to be pressed into service for the leader of the SLPP, there was clearly no place for individuals who were suspected of favouring the opposition” (Cartwright 1970, 195). Albert sought to bind all kinds of elites into his party-state experiment. New legislation was adopted that forced chiefs to become involved in parliamentary politics. And the loyalty of the armed forces was secured by incorporating force commander Brigadier David Lansana and other high-ranking officials into the inner political circle of SLPP politics through marriages and patronage relations, and by privileging the recruitment and promotion of Mendes into the military (Cox 1976, 65–76). Albert Margai sat at the top of this expansive network of vertical allegiance and redistribution, tolerating the inevitable corruption that it generated and happily extracting substantive personal benefits himself (Cartwright 1970, 206–208). His vision of centralized political control of Sierra Leone culminated in 1965-66 with a series of proposals for the introduction of a single-party system, an overly ambitious idea which precipitated his demise.

Back in 1959 there had been one young politician within the Peoples National Party who denounced Milton Margai for his attempt to suppress any opposition under the United Front.

Siaka Probyn Stevens had been a trade unionist and workers representative until he became Minister for Mines, Lands, and Labor in 1951. He was re-elected as MP for the SLPP in 1957, but chose to leave the party and ended up founding the PNP with Albert Margai (Fyle 2006, 197–198). Stevens was opposed to the idea that the United Front should be the political force leading the country to independence. In 1960 he spearheaded the Elections Before Independence Movement, which shortly thereafter morphed into a new political party feeding on the growing dissatisfaction of northerners with the SLPP as well as on popular resentment against paramount chiefs. The leaders of the nascent All Peoples' Congress were predominantly Limbas -like Stevens himself- or Temnes, younger, and from a lower social extraction than their SLPP counterparts (Cartwright 1970, 130–132). The APC became the second most voted political party in the 1962 elections, catapulting Stevens to leader of the opposition in parliament.

Five years later, espousing populist rhetoric and a vociferous rejection of the traditional power of local chiefs, and cruising on the wave of popular discontent with Margai's single-party aspirations, the APC defeated the SLPP at the polls on March 18th, 1967. As the results that flowed in heralded the demise of Albert Margai and his regime, panicked SLPP politicians flocked to Brigadier Lansana at his military headquarters for protection and counsel. On March 21st Siaka Stevens was sworn in as Prime Minister by the Governor-General of Sierra Leone. That same afternoon Lansana took matters into his own hands, placing the Prime Minister-elect under house arrest, and declaring himself "custodian of state security" (Cox 1976, 126). His protagonism would be short-lived, however, as in March 23rd he was deposed by disgruntled soldiers. The resulting military junta, the National Reformation Council, lasted barely a year,

replaced by an Anti-Corruption Revolutionary Movement and then National Interim Council after a coup by non-commissioned officers. On April 26th, 1968, Siaka Stevens was sworn in as Prime Minister for the second time in thirteen months.

The government of the All Peoples' Congress under Stevens was not substantially different from the SLPP in terms of state capture: the only difference was that Mendes were displaced from public office and the civil service by the same Limba and Temne elites that Albert Margai had marginalized (Kandeh 1992, 92). The tables were turned, even if the dynamics were the same. As Sierra Leoneans like to say: same car, different driver. If anything, Stevens perfected the patronage system that the younger Margai had attempted to build. He purged the military of Mende officials, promoting Limbas instead. However, Stevens had learned the lesson of 1967-1968, and in order to prevent further political interference he indulged the armed forces while keeping them ineffective: he supplied them with generous quotas of subsidized rice but starved them of weapons and ammunition. Instead, for his own security he relied on a well-paid, well-armed, and loyal new paramilitary unit, the Internal Security Unit (Ero 2000, 18). The civil service became equally politicized and even more corrupt (Kandeh 1999, 351–352; Kpundeh 1994). Control of public resources was granted in exchange for generous illicit cutbacks to a series of informal business networks which over time amounted to a veritable “shadow state” (Reno 1995). In 1971 Sierra Leone became a republic, relinquishing formal submission of the prime minister to any superior authority. As President, Stevens's hold on the levers of power was so strong that he was able to succeed where Albert Margai had failed: in 1978 the All Peoples' Congress became the only legal party in Sierra Leone. Officially, a single-party state would

counter tribalism and factionalism. Unofficially, the merger between state and regime culminated the dynamic of state capture that had defined post-independence politics.

At 81 years of age and after two decades of near absolute power, in 1985 Siaka Stevens decided to retire, and chose the top military official in Sierra Leone as his successor to the presidency. Joseph Momoh, also a Limba, had been groomed by Stevens through the higher echelons of the armed forces, and the elderly President saw in him a guarantee of stability, able to keep the military appeased without fundamentally disrupting the APC system of capture that he had so painstakingly worked to cement. Early hopes that Momoh would preside over institutional reforms were dashed when it became clear that the tame President was unable to match high-flying rhetoric with meaningful actions. Unable to dismantle the informal networks of state capture set up by Stevens, Momoh chose instead to build his own financial position by empowering foreign investors and members from his own Limba ethnic group (the “Binkolo mafia,” so called after Momoh’s home town) (Kandeh 1992, 93). In July of 1990 a document from the Sierra Leonean Bar Association encapsulated the widespread frustration with the APC’s rule under the new president, and listed all the ways in which the state was being subverted at the time: “rampant bribery and corruption in every aspect of public life; unabated misuse and mismanagement of public funds and property at every level of government; non-accountability of members of government, civil servants and all other persons in positions of trust and responsibility in respect of their dealings with public funds and property while in the discharge of their duties; thinly-veiled nepotism and tribalism in every area of government and public life” (Gberie 2005, 36). The deleterious effects on state strength of private capture on such a grand

scale would become painfully evident after March of 1991, when the Revolutionary United Front (RUF) launched an insurgency into Sierra Leone from its Liberian border.

The Political Economy of War and the Primacy of Private Actors

The RUF was a motley crew of Sierra Leonean dissidents, Burkinabe mercenaries, and Liberian rebels financed by Liberian warlord Charles Taylor in retaliation for Sierra Leone's support to the ECOWAS mission that was hindering his take-over across the border (discussed below). Its leader was Foday Sankoh, a former army corporal and erstwhile photographer embarked on a personal vendetta against the APC regime (Abdullah 1998; Gberie 2005, chap. 3). A band of approximately 300 rebels crossed the Liberian border near the town of Bomare on March 23rd, 1991, and over the following months they pillaged and plundered the eastern districts of the country, disrupting mining in some of the richest diamond fields that lubricated the shadow state. The complacent officialdom and unequipped soldiery that Stevens and Momoh had created proved to be utterly unable to counter this threat (Fyle 1993, 10). Momoh's answer was to flood the ranks with new recruits: unemployed and uneducated youth literally taken off the slums of Freetown and given a couple of weeks worth of training (Ero 2000, 19; Keen 2005, 97). Despite this ostensible effort to defeat the RUF, resentment began to brew among the military that the funds that the President was supposedly channeling for the war effort were being siphoned off by corrupt officials and commanders. A year after the beginning of the rebellion, a group of disgruntled soldiers ousted Momoh and installed a military junta in his stead. Calling themselves the National Provisional Ruling Council (NPRC), they designated Captain Valentine Strasser as their leader. Although recruited into the army under the single party's patronage

system, the 27-year-old Strasser nonetheless harbored intense resentment towards the APC regime (Gberie 2005, 70). Under his chairmanship the NPRC launched a number of investigations into the corrupt practices of Momoh and his entourage, leading to arrests and the seizure of assets and money (Hirsch 2001a, 35). There were no regulations or constraints on what to do with the confiscated wealth, however, and it soon became apparent that the NPRC leaders were no less skilled than their civilian predecessors at deriving private profit from their position of public power (Kandeh 1996).

The fundamental incapacity or unwillingness of the NPRC junta to act in the public interest led to a situation in which the war came to be waged by private actors acting on a variety of motivations. On the one hand, Strasser replicated Momoh's recruitment strategy, swelling the armed forces with undisciplined thugs who came from exactly the same social extraction that the thousands of youth who were flocking to the RUF under the promise of wealth and power. Soon a segment of the rank and file began to engage in convivial barter and even joint plunder with their RUF counterparts, thus becoming "sobels": soldiers by day, rebels by night. Given the manifest inability of the state to protect its citizens, Sierra Leoneans turned traditional hunter militias into paramilitary units fighting a bush war against the RUF. Organized on an ethnic basis and expanding their traditional obligation to act as village protectors, militias like the Kamajor and Tamaboro became a third major faction in the war, protecting interior communities from the ravages of RUF and sobels alike (Ero 2000, 21–22; Hoffman 2007). Finally, the NPRC itself had to contend with its military failure by engaging foreign security companies like Gurkha Security Guards and Executive Outcomes to fight in their behalf. In January of 1995 the RUF had seized

the bauxite and titanium dioxide mines in the south-western Moyamba and Bonthe districts, coming perilously close to Freetown. The arrival of Executive Outcomes two months later helped stop the onslaught and actually turn the tide against the RUF, thanks to its South African-trained mercenaries and tactical air support capabilities. It was unclear how the NPRC could afford the company's fees, and a few months into the contract the government was already millions of dollars in arrears. There is evidence to the fact that the NPRC contracted exploitation of eastern diamond fields to a sister company of Executive Outcomes in exchange for military support and a healthy percentage of the profits (Hirsch 2001a, 39–40; Musah 2000).

Social unrest began to grow in the capital and the NPRC began to toy with the idea of a transition to a democratic government. Elections were eventually scheduled for March of 1996. However, Strasser himself was not ready to relinquish power so easily, and he let it be known that he was intending to stand in the presidential election despite being 10 years younger than the minimum age of 40 mandated by the constitution. Growing mistrust of the ambitious Captain among the high-ranking military resulted in a bloodless palace coup on January 16th, 1996. The new military leader, Brigadier Julius Maada Bio, was the son of a Mende paramount chief, and had been deployed to Liberia in 1990 to participate in the ECOMOG mission against the rebels. Together with Strasser and other prominent NPRC members, Bio had been part of the 600-strong battalion set up by Momoh to specifically defeat the RUF in 1991. But by 1995 he belonged to the faction within the NPRC that favored holding democratic elections as soon as possible. On March 29th, 1996 he handed over power to the newly elected President of Sierra Leone, Ahmad Tejan Kabbah of the SLPP (Kandeh 1998).

An ethnic Mandingo on his father's side and Mende on his mother's, Kabbah had been a lawyer before joining the civil service and working his way up to the post of permanent secretary of various ministries under Albert Margai. A commission of inquiry set under the first Stevens government had implicated him in corrupt affairs, and went so far as to say that he "lack[ed] integrity ...and could easily lapse into corrupt practices...which disqualifies him from holding any high office for which good character and integrity are prerequisites" (Kandeh 2008, 604). At the time he decided to leave Sierra Leone and eventually he became a senior official at UNDP in Africa and New York until his retirement in 1992. After the military coup that very year Kabbah was asked by the NPRC to chair a National Advisory Council tasked with -among other things- writing a new constitution, and by 1996 he had successfully become a compromise candidate for the SLPP's presidential bid (Fyle 2006, 80–81). The 64-year-old garnered 59% of the popular vote, defeating elderly politician John Karefa-Smart, who thirty years earlier had been the presumptive successor of Milton Margai before Albert defeated him. Kabbah's victory ushered the SLPP back into power after three decades, riding on a wave of deep-seated public resentment against the APC, which managed to garner a meager 5% of the vote. The same series of military successes which had allowed the elections to be held eventually pushed the RUF to the negotiating table, and after five months of discussions President Kabbah signed the Abidjan Peace Accord with Foday Sankoh on November 30th, 1996 (Bangura 2000). The agreement required the RUF to demobilize and the government to finalize its contract with Executive Outcomes, which Kabbah did in February of 1997. This would turn out to be a fatal mistake.

The return of democracy had done little to appease the concerns of one particular

constituency: the war-time military. Everyone seemed to be getting something out of democracy at Abidjan except the armed forces: RUF members would all be granted amnesty; Mendes seemed to be flocking to lucrative government positions in the wake of the SLPP's victory; and the Kamajor hunter militias, which were also Mende, seemed to enjoy significantly more favor with Kabbah than his own military did. On May 25th, 1997, barely two months after the withdrawal of Executive Outcomes, a military coup ousted the democratic government on accusations of tribalism and corruption (Gberie 2005, 107; Hirsch 2001a, 56). The plotters freed from prison 37-year-old Major Johnny Paul Koroma, who awaited execution after an attempted coup in August 1996, and designated him Chairman of an Armed Forces Revolutionary Council (AFRC). As the definite expression of the "sobel" phenomenon, one of the AFRC leadership's first decisions was to invite the RUF to join them in power. Kabbah and his government escaped to Conakry (Guinea), and from exile they set out to coordinate the reconquest of Sierra Leone, relying on a formal military alliance between Nigeria and the Kamajor militias (Musah 2000, 93).

The spectacular reversal of the AFRC coup propitiated the internationalization of the Sierra Leone conflict, which up until then had been a largely internal affair. Foreign support for the embattled Kabbah government coalesced around two powerful countries, an European one and an African one. The United Kingdom was Sierra Leone's former colonial power, home to a sizable diaspora community which was closely following the events in its home country. It was British assistance that had funded the 1996 elections, and provided financial backing to the new democratic government (Hirsch 2001b, 53). Across the border, the Nigerian-led ECOWAS

Monitoring Group that had opposed rebels in Liberia in the previous year regarded the AFRC-RUF alliance with great concern: the Lungi airport across the bay from Freetown had been one of its major logistical bases for operations, and a small Nigerian contingent had actually maintained control over it after the coup. At a summit in Abuja in August of 1997, ECOWAS members decided to extend the ECOMOG mission into Sierra Leone following a three-pronged strategy of dialogue, sanctions, and use of force (Bangura 2000, 556). A provisional settlement was brokered in Conakry the following October, but after the AFRC-RUF violated it the Nigerians pushed for a military solution. The United Kingdom, meanwhile, provided support for the exiled administration and promoted a UN arms embargo on Sierra Leone. Pressed with the problem of channeling financial and logistical assistance to the Nigerians and civil defense forces, however, senior British officials facilitated the entry of private firm Sandline International, which belonged to the same business network that headed Executive Outcomes. The Kabbah government hired Sandline to train the Kamajors, co-ordinate with the 20,000 ECOMOG troops hunkered down in Lungi, and assist in the planning and execution of a major assault on Freetown, which would combine Nigerian forces, Kamajor militias, and about 200 Sandline mercenaries armed with 35 tons of Bulgarian AK-47s, mortars, and ammunition (Musah 2000, 98–99).

On February 18th, 1998, the assault on the capital was launched, and shortly thereafter the AFRC-RUF were driven out of the Freetown peninsula and far into the interior. Kabbah returned with his government, and appointed the Kamajor leader Sam Hinga Norman Minister of Defense. Instead of a resounding victory, however, the ECOMOG operation resulted in a status

quo not unlike the one prevailing in the early years of the war, and Nigerian troops too began to engage in widespread pillaging and illicit diamond mining. Moreover, the Sierra Leonean military was filled with disloyal soldiers who turned on the Nigerians on several occasions, and the RUF and AFRC felt soon emboldened enough to launch a devastatingly violent attack on Freetown on January 6th, 1999, which caused 2000 civilian deaths (according to official figures at the time) and destroyed public buildings like the central police station and the Ministry of Defense. However, the rebels were unable to hold these territorial gains in the face of the ECOMOG response, operation “Death Before Dishonor,” which expelled the RUF-AFRC from Freetown by January 19th with intelligence and reconnaissance support from a British navy ship (“No Surrender, No Deal” 1999).

In the ensuing stalemate the coordinated response of the UK, US, and UN was to push for negotiations (“Leaving for Lomé” 1999). The combination of external pressure on the RUF and the “near bankruptcy” of Kabbah’s government led to a ceasefire on April 17th, followed by a peace agreement signed in Lomé on July 7th between President Kabbah and the RUF’s Foday Sankoh. The agreement issued a general amnesty and established a government of national unity in which the RUF would have four ministers, three deputy ministers, and several parastatal directors (“A Deal in Lomé” 1999). Sankoh himself, who had been tried and sentenced to death the previous year, was appointed in an ironic twist Chairman of the Commission for the Management of Strategic Resources, National Reconstruction, and Development, giving him official oversight over the very diamond fields his RUF had exploited at gunpoint. Compared to its former rebel partners, the AFRC gained little from Lomé, having been deliberately excluded

from the negotiations; nevertheless, Johnny Paul Koroma was given another prominent and -again- somewhat ironic position in the new government as Chairman of the Commission for the Consolidation of the Peace (UNAMSIL 1999, para. 5). In order to ensure the peaceful implementation of the agreement, the UN Security Council approved in October of 1999 the United Nations Mission in Sierra Leone (UNAMSIL), which began deploying in December in order to take over from a spent Nigerian force.

Despite the generous terms of the peace agreement, it soon became apparent that the RUF's commitment to the process was minimal at best. Clashes between rebels and blue helmets became frequent at demobilization sites, with the RUF seizing weapons and vehicles from the hapless peacekeepers (UNAMSIL 2000b, para. 12–14). The confrontation escalated dramatically in May of 2000, when the RUF overpowered and took hostage about 500 UNAMSIL peacekeepers and seized about 5,000 small arms. With the country once again in the brink of collapse, the United Kingdom deployed 1,200 troops with air and naval support under "Operation Palliser," aimed at evacuating nationals and providing support to UN peacekeepers ("The battle for Freetown" 2000). Suddenly a powerful new player on the ground, the British rejected the UN's continued preference for salvaging the Lomé Agreement, and instead pushed for a military solution to the RUF problem (Olonisakin 2008, 66). Even after the brunt of the expeditionary force left the country in mid-June, hundreds of British military officers remained in Sierra Leone as military trainers and advisers. Sierra Leoneans cheered British troops, some of them reportedly asking for the United Kingdom to establish a trusteeship over Sierra Leone ("Bringing back the British" 2000). Overwhelmed by the British intervention and a re-energized

UNAMSIL, and severely weakened by counterattacks on its bases and supply lines in Liberia and Guinea, in November the RUF settled for a new ceasefire agreement signed in Abuja under the auspices of UNAMSIL and ECOWAS (UNAMSIL 2000a). After the commitment of RUF leaders to the peace process came into question, Foday Sankoh and his fellow rebel ministers were arrested while RUF and CDF demobilization proceeded at an increasing pace (“The cost of Kabbah” 2001). The President declared the official end of the war on January 18th, 2002.

Reconstruction Government and the Return of Ethnopolitical Clientelism

Kabbah’s first five-year term was slated to end in March of 2001, but it was prolonged an extra year to pursue disarmament and allow enough preparations for the first round of post-conflict elections. Opposition groups denounced their lack of capacity for electoral organization and campaigning, and called for a government of national unity. However, the government stuck by its calendar and Sierra Leoneans finally went to the polls on May 14th, 2002. In contrast to 1996, when Kabbah had been forced to a second round run-off, the SLPP arrived at the polls as the party that had ended the war. Charles Margai, son of Albert and nephew of Milton, challenged Kabbah for the party’s nomination, but he was outmaneuvered and excluded from the convention on a technicality by an alliance of party notables and Kabbah stalwarts (Kandeh 2003, 97). Given the foreseeable SLPP victory, the real question was who would galvanize the opposition vote after a decade of war, and thus define the political alternative of the post-conflict period. Would it be the Revolutionary United Front Party? The elderly John Karefa Smart, who had credibly challenged Kabbah in the 1996 elections with his United National Peoples Party? Or perhaps even Johnny Paul Koroma, now a born-again Christian headlining the Peace and

Liberty Party? With the election results in, the answer was simultaneously surprising and predictable: the second most voted party in 2002 was the All Peoples' Congress, which rose meteorically from 1996's 5% of the vote to 22%. However, the undeniable victor was Ahmad Tejan Kabbah, whose ticket received an overwhelming 70% of the vote from a relieved and grateful citizenry.

By the time of his re-election, Kabbah was 70 years-old, and had shored up his position during his first mandate by doling out cabinet portfolios to smaller opposition parties and ensuring that none of his potential challengers within the party occupied powerful positions ("Moving the mandate" 2000). The President claimed that his 22-person cabinet was representative of all regions and groups, but in fact it was dominated by "SLPP stalwarts from an aging political class" ("Kabbah's cabal" 2002). Kabbah surrounded himself with a mix of trusted "old guard" notables, international bureaucrats, and younger and ambitious SLPP political insiders: the SLPP leader in Parliament, S.B. Marah, had first been elected to office in 1958; the Minister of Finance, James Jonah, was a former UN Under-Secretary for Political Affairs whom Kabbah had met decades earlier during his UNDP career; and the Attorney General and Minister of Justice since 1996, Solomon Berewa, was a powerful SLPP player whom Kabbah later appointed as his Vice-President. This diverse coalition of elders, technocrats, and political operators heavily constrained the President's ability to implement his reform agenda, lest he antagonize any one of the multiple power bases which he was forced to juggle (International Crisis Group 2001b, 5). Despite an avowed commitment to transparency and the prosecution of embezzlement and graft ("Sierra Leone's War Against Corruption" 1999), Kabbah's government

soon found itself under suspicion of widespread corruption, as it transpired that at least four of his ministers were involved in illicit diamond trading (International Crisis Group 2001a, 10–11). As I detail in chapter five, the SLPP’s political interference with public administrative institutions was particularly evident regarding the Anti-Corruption Commission, with the successive attorneys general blocking prosecution of key public actors (“A matter of graft” 2005).

By the equator of Kabbah’s second mandate, Solomon Berewa -or “Solo B,” as he was known- had become the unofficial “president number two” of Sierra Leone. Before the 2002 elections the rumor had spread that Kabbah had agreed with Berewa to step down and hand over the reigns of both party and state (“Model justice, for some” 2003). Despite the Vice-President’s denials, Kabbah did announce in 2003 that he was too weary to continue as SLPP leader, and that as a result he was scheduling a leadership convention for September 2005, two years before the next round of elections. It was apparent that with this gesture the President had made himself a “lame duck,” and in fact his deputy began to gradually assume some of Kabbah’s governing responsibilities (International Crisis Group 2007, 5). Berewa was even more beholden to the SLPP patronage engine that Kabbah the outsider ever was. As Attorney General he was accused by the Anti-Corruption Commission of blocking prosecution of sympathetic public officials, and these concerns were not dispelled when a close political ally was appointed as his successor in 2002 (International Crisis Group 2002b, 16).¹ After the party conference backed him as SLPP leader and presumptive presidential candidate in September 2005, Solo B embarked on a

1 When Okere Adams, Minister for Marine Resources, was arrested on corruption charges in 2005, the government prevailed upon the courts to drop the case. Adams, by then a key fundraiser for Berewa’s presidential campaign, was simply moved to the Ministry of Tourism (“Aid and votes” 2007).

seemingly unstoppable trajectory towards State House (“Flying with Solo B” 2005). However, in a remarkable turn of events, Berewa would actually lose the presidential elections of 2007.

The surprising defeat of Berewa at the polls was rooted in four separate factors. First, the government’s interference with anti-corruption efforts and failure to release audits of foreign aid prompted the European Union and United Kingdom to freeze their financial support to the government. This powerful signal only confirmed popular suspicions that Kabbah’s government was more interested in self-enrichment than actual reform (“Doing good, not doing well” 2007). Second, the SLPP suffered significant defections from former Kamajor supporters who left the party when Chief Samuel Hinga Norman died while in the custody of the Special Court (Kandeh 2008, 611). Third, the party also arrived at the polls with a split base after Charles Margai defected in order to form his own political platform, the People’s Movement for Democratic Change (PMDC). Margai, nephew and son of the country’s two first prime ministers, had challenged Kabbah’s leadership in 1996 and again in 2002, and in 2007 he had competed with Berewa for the SLPP’s presidential nod. Feeling belittled by the Vice-President and his supporters, Margai seceded from the party and took with him a sizable portion of southern -Mende- politicians (International Crisis Group 2007, 3). That meant that, not only was Berewa’s image tarnished by corruption scandals, he would also have to share the vote of his traditional ethno-regional constituency with another party. And fourth, while the SLPP disintegrated in internal power struggles, the All Peoples’ Congress (APC) had been reborn under the leadership of Ernest Bai Koroma.

A Temne insurance businessman and protege of Jamil Sahid Mohammed (a former APC

financial backer), Koroma had been an active member of the party's youth league in his college years (Kandeh 2003, 197–198). As a presidential candidate in 2002, he had managed to turn the disgraced APC into the second most voted political party. However, as a relative outsider his hold on the party was at that stage tenuous, to the extent that his nomination was challenged in court by his opponents (“Heading for the door” 2002). By 2007 Koroma had become a more savvy political player, and as part of his campaign he cunningly seized on donor and popular dissatisfaction with government corruption, promising to strengthen the Anti-Corruption Commission and run Sierra Leone as a “business concern” based on merit and not ethnicity (International Crisis Group 2008, 10).

The APC's strategy produced the desired results when Sierra Leoneans went to the polls on August 11th. In the parliamentary elections, Koroma's party obtained 40.73% of the popular vote to the SLPP's 39.54%, a small advantage that the first-past-the-post electoral system amplified into a difference of 59 to 43 parliament seats. While the Northern vote coalesced around the APC, the Southern electorate gave the Margai's PMDC 10 seats, all of them formerly held by the SLPP (Kandeh 2008, 619–620). In the presidential election Koroma won 44.3% of the vote, increasing the APC's share in all regions, whereas Berewa obtained 38.3% and Margai 13.9%. With none of the candidates achieving the 55% minimum required by law, a second round of elections was held on September 8th. Despite the SLPP's efforts to rally Southerners around Berewa, Margai in fact threw his support behind Koroma in an unforeseen Temne-Mende political alliance that propelled Koroma to victory with 54.62% of the vote, almost ten points ahead of Berewa's 45.38%.

Once in power, Koroma and his governments exhibited a split personality: on the one hand, the reformist president who surrounded himself with a group of respected technocrats and pushed an aggressive agenda of change; on the other hand, the APC leader who enlisted the support of party insiders and indulged in the same clientelistic practices that he had criticized in his SLPP predecessors. At the end of the day, the administrations of Ahmad Tejan Kabbah and Ernest Bai Koroma turned out to be not so different from each other. They were both forced to reconcile whatever reformist urge they felt with the realities of a system of ethnopolitical clientelism in which the SLPP and APC differed in terms of region and not so much of methods. Both governments were faced with the inescapable contradiction of seeking to promote public institutional reform from a political position predicated on strong private incentives for state capture. The empirical chapters below will explore what happened once foreign donors encountered this administrative paradox.

Table 3.1: Sierra Leone, Economic and Political Indicators

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
<i>Population (millions)</i>	4.30	4.50	4.73	4.95	5.15	5.33	5.48	5.61	5.73	5.87
<i>GDP (current US\$ millions)</i>	805.66	935.82	991.11	1096.03	1239.4	1422.01	1663.71	1954.83	1856.39	1905.02
<i>Per capita GDP (PPP, current US\$)</i>	437	541	576	608	647	693	739	778	799	827
<i>Polity2</i>	2	5	5	5	5	5	7	7	7	7
<i>WGI Government Effectiveness</i>	n.a.	-1.51	-1.23	-1.12	-1.35	-1.18	-1.19	-1.17	-1.2	-1.19
<i>WGI Regulatory Quality</i>	n.a.	-1.27	-1.15	-1	-1.08	-1.17	-1.06	-0.97	-0.78	-0.72
<i>WGI Rule of Law</i>	n.a.	-1.33	-1.22	-1.09	-1.19	-1.06	-1.05	-0.97	-0.91	-0.94
<i>WGI Control of Corruption</i>	n.a.	-0.75	-0.91	-0.88	-1.1	-1.04	-0.89	-0.93	-0.93	-0.76
<i>TI Corruption Perceptions Index</i>	n.a.	n.a.	2.2	2.3	2.4	2.2	2.1	1.9	2.2	2.4

Sources: World Development Indicators, Polity IV Data Series Version 2010, Worldwide Governance Indicators, Transparency International.

The post-conflict trajectory of Sierra Leone is a mixed picture of economic recovery and timid institutional transformations. As Table 3.1 shows, population increased by a third in the decade following the end of hostilities, the country's GDP more than doubled from under \$1 billion to almost \$2 billion, and consequently so increased per capita GDP. It is not the purpose of this dissertation to ascertain to what extent this growth was the result of good governing by Kabbah and Koroma, or simply the natural rate of recovery for a war-torn economy that gradually relocates to more or less formal productive sectors. A better indication of government achievements can be found in some of the most commonly used country-level governance datasets. The Polity data, for instance, undeniably confirms the swift trajectory from civil war to democracy in Sierra Leone, as vindicated by the peaceful turnover from SLPP to APC in 2007.

The Worldwide Governance Indicators, which are as close to a cross-national measure of state-building as we have, point to both continuity and change. While there was a marked improvement in the Sierra Leonean government's regulatory quality and rule of law, both government effectiveness and control of corruption remained in the average static during this period. Transparency International's Corruption Perceptions Index confirms this latter trend of stability and continuity. It is tempting to read these five indicators together as a story of institutional redesign without administrative enforcement. However, aggregate-level data of this kind does not provide information on the lower-level processes of state-building that I study in this dissertation. As the empirical cases of assisted reform in Sierra Leone will show, each sector had its own institutional dynamic, and it is only within it that the identities and incentives of local and international actors become causally evident.

3.2 The Path to State Collapse in Liberia

Ellen Johnson Sirleaf dazzled the West in 2006 with her victory in Liberia's first post-conflict elections. To Liberians themselves and to veteran observers of the country, however, she was far from a new face. Madam President had been at the forefront of opposition and high-level politics since the early 1980s, angering the military junta of Samuel Doe, temporarily supporting the military rebellion of Charles Taylor, losing to him in the 1996 election, and then jockeying to become the Chairman of the National Transitional Government of Liberia in 2003. Unlike Sierra Leone, shaped so profoundly by the two-party alternation between APC and SLPP, the recent history of Liberia is defined by the disintegration of traditional power organizations and

arrangements which had structured the settler colony for 150 years, and by the emergence of powerful politicians who have been competing with each other through ever-shifting alliances and networks since the 1980s. The debacle of the national transitional administration under Gyude Bryant as well as the appearance of timid success under Johnson Sirleaf have to be explained with reference to a pattern of big men politics whose seeds were planted sixty years earlier, and which has kept Liberian politics in a seemingly insurmountable state of uncertainty and disarray in the decades since.

The Decline of the True Whig Party and the Rise of Samuel Doe

Liberia was born in 1820 as a colony for freed African slaves from the United States, and it acquired sovereign status in 1847. Since 1878 the country was governed as a settler fiefdom by the True Whig Party, which over time extended bureaucratic government throughout the interior of the country not to grant political rights but to incorporate the counties into a hierarchical clientelistic system. Early on it became a public official's main concern to "know the system" in order to exploit it to his advantage (Brown 1989), and this patrimonialism served as the basis for stability and predictability until 1943. As Party big men arranged yet another orderly succession behind closed doors, little did they know that their decision would drastically alter the tenor of government in Liberia, propelling the country down the path to eventual state collapse.

In 1943 President Edwin Barclay mediated the dispute between competing aspirants and eventually appointed Associate Justice William S. Tubman (1895-1971) as his successor and presidential candidate for the upcoming elections. In the conciliatory spirit of inclusive patronage that had come to define the True Whig Party, Tubman's rival for the nomination was designated

by Barclay and other notables as vice-presidential candidate, and it seemed that the Associate Justice would become just another one in the long line of True Whig presidents, whose main responsibility was to protect the privileged status of settler descendants relative to the native population. After the election, however, Tubman set out to consolidate his own political position by displacing the “old guard” with settler and native notables who were personally and politically loyal to him. “Through such patronage by which he removed the distinction between public and private resources, he ‘made’ men, established alliances with certain prominent elements of the old order, and extended his clientele of spoils to include large numbers of indigenes in the hinterland and in urban centers” (Dunn and Tarr 1988, 62). In response to this blatant break with the status quo, Tubman was challenged in the 1955 elections by the very man who had appointed him, former President Barclay. The attempt to unseat Tubman ultimately failed, however, and thereafter no one else was able to mount a political alternative to the president during his lifetime.

The reasons for Tubman’s tenacious survival can be found in the particular kind of political economy that he promoted. Perhaps his central achievement was the adoption of a policy of “Open Door” to foreign investment as an official strategy for national development. Unofficially, though, the policy also served to enrich him and his clients and thereby to consolidate his grasp on the Executive Mansion. Consider the ownership of rubber plantations that Firestone and other foreign companies were avidly exploiting: a sizable -and profitable- proportion of land belonged to Tubman himself (1,600 acres), to the True Whig Party treasurer (1,040 acres), and to Vice-President Tolbert (600 acres) (Dunn and Tarr 1988, 64). By creating an

entirely new source of economic rents and keeping it under tight political control, “Tubman’s Open Door Policy disenfranchised those settlers and natives who were not an integral part of his loyal patronage network” (Levitt 2005, 189). Even before he was secure beyond political challenge, in 1951 Tubman had the Legislature amend the constitution to allow a president unlimited four-year terms. This was an egregious violation of the principles and traditions which had governed the settler elite, rooted in United States institutions and lore. “Being an outsider,” however, “Tubman was not bound by the social constraints that had obliged his twentieth century predecessors to continue a Monrovia high society tradition of national leadership.” (Sawyer 1992, 280) He was the first Liberian President to promote the security services, for instance, and he “transformed what began as an informal welfare and pension scheme into a full-blown network of informants, called public relations officers (PROs), reporting directly to the executive mansion” (Sawyer 1992, 282). By establishing new institutions and organizations of control, William Tubman extended his personal domination over the Liberian state, but he also eroded the basis of political participation and inclusion which had kept settlers and native leaders more or less united.

Upon Tubman’s death, his Vice-President naturally assumed the highest office in Liberia. William R. Tolbert Jr. (1913-1980) had been a Government’s disbursement officer (1936-43), Member of the House of Representatives (1943-51), and Vice-President (1952-71) once Tubman was able to get rid of his former True Whig Party rival. In classic patrimonial fashion, Tubman had married one of his daughters to Tolbert’s oldest son as way to cement his personal loyalty. But how such a famously uncharismatic and disconnected individual could have become

president was a source of much puzzlement to everyone at the time. “His rapid rise to the vice presidency,” later wrote two public officials, “is attributed to Tubman’s desire to have someone too inexperienced, unpopular and ‘mean’ (stingy) to become a rival following the experience with his first vice president” (Dunn and Tarr 1988, 67). Slowly but surely, however, the entire Tolbert family came to occupy positions of power in Monrovia: older brother Frank was a senator and Tubman confidant, and younger brother Stephen was a successful entrepreneur who later became his brother’s Minister of Finance.

As President, William Tolbert seemed at first a true reformer. He very vocally set out to replace the inherited patronage system (which had propelled him to power) with a modernized civil service, establishing a political alliance with “such emergent social groupings as the intelligentsia, technicians and professionals, trade unions, and others who had felt disaffected with Tubman” (Sawyer 1992, 287). Nevertheless, he soon came across stiff resistance from an “old guard” weary of losing its privileges, as well as from the younger radicals who came to find widening discrepancies between presidential rhetoric and practice. For instance, the President stopped a smuggling investigations once it became clear that his brother the senator had been involved, and stalled implementation of anti-monopoly recommendations which would have threatened his own business interests (Dunn and Tarr 1988, 75). Opposition groups began to coalesce around a few prominent students and activists, and popular dissatisfaction with the government became alarmingly defiant. In April 1979 a proposal to raise the price of rice sparked widespread rioting against the government, which led Tolbert to replace the respected chief of the armed forces with a politically pliable officer and to appoint his son in law as

Minister of Defense. In an address to the nation shortly thereafter he rebuked all criticism of his relatives' political involvement by claiming that they were acting "within the pale of the law" (Dunn and Tarr 1988, 76). The political crisis escalated dramatically in the following months, until April 12th, 1980, when a group of 16 non-commissioned military officers (2 staff sergeants, 4 sergeants, 8 corporals, and 2 privates) led by master sergeant Samuel Doe successfully staged a coup, assassinated Tolbert, and established the People's Redemption Council.

The new military regime defended its take-over in its first policy statement: the coup had been "most necessary," they argued, because of "uncontrolled corruption." As successors to a depraved government, the junta members set for themselves the task of "building a new society" and fostering "real change" in Liberia (Dunn and Tarr 1988, 94). As sincere as Doe and his co-conspirators may have been in their disdain for the settler oligarchy of the True Whig Party, their regime merely "changed the character of overcentralised and predatory rule, but did not end it" (Sawyer 2004, 443). With a new and crucial constituency now linked to the sinews of power, public expenditure on national security skyrocketed from \$17.8m in 1978-79 to \$44.6m in 1980-81 (Dunn and Tarr 1988, 97). In the drive to secure widespread support through overt political patronage, the public sector payroll too increased from 18,000 in 1979 to 56,000 by 1983 (Dunn and Tarr 1988, 126-127). To complement his pilfering of state coffers, Doe would soon find a bountiful source of external revenue in a United States afflicted by the tunnel vision of the "second Cold War." When it transpired in 1984 that Doe was planning to pay a visit to Muammar Qaddafi in Tripoli, the US government sent ambassador Vernon Walters armed with \$5m in economic assistance to convince Doe to cancel his trip (Adebajo 2002, 34). In the following

years Doe became America's man in West Africa.

Upon assuming power, the People's Redemption Council had decreed a ban on all political activities, however this was assumed to be a temporary measure until the time was right for elections. When the ban was eventually lifted on July 26th, 1984 in preparation for the upcoming 1985 elections, Samuel Doe was the first person to declare his candidacy for president as leader of the National Democratic Party of Liberia. His electoral victory was a foregone conclusion, one way or another. During the vote count, Doe went so far as to order his soldiers to beat or arrest anyone predicting an electoral defeat, and his Minister of Justice threatened to prosecute anyone who claimed the recount was proceeding too slowly (Adebajo 2002, 29). And so master sergeant Samuel Doe was inaugurated as President of Liberia on January 6th, 1986, when he communicated his program to his fellow citizens in a lofty address. "As your president, I have a vision of the New Republic," he said. "I see it as a place where everyone is working honestly for a livelihood, where honesty and integrity are of the highest standards. But more than this, I see the New Republic free from lies, gossips and make beliefs, which often tend to divide us" (Dunn and Tarr 1988, 122).

The promise of change did not lead to any meaningful reforms. If anything, President Doe actually perfected the patronage system which Tolbert had nurtured, coupling it with widespread repression of any semblance of opposition and with the blatant promotion of his Krahn ethnic group in the military and the civilian state apparatus. Politics became so personalized that "political alignment for Doe or against him seems to have replaced ethnicity and arguably class as the core dividing factor between groups" (Levitt 2005, 199). Thought to

have diverted \$300m for patronage and personal profit during 1980s, Doe exercised direct control over the Forestry Development Authority, which collected logging fees independently from the Ministry of Finance. Ironically, the system of capture and deceit that he had created eventually came to unnerve him, as he intimated to US secretary of state George Schultz in 1987: “corruption is everywhere,” he told him, “I don’t know who to trust anymore” (Reno 1998, 85). The exaggerated capture of public assets for private benefit would eventually prove Doe’s demise. Official US support for his regime ended in 1988 after an attempt to place foreign auditors in key positions to oversee public finances failed miserably (Reno 1998, 87–88).

Taylorland and the Disintegration of Public Authority

Not all members of the military junta had been equally satisfied with the way that Doe’s regime had evolved, and one of them, Thomas Quiwonkpa, was particularly dissatisfied. A prominent military official hailing as many of the troops from Nimba county, Quiwonkpa had quickly become a popular figure, garnering praise and respect for his Spartan attitude. His apparent honesty would in fact become a liability for other members of the junta, for instance when he refused to replace his Honda Civic with an expensive car or to move into a luxurious house “when many of his government colleagues had done so” (Reno 1998, 85). Weary of his rising prominence, Doe dismissed Quiwonkpa from government, although he later offered him the position of secretary-general of the People’s Redemption Council (Levitt 2005, 201). Such overtures did not stop the veteran military officer from staging a failed coup, which led to his eventual capture and death. Even after his defeat, however, his campaign against Samuel Doe would live on with the rebellion of Charles Gankay Taylor.

Born in Monrovia in 1948 the son of an Americo-Liberian father and a Gola mother, Charles Taylor actually received his education in Boston, where he obtained an economics degree from Bentley College. He returned to Liberia in 1980 and after the coup his managerial skills earned him a position as an administrator for the military under the patronage of Thomas Quiwonkpa. When the veteran military officer found out that Taylor had not received any public office from the People's Redemption Council, he recommended Taylor to Doe secured for him an appointment as Director General of the General Services Agency, the Liberian government's central department for procurement. Taylor's skill as a public manager actually earned him enemies within the PRC regime, and in 1981-82 allegations surfaced that he had embezzled \$922,382. After flying to exile in the United States, he was arrested in May 1984 in Massachusetts and imprisoned awaiting extradition. However, Taylor and a few other convicts managed to escape jail and make his way back to West Africa, where he visited Doe's opponents in Lybia, Burkina Faso, Côte d'Ivoire, Ghana, and Sierra Leone (Reno 1998, 92). On Christmas Eve, 1989, he launched an insurgency against Doe together with a band of rebels calling themselves the National Patriotic Front of Liberia (NPFL), claiming to pursue the same struggle that Quiwonkpa had begun.

Feeding off ethnic tensions between the predominantly Krahn Armed Forces of Liberia (AFL) and the disaffected Gio and Mano populations of Nimba county, the NPFL insurgency unleashed a thunderstorm in Liberian politics, unraveling the ethnopatronage regime which Samuel Doe had built over the previous nine years (Ellis 1999). Seeking to broaden his political base against Taylor, the President tried everything: he released political prisoners, legalized

political parties, promised free and fair elections, and raised civil service salaries. However, AFL killings of Gio and Mano civilians in retaliation for NPFL actions only worsened his situation. In May 1990 he visited Nigeria's head of state, general Ibrahim Babangida, in search of support. Soon afterward he turned to his former international patron, the United States, even publishing a public appeal in the *Washington Post*: "We in Liberia have always considered ourselves 'stepchildren' of the United States. We implore you to come help your stepchildren who are in danger of losing their lives and freedom" (Adebajo 2002, 42–43). Just as the regime struggled to adjust to the new and volatile situation, so did the leading figures of the political opposition, among them university professor Amos Sawyer and international bureaucrat Ellen Johnson Sirleaf. Both were prominent political exiles at time of the NPFL invasion as leaders of the opposition Association for Constitutional Democracy in Liberia, which had 2,200 members in the United States. The anti-Doe insurgency actually managed to split the exiles, with Johnson Sirleaf initially supporting Taylor and Sawyer opposing him. The warlord himself was not ready to count them as allies, however. He had little regard for the Association, which he once called "a bunch of cowards . . . [who] run and hide under beds as soon as Doe talks" (Adebajo 2002, 59–60).

After decades of personalist politics, it was a personality rivalry within the NPFL which precipitated the virtual collapse of the Liberian state. Prince Yormie Johnson had been one of Taylor's lieutenants, commander of a more professional wing of the NPFL staffed by former armed forces personnel. After splitting with Taylor to form his Independent National Patriotic Front of Liberia (INPFL), on September 9th, 1990 Johnson and his men successfully broke into

the ECOWAS headquarters in Monrovia where Samuel Doe had taken refuge, seized him, and killed him. In the institutional vacuum that followed almost everyone with a gang declared himself president, including Taylor and Prince Johnson, but also deputy commander of the AFL David Nimley, Doe's former Vice-President Harry Moniba, and other minor warlords (Levitt 2005, 208). With the Gios and Manos on the march to conquer the political kingdom, the Mandingos and Krahn who had been favored by the regime of Samuel Doe began to fear for their future. In May 1991 they organized the United Liberation Movement of Liberia for Democracy (ULIMO) as an anti-Taylor militia led by Alhaji Kromah, a Mandingo and former Deputy Minister for Information under Doe, which later found support from former Doe security forces like the AFL 1st Infantry Battalion. However, the Mandingo-Krahn divide at the core of the anti-insurgency insurgents widened throughout 1992 and 1993 until the militia split into a Krahn branch led by former AFL officer Roosevelt Johnson (ULIMO-J), and a Mandingo branch led by Kromah (ULIMO-K) (Ellis 1999).

By that time Taylor had seized control of most of Liberia, even if Monrovia stayed outside his grasp due to the presence of Prince Johnson's INPFL and some international actors. Unable to access the resources of official sovereign statehood, Taylor settled for a privatized war economy in which he merged international investment, rent extraction, and militarization. Establishing his unofficial capital in Gbarnga, Taylor resorted to the same kind of patrimonial politics which he had accused Doe of promoting. For instance, he designated his brother Gbatu Taylor as head of an "official" Bong Bank and chief intermediary with international arms dealers, and he integrated the Forestry Development Authority that operated in his territory into

the NPFL, assigning the task of overseeing commercial logging operations to his Special Forces Commandos. Foreign companies interested in natural resources were welcomed in Taylorland, but they were sometimes required to supply communications equipment and materiel for the NPFL military effort. In all these informal deals, Taylor required foreigners to pay in American dollars, thus controlling de facto the exchange rate within the NPFL's area of control. Instead of setting up a treasury and a budget process for financing his operations, he simply established internal borders in which his fighters could "collect their own pay." William Reno reports estimates of Taylor's warlord economy as high as \$200-\$250 million a year (Reno 1998, 96, 99). But the parallel state that he set up in Gbarnga was not enough. "While Doe sought to become the leader of a new Liberian oligarchy, and be respected in West Africa and abroad, Taylor's ambitions were more grandiose. He wanted not only to exercise total control over Liberia and all of its resources, but also to be the leader of the Mano basin area" (Sawyer 2004, 445).

At the beginning of the war, most Liberians had turned to the United States as the natural arbiter between the different parties. However, at the time American attention was focused in the Persian Gulf. In testimony to the House Subcommittee on Africa in June of 1990, US assistant secretary of state for African affairs Herman Cohen made clear the American position when he said that the resolution of the civil war was "a Liberian responsibility." When Doe attempted to bring the crisis to the UN Security Council in April 1990, his efforts were frustrated by Côte d'Ivoire and Burkina Faso, which were allegedly supporting Taylor's NPFL. Finding only closed doors in Washington and New York, the civil war became a purely West African crisis: on August ¹⁹⁹⁰ the Economic Community of West African States finally agreed to deploy an ECOWAS

Cease-fire Monitoring Group (ECOMOG) in Liberia (Levitt 2005, 207). At the time Ellen Johnson Sirleaf opposed international intervention and regarded ECOMOG as an invasion force designed to keep Doe in power. In contrast, Amos Sawyer saw greater pragmatism in throwing his support behind ECOMOG in the absence of an American intervention (Adebajo 2002, 60). A few days before the ECOWAS force began deployment, in fact, Nigeria had supported a number of Liberian political groups in establishing an Interim Government of National Unity (INGU), led by none other than professor Amos Sawyer.

The entry of ECOMOG altered the balance of power in Liberia and internationalized the conflict. Taylor, in particular, accused Nigeria (which shouldered up to 70% of the mission's military and financial burden) of "occupying Liberia, of violating its sovereignty, and of perpetrating a 'mercenary' campaign of genocide against its inhabitants" (Sesay 1996, 396). He was not alone in these claims. The fact is that different ECOWAS members supported different factions: Côte d'Ivoire and Burkina Faso openly supported the NPFL against Doe, Sierra Leone and Guinea offered military cooperation to ULIMO, Nigeria supported anti-Taylor factions, and Ghana favored political accommodation (Adebajo 2002, 243). Liberians themselves were not overly satisfied with ECOMOG, and the rapacity and expediency of Nigerian troops eventually gave rise to popular alternatives to the mission's official acronym, like "Every Car Or Moving Object Gone." And while it did throw a wrench in Taylor's plans to take Monrovia, the regional force in fact froze the conflict, as no one faction was thereafter powerful enough to overcome the others. In the meantime West African nations continued to pursue a settlement between the warlords, brokering no less than 14 peace accords between January 1991 and August 1996.

When Ghanaian President Jerry Rawlings became ECOWAS chairman in August 1994, he revitalized the failed peace process with a personal commitment to a speedy resolution to the Liberian conflict and especially the ECOMOG mission, which was quickly becoming unpopular throughout the region (Sesay 1996, 399). In August 1995 West African leaders finally managed to put an end to the First Liberian Civil War in Abuja (Nigeria), getting the NPFL and ULIMO to agree on a political settlement which created a new transitional government to oversee the organization of democratic elections.

Liberians finally went to the polls on July 19th, 1997, and in a desperate attempt to achieve lasting peace they ushered Charles Taylor into the presidency with an overwhelming 75.3% of the vote. His National Patriotic Party obtained 49 of 64 House seats and 21 of 26 Senate seats, with the Unity Party of Ellen Johnson-Sirleaf a distant second, and the All Liberian Coalition Party of ULIMO founder Alhaji Kromah third. International observers deemed the election generally free and fair, but the fact was that the candidates had not entered into a level playing field, as Taylor was the “de facto incumbent” in the election (Harris 1999, 483). According to Sawyer, “Elections were held in an environment awash with arms, with ex-combatants posing in some places as local government functionaries keeping a watchful eye over fearful voters” (Sawyer 2004, 450). Whatever the shortcomings of the process itself, the fact is that Liberians voted for Taylor freely, if only to co-opt him into stopping the war. Besides, the various other candidates were not themselves particularly angelic, as the “taint” of government experience under Tolbert or Doe touched virtually all of them who had not been warlords.

As President, Taylor set out to create Greater Liberia, a state refashioned after the model

he had perfected in Gbarnga, and he populated all public organizations with NPFL militias and supporters. After the election, for instance, he refused to allow peacekeepers to restructure the army as envisioned in the Abuja Accord. Instead he ordered in January 1998 the demobilization and retirement of 2,682 AFL troops, including many Krahn officers, in order to make room for the induction of thousands of former NPFL into the new army (Adebajo 2002, 235). Wearing the mantle of national sovereignty from his office in the Executive Mansion, Taylor no longer needed to circumvent official institutions in his quest for power and riches, as he was now free to capture the state in a seemingly legal manner. Three years into his tenure, “virtually all natural resources, agriculture and fishing industries, had been designated as ‘essential commodities’ to be controlled by Taylor” (Sawyer 2004, 448). It was the perfection of “Liberia Inc.,” of government as kleptocracy. In his blatant pursuit of enrichment to the detriment of economic rehabilitation and social welfare, Taylor “alienated the donor community. No aid, except for humanitarian and emergency relief, enters the country.” (International Crisis Group 2002a, 16). Unfortunately, there seemed to be no viable alternative to the warlord-turned-president. After the collapse of the True Whig Party, Liberia’s opposition had never truly coalesced around stable programmatic organizations with consistent policy platforms, and by the time Taylor assumed office whatever groups existed were “almost as disappointing as its government... Weak, tainted and self-interested, many parties and leaders are implicated in Liberia’s quagmire, both past and present.” (International Crisis Group 2002a, 18). The dynamics of state capture and collapse had driven their roots deep into Liberia’s political and moral economy, and democratic politics stood little chance of generating a new incentive structure.

The Second Liberian Civil War began in April 1999 when several armed groups crossed the border from neighboring Guinea as ECOMOG was preparing to withdraw from Liberia. This new rebel movement called itself Liberians United for Reconstruction and Development (LURD), and it was seemingly composed of former ULIMO-K members, both Krahn and Mandingo, who had been targeted under Taylor. In fact LURD had begun as a loose coalition of groups with Guinean backing and indirect support from Sierra Leone, the United Kingdom, and the United States. It shortly established liaison with the British military, which was heavily invested in the continued stability of Sierra Leone. When President Ahmad Tejan Kabbah refused to be the rebels' base of operations for fear of further Liberian support for the RUF (he even gave some of their leaders away to Taylor), LURD turned to Guinea, where it found enough acquiescence from President Lansana Conté. Kabbah's fears would prove prescient: when the rebels invaded Liberia from Guinea Taylor retaliated by sending the Revolutionary United Front there. In response the Guinean President decided to provide the support necessary to take the war back to Liberia in November 2000. In 2001 LURD attacked Gbarnga, and although it halted its offensive soon thereafter it had succeeded in garnering much support from Liberians, both in country and in Sierra Leone (International Crisis Group 2002a). Moreover, the rebels began to rely on the tacit -and later explicit- support of major western powers. While making calls for sanctions and conflict resolution, the unofficial American and British strategy was containment: "As one U.S. official described it: 'You put Taylor in a box, drain his finances, and wait for somebody to remove him'" (International Crisis Group 2002a, 22). With covert military support from the United States and United Kingdom LURD was steadily gaining ground from the north

even as a new Movement for Democracy in Liberia (MODEL) fought its way from the east with Ivoirian support. By the spring of 2003 Charles Taylor was waging a losing war on two fronts. By May the NPFL had control over only one third of the country, and Monrovia was under threat (United Nations 2003, para. 9).

Corruption and International Trusteeship after Peace

On September 17th, 2002, a meeting was held at the United Nations to form an International Contact Group on Liberia (comprised of the United Kingdom, France, the United States, Morocco, Nigeria, Ghana, the African Union, ECOWAS, the European Union, and the United Nations), which later chose former Nigerian President General Abdulsalami Abubakar to facilitate peace talks among the factions (International Crisis Group 2003c, 29). At the same time there was still strong pressure for the US to intervene and put an end to the conflict. Outside Liberia, the UK representative at the Security Council, Jeremy Greenstock, cited the British intervention in Sierra Leone and the French one in Côte d'Ivoire as precedent. Inside the country, Taylor was also in favor of intervention: "we ask the international community," he said, "most especially the US, to do everything in its power to take Liberia out of this mess" (Levitt 2005, 228). United Nations Secretary General Kofi Annan, too, called for a multinational intervention force led by "a permanent member state," which in diplomatic UN-speak could only mean the United States. Back in Washington the National Security Council Director for African Affairs Jendayi Frazer was reportedly "firmly against intervention," and she had told her immediate superior Condoleezza Rice that "it would be a disaster." As the different options were weighed, the lack of American commitment was visible on the ground, where the embassy kept only a

skeleton staff (“Weird scenes inside the gold mine: Taylor has nowhere to run but the West hasn’t got a plan yet” 2003). Nevertheless, President Bush kept urging Taylor to step down, and in July he went so far as to order a naval amphibious force with 2,300 marines to deploy off the coast of Liberia, albeit with an unclear mission.

In August 2003 the Security Council authorized a new ECOWAS mission in a U.S.-drafted resolution which included a controversial clause on immunity from prosecution for peacekeepers, which is perhaps an indication that someone in the American government was considering putting boots on the ground. The first Nigerian peacekeepers arrived in Liberia on August 4th, followed two days later by a small contingent of seven US marines tasked with assisting Nigerian logistics. Taylor eventually budged under the mounting international pressure and the specter of a US intervention against him. On August 11th, the President resigned, ostensibly for the good of Liberia. “I have accepted this role,” he declared, “as the sacrificial lamb” (Levitt 2005, 235). On August 14th US marines landed in Monrovia with a mandate to aid ECOWAS efforts in the distribution of food aid. Four days later, a Comprehensive Peace Agreement (CPA) was signed in Accra (Ghana) between the government of Charles Taylor, LURD and MODEL, as well as 17 Liberian political factions.

The CPA was designed to supersede the constitution for a period of three years until elections could be held, and it established a National Transitional Government of Liberia (NTGL) which would be assisted by a United Nations Mission in Liberia (UNMIL). Charles Gyude Bryant, a 54-year-old Monrovia businessman and head of the Liberia Action Party, was appointed as Chairman of the NTGL, chosen over Rudolph Sherman (a longtime friend of

Taylor) and Ellen Johnson-Sirleaf (United Nations 2003, para. 15). On September 19th the UN Security Council approved a 15,000-strong UNMIL, which began deployment on October 1st. Two weeks later Bryant was sworn in as head of the transitional government, ushering in the period of Liberia's post-conflict reconstruction.

As much as it was a political achievement, the Accra Agreement was a flawed institutional framework, characterized at the time as “a power-sharing formula that reinforces the struggle for spoils of war and lacks effective structures for accountability” (Sawyer 2004, 452–453). As the International Crisis Group aptly put it, “the peace process in Accra was about jobs: generals wanted to know how many positions they could command” (International Crisis Group 2003a, 3). Cabinet seats and senior government positions were split between the former Taylor government (Internal Affairs, Defense, Economic Affairs, Health and Social Welfare, Post and Telecommunications), LURD (Transport, Justice, Labor, Finance, Ministry of State), and MODEL (Agriculture, Commerce, Foreign Affairs, Public Works and Land, Mines and Energy). “The rest – national security, information, education, gender and development, rural development and youth and sports – was split among political parties and civil society” (International Crisis Group 2003a, 3). The ban on NTGL members to run for office in the upcoming elections, presumably intended to focus their actions on governing and not electioneering, in fact provided them with a powerful incentive to plunder as much as possible while they were in office. “The character of the transitional government,” wrote the International Crisis Group, “makes it impossible to see how its leaders can be trusted to lay any foundation for state-building” (International Crisis Group 2004, 12). Six months after its inauguration, the

NTGL cabinet had only held two meetings, as the leaders of each faction were instead focused on the 84 assistant minister positions that the CPA had not allocated (UNMIL 2004b, para. 11–12). This was not what Liberia needed at the time. Of 22 ministries surveyed by the United Nations, only defense and foreign affairs had been operating without interruption since the signature of the CPA. “All other closed down partially or completely as a result of looting during fighting and non-payment of salaries to civil servants” (UNMIL 2003, para. 38).

With state organizations collapsed and the NTGL focused on its own internal squabbles over rents and profits, it was up to international actors to steer the reconstruction process. By the end of the war almost 90% of activity in water and sanitation, health, and education was funded by donors and implemented by NGOs (Andersen 2010, 137). The International Contact Group for Liberia (with the International Crisis Group acting as its unofficial technical secretariat) enjoyed almost sovereign authority in the country, with ECOWAS leading the transitional political process while the United States, the European Union, and the United Nations took care of the security and humanitarian situation (Sawyer 2008, 180). The chief of UNMIL, Special Representative for the Secretary General Jacques Paul Klein, was openly disdainful of the NTGL, calling its warlord members “gangsters” and dismissing them as “mere criminals” (International Crisis Group 2003a, 2). Together with Kenyan general Daniel Opande, commanding officer of UNMIL, Klein was considered to be the pro-consul of the international community in Liberia, far more powerful than Chairman Bryant. An article published in *Africa Confidential* summarized the general sentiment when it concluded that “Bryant [had] barely more authority than a district officer.” (“Silencing the guns: After the fund-raising conference in

New York, the focus shifts to disarmament and political reconciliation” 2004) UNMIL deployed civil affairs officers in “17 ministries, the National Transitional Government of Liberia, the Monrovia City Council, and 14 major agencies and parastatals” (UNMIL 2004a, 37). Nevertheless, corruption scandals became the order of the day, and as the day of the election drew closer there was a growing yearning -within and outside Liberia- to move beyond the transitional phase.

Of 59 political parties formally registered in Liberia in 2005, 21 contested the presidency. The country’s first post-conflict elections were defined by three central factors: first, the remarkable disappearance of rebel forces from the political process (neither LURD nor MODEL were taking part in the election); second, the absence of an incumbent, as the NTGL members were banned from running; and third, the fragility of party loyalty in a context of platforms that were virtually interchangeable except for the ethnoregional constituency that they catered to (Harris 2006). Parties only differed according to their individual origins and the socioeconomic make-up of their core support. Among those with a national base and sustained presence, the Liberia Action Party of Chairman Bryant had been formed as a party of middle-aged businessmen, technocrats, and chiefs in rural areas, which was the same constituency as that of Ellen Johnson Sirleaf’s Unity Party; the United People’s Party was a party of the young dispossessed, not unlike footballer George Weah’s Congress for Democratic Change, which Africa Confidential called “a motley crew of veteran radicals, chancers and outright crooks.” (Sawyer 2008; “The soccer vote: After 14 years of war, Liberians mistake a footballer for a politician” 2005).

On October 11th, 2005, Liberians went to the polls under the security umbrella of 15,000 UN peacekeepers. On the first round of the presidential elections, George Weah of the CDC turned out to be the most popular candidate with 28.3% of the vote, followed by Ellen Johnson Sirleaf of the Unity Party with 19.8%, and Charles Brumskine of the Liberty Party with 13.9%. In the second round of presidential vote held on November 8th, however, Johnson Sirleaf managed to turn this result around and obtained 59.4% of the vote. This strong popular endorsement had not translated into support for her party, however. Modeled after the American system, the Liberian legislature was split into a 64-member House of Representatives and a 26-member Senate. On October 11th Johnson Sirleaf's Unity Party had obtained 8 seats in the former and 4 in the latter. In fact both chambers exhibited a remarkably fractured party composition (11 in the House, 9 in the Senate), which would hinder the President's legislative agenda and force her to strike deals with the various big men who had now become elected representatives. Men like former warlord Prince Yormie Johnson, who fifteen years earlier had videotaped himself murdering President Samuel Doe and was now an elected senator.

Ellen Johnson Sirleaf coupled a professional background in the World Bank with a prominent role in Liberian opposition over several decades, so naturally there were high hopes among donors that the first female African head of state would be a staunch reformer and a trustworthy ally. A Minister of Finance under the Tolbert administration and erstwhile leader of the Liberia Action Party, Johnson Sirleaf had been briefly jailed by Samuel Doe in the early 1980s after she declared in the US that Liberia was ruled by "many idiots." (When Doe released her two weeks before the 1985 election he immediately collected \$24m in economic aid) (Reno

1998, 87). Despite painting herself as an “untainted, maternal figure,” few inside Liberia could forget her past as a former minister, Taylor supporter, and, despite her native ancestry, “a member of the old urban elite” (Harris 1999, 444). As president, Johnson Sirleaf accepted the “tacit trusteeship” exercised by the international community, which was acknowledged by all even if everyone rushed to affirm that it did not weaken Liberian sovereignty (Andersen 2010). She pleased donors by underlining repeatedly the centrality of governance reform for her administration, and in particular the need to fight corruption, which she declared “public enemy number one.” However, by early 2011 her true motivations were still an enigma to all except those closest to her, and the general view, as related to me by a member of the diplomatic corps, was that she could have either a clean government or a capable one, but not both.

Table 3.2: Liberia, Economic and Political Indicators

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
<i>Population (millions)</i>	2.94	3.00	3.04	3.09	3.18	3.31	3.48	3.66	3.84	3.99
<i>GDP (current US\$ millions)</i>	543.00	559.30	410.20	460.00	530.20	611.86	734.93	842.51	879.46	986.20
<i>Per capita GDP (PPP, current US\$)</i>	431.31	445.92	308.69	319.87	338.23	361.57	388.05	403.61	409.94	418.79
<i>Polity2</i>	0	0	1	3	5	6	6	6	6	6
<i>WGI Government Effectiveness</i>	n.a.	-1.61	-1.50	-1.57	-1.36	-1.20	-1.28	-1.32	-1.21	-1.24
<i>WGI Regulatory Quality</i>	n.a.	-1.74	-1.69	-1.88	-1.55	-1.37	-1.21	-1.34	-1.20	-1.06
<i>WGI Rule of Law</i>	n.a.	-1.83	-1.68	-1.68	-1.38	-0.87	-1.01	-1.18	-1.07	-1.01
<i>WGI Control of Corruption</i>	n.a.	-1.18	-1.22	-1.26	-1.04	-0.49	-0.33	-0.65	-0.53	-0.51
<i>TI Corruption Perceptions Index</i>	n.a.	n.a.	n.a.	n.a.	2.2	n.a.	2.1	2.4	3.1	3.3

Sources: World Development Indicators, Polity IV Data Series Version 2010, Worldwide Governance Indicators, Transparency International.

Liberia's population grew by a million in the first eight years after the end of its second civil war. Unfortunately, economic growth could not keep up with this demographic change: while GDP did more than double between 2003 and 2010, this translated into a per capita increase (at purchasing power parity) of little more than \$100. Compared to Sierra Leone, therefore, it was taking Liberia much longer to reactivate economic activity and draw it into the formal sector. Like its neighbor across the Mano river, the Liberian government registered a significant improvement in regulatory quality and rule of law during these years. In contrast to Sierra Leone, however, these gains were matched to some extent in government effectiveness and especially in terms of corruption, with a marked drop after the enactment of the Governance and Economic Management Assistance Program in 2005. Chapter 5 below will directly question this perceived success at the aggregate level by delving into the specifics of GEMAP implementation, and particularly of its failed anti-corruption measures. In fact, the case narratives of that chapter turn country-level indicators on their head, showing a marked improvement in the control of corruption in Sierra Leone, not Liberia. This proved the limitations of aggregate data (especially those based on expert surveys) in studying the anatomy of state-building processes.

3.3 Aid Dependence and Donor Partners

Sierra Leone and Liberia were two highly aid-dependent countries during the first decade of the 21st century, and their legacies of state capture and collapse required all but a full construction of new public institutions and organizations. Despite massive inflows of foreign aid

to both countries, there were in fact only a handful of donors whose contributions were central to civil service reform, anti-corruption reform, and security sector reform. They were two bilateral donors, the United Kingdom and the United States, as well as three multilateral ones, the European Commission, the World Bank, and the United Nations Development Program. In their programmatic approach and attitudes towards local compliance and noncompliance, the bilaterals enjoyed the clout and decision-making autonomy of sovereign authority, while the multilaterals had to tread much more carefully in order to abide by more stringent or technical mandates. There was also variation, however, in terms of their willingness to use whatever means they had at their disposal as an inducement for reform. Chapters 4 through 6 below will explore these limitations in greater detail.

Aid Profiles

Between 2001 and 2010 Sierra Leone received official development assistance equivalent to 30% of its gross domestic product, a ratio that went down yearly from over 40% at the end of the civil war to a still sizable 25% by 2010 (see table 3.3). By comparison, the government's tax revenues had hovered near a stable 11% of GDP during the same decade, and expenses had oscillated between 29% and 17% of GDP. The figures are clear: the Sierra Leonean state had to rely on foreign aid for an important portion of its operations in the immediate post-conflict period. Most OECD member states, some non-OECD donors, and most large international organizations disbursed aid to Sierra Leone at one point or another. As the former colonial power, still tied to the war-torn country by culture and social networks, the United Kingdom was the major reconstruction donor for Sierra Leone, its contribution amounting to 17% of all the

ODA granted throughout the decade. It was followed closely by the European Union institutions, in particular the European Commission, which provided 15%, and by the World Bank group through its International Development Association, with 11%. Behind these big three, a slew of bilateral and multilateral donors ensued in a gently sloping distribution reflecting a widely distributed international footprint.

Table 3.3: Official Development Assistance to Sierra Leone

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	Total
<i>Total (current US\$ millions)</i>	334.82	383.12	337.08	376.29	339.85	380.47	549.78	378.21	448.26	466.85	3944.73
<i>ODA % GDP</i>	42	41	34	34	27	27	33	19	24	25	30
<i>Tax Revenue % GDP</i>	12	11	12	11	11	11	10	11	11	n.a.	-
<i>Govt. Expenses % GDP</i>	28	29	26	23	23	22	17	20	23	n.a.	-
Main ODA Donors (%)											
<i>United Kingdom</i>	15	14	16	16	18	17	16	24	18	18	17
<i>EU Institutions</i>	12	6	8	17	25	16	13	12	24	17	15
<i>IDA</i>	20	12	9	10	15	12	6	13	8	12	11
<i>United States</i>	8	18	17	8	6	6	4	4	4	6	8
<i>IMF</i>	10	9	5	11	5	2	0	5	4	9	6
<i>Netherlands</i>	11	5	6	3	2	2	9	0	0	0	4
<i>Germany</i>	4	4	4	3	2	3	7	4	4	3	4
<i>Japan</i>	0	0	1	0	1	11	5	4	8	3	4
<i>Italy</i>	0	5	3	7	0	1	8	0	1	0	3
<i>Ireland</i>	1	0	2	1	2	3	3	4	3	3	2
<i>Others</i>	20	25	29	24	23	28	29	29	25	29	26

Sources: World Development Indicators, OECD Development Assistance Committee.

Liberia's aggregate aid profile during the same period (bearing in mind that its second civil war ended in 2003) is fairly similar to Sierra Leone's. Between 2001 and 2010 official

development assistance amounted to about 34% of the country's gross domestic product. What is remarkable about Liberia is the frailty of the government's accounts, which is reflected in the dearth of data available on government tax revenue and expenses, which appeared to be more than one order of magnitude lower than in Sierra Leone. Perhaps an artifact of opacity or collapse of public finance management capacity, it is nonetheless clear that, if anything, Liberia was an even more aid-dependent country than Sierra Leone. Still, the distribution of international assistance there, too, assumed the shape of a gradual slope (table 3.4). Not a colonial power as such but certainly a parent state and later foreign sponsor, as well as the central destination for the Liberian diaspora, the United States provided 20% of total ODA during the period, in certain key years reaching a share as high as 48%. In second place one finds the International Monetary Fund with 19%, but this is an artifact of a few very large grants from its concessional trust fund that were approved in the last few years of the decade. A similar factor places the IDA as third major donor, with 10%. The EU institutions, with 8% of the aggregate total, had in fact been more reliable international partners for Liberia, at one point providing up to a quarter of total foreign aid. After them followed a number of smaller bilateral contributions from OECD donors.

Table 3.4: Official Development Assistance to Liberia

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	Total
<i>Total (current US\$ millions)</i>	38.48	55.16	106.94	213.25	222.49	260.45	701.39	1250.99	512.57	1419.26	4780.98
<i>ODA % GDP</i>	5	6	11	19	18	18	42	64	28	75	34
<i>Tax Revenue % GDP</i>	n.a.	n.a.	n.a.	n.a.	0.24	0.23	0.31	0.32	n.a.	n.a.	n.a.
<i>Govt. Expenses % GDP</i>	n.a.	n.a.	n.a.	0.26	0.22	0.18	0.23	0.34	n.a.	n.a.	n.a.
Main ODA Donors (%)											
<i>United States</i>	33	27	28	48	39	34	15	22	19	9	20
<i>IMF</i>	-1	0	0	0	0	0	0	26	5	38	19
<i>IDA</i>	0	0	0	0	0	0	58	0	8	3	10
<i>EU Institutions</i>	23	17	14	14	24	17	6	4	12	6	8
<i>Germany</i>	-17	-4	-3	-1	1	3	1	25	5	4	8
<i>France</i>	4	3	1	0	0	1	0	2	0	16	6
<i>Japan</i>	0	0	0	0	0	7	2	1	3	9	4
<i>Sweden</i>	3	2	5	6	7	6	3	2	8	2	3
<i>United Kingdom</i>	3	5	7	8	3	6	2	3	7	2	3
<i>Norway</i>	2	4	8	5	3	3	4	3	3	2	3
<i>Others</i>	50	46	39	20	23	23	10	12	30	9	15

Sources: World Development Indicators, OECD Development Assistance Committee.

The data from tables 3.3 and 3.4 illustrates a certain symmetry between Sierra Leone and Liberia as aid recipients: multiple contributions by OECD bilaterals, overshadowed slightly by large disbursements from international financial institutions and a major industrialized partner. The landscape changes markedly, however, once the focus is narrowed down to state-building assistance. There is in fact no indicator or reporting category for aid which deals with state-building as conceptualized in this dissertation. Instead, the OECD's Creditor Reporting System has a number of concepts which only very imperfectly capture support for institutional reform.

Still, as an aggregate expression of donor presence, these data offers some interesting insights. For instance, consider the wide-ranging “Government & Civil Society - General” concept, which includes everything from public finance management to elections and NGOs. As a measure of institutional assistance it is far too coarse, and it does not discriminate between state and regime reform; as an indicator of what donors are able and willing to engage in explicitly political tasks, however, it is not without value. Against the relatively flat distribution of total aid to all sectors, table 3.5a shows that Government & Civil Society ODA in Sierra Leone was dominated by three donors: together, the United Kingdom, the EU, and the World Bank (through IDA) supplied almost 75% of all aid. The leading role of the United Kingdom, which was visible but not remarkable for general assistance, becomes starker in this explicitly political sector: 39% of all ODA targeting political institutions and organizations between 2002 and 2010 came from the UK. In the case of Liberia, in contrast, the leading role of the United States in overall aid all but disappears, taking a back seat to the World Bank, which amounts to a staggering 60% of ODA (table 3.5b). Again, the fragmented distribution of foreign assistance dissipates to make way for just a handful of donors, particularly the United States (20%) and to a lesser extent Sweden (4%). Finally, both in Sierra Leone and Liberia the data shows how the United Nations Development Program (UNDP), which was crowded out by bilaterals in terms of total aid, was in fact one of the major Government & Civil Society donors, a preeminence that will become more evident and causally relevant in the case studies.

Table 3.5a: Government & Civil Society ODA to Sierra Leone

	2002	2003	2004	2005	2006	2007	2008	2009	2010	Total
<i>Total (current US\$ m)</i>	34.41	45.09	46.32	49.24	90.44	79.75	75.74	84.25	82.99	588.43
<i>As % of ODA</i>	9	13	12	14	24	15	20	19	18	16
Main SB-ODA Donors (%)										
<i>United Kingdom</i>	41	33	52	45	35	40	52	29	29	39
<i>IDA</i>	48	26	30	33	16	6	8	11	26	20
<i>EU Institutions</i>	5	2	2	4	11	22	13	32	13	14
<i>US</i>	1	9	7	5	4	6	6	5	13	6
<i>UNDP</i>	0	0	5	4	4	6	6	3	4	4
<i>Others</i>	4	29	3	9	29	20	14	20	15	18

Source: OECD Development Assistance Committee.

Table 3.5b: Government & Civil Society ODA to Liberia

	2002	2003	2004	2005	2006	2007	2008	2009	2010	Total
<i>Total (current US\$ m)</i>	1.30	4.11	15.50	8.95	10.72	373.57	26.72	69.80	91.12	601.78
<i>As % of ODA</i>	2	4	7	4	4	53	2	14	6	13
Main SB-ODA Donors (%)										
<i>IDA</i>	0	0	0	0	0	94	-41	14	14	60
<i>United States</i>	75	82	85	28	44	4	72	46	34	20
<i>UNDP</i>	0	0	10	20	22	1	18	7	6	4
<i>Sweden</i>	0	0	0	3	4	0	5	11	14	4
<i>Others</i>	25	18	5	48	30	2	46	23	32	12

Source: OECD Development Assistance Committee.

What if we filter out electoral and NGO assistance and focus instead on actual state-building assistance? Tables 3.6a and 3.6b do this by focusing on a composite measure of aid to public finance management, public policy, legal and judicial development, and anti-corruption efforts. Interestingly, while in the Sierra Leonean case the shares of assistance remain relatively unchanged from the larger Government & Civil Society cluster, in Liberia the leadership of the

World Bank becomes even more salient, with the United States dropping to 15% of total aid. Again, these measures are imperfect representations of what is happening on the ground: not all aid is categorized as ODA, and the Creditor Reporting System database has to be taken with a grain of salt as the work in progress that it is. But even a cursory reading of the aid data shows a crucial difference in the distribution of foreign assistance to state-building in the two countries. Sierra Leone’s reconstruction process, and especially its post-conflict state-building reforms, were disproportionately supported by a bilateral leading donor, the United Kingdom. Across the border, in contrast, the United States performed its natural leading role only in terms of general assistance, but actually shied away from political entanglements by taking a back seat to the World Bank, a multilateral. Donor identity matters for the purposes of strategic interaction, and the freedom that a bilateral has to engage in open dialogue about institutional change with a recipient government far exceeds the balancing act that multilateral managers and mission leaders have to carry out due to their collective chains of reporting and command. The case studies in chapters 4 through 6 will demonstrate this point empirically.

Table 3.6a: State-Building ODA to Sierra Leone

	2002	2003	2004	2005	2006	2007	2008	2009	2010	Total
<i>Total (current US\$ m)</i>	28.16	37.03	37.22	36.38	70.06	45.50	45.43	58.70	49.14	406.95
<i>As % of ODA</i>	7	10	10	11	18	8	12	13	11	11
Main SB-ODA Donors (%)										
<i>United Kingdom</i>	37	35	58	53	29	52	46	33	37	41
<i>IDA</i>	58	27	30	33	15	5	12	11	26	21
<i>EU Institutions</i>	2	2	2	3	10	6	13	40	6	11
<i>United States</i>	1	9	7	7	6	10	7	5	17	8
<i>Others</i>	1	28	3	5	40	27	22	12	14	19

Source: OECD Development Assistance Committee.

Table 3.6b: State-Building ODA to Liberia

	2002	2003	2004	2005	2006	2007	2008	2009	2010	Total
<i>Total (current US\$ m)</i>	0.08	0.13	5.09	2.72	4.37	370.08	19.00	43.82	48.76	494.05
<i>As % of ODA</i>	0	0	2	1	2	53	2	9	3	10
Main SB-ODA Donors (%)										
<i>IDA</i>	0	0	0	0	0	94	-61	11	21	71
<i>United States</i>	2	100	70	1	32	3	92	44	38	15
<i>UNDP</i>	0	0	29	67	54	1	25	8	8	4
<i>Others</i>	98	0	0	31	13	1	43	36	32	9

Source: OECD Development Assistance Committee

In highlighting the divergent roles of leading bilateral donors at the sectoral level, these data have also shown that overall aid figures may be misleading for the purposes of analyzing assistance to institutional change. As I argued in the introduction, the anatomy of state-building can be truly understood only at a level of detail that is impossible to grasp with country-level indicators. In terms of foreign aid, in particular, there is another key reason why the aggregate numbers are deceptive: despite the fact that 23 bilateral OECD donors have disbursed ODA to Sierra Leone between 2001 and 2010, only a handful of them had an actual presence in the ground: the United Kingdom, the United States, Ireland, Germany, and Italy. A similar pattern was evident in early post-conflict Liberia, where besides the US embassy and EU mission there were only a British political officer, a German political officer, and a French attaché (European Commission 2004, 21). Far more than aid commitments and disbursements, the existence of a field office is an actually informative indicator of the kind of relationship that a donor wants to establish with a recipient partner: on-the-ground personnel allow for an immediate technical and political dialogue, for an active voice in development and partners working groups and meetings,

and for closer and more reliable monitoring. A donor disbursing money from abroad has to rely on ad hoc evaluations by consultants whose terms of reference are carefully specified, or alternatively on the assessments carried out by other donors -usually the multilaterals- to whose standards and expectations it is thus held hostage. As I will discuss further in chapter 7, effective state-building assistance requires a physical presence in the recipient country.

Principle and Practice of Local Ownership and Donor Coordination

Aid actors operating in the first decade of the 21st century were much more self-conscious about the unintended effects of their assistance than they had ever been. These concerns coalesced around the negative externalities of donor proliferation and less-than-charitable disbursement practices, like tying aid to the procurement of donor-country services or materiel. In 2003 ODA recipients and providers signed the Rome Declaration on Harmonization as a collective response to “the growing evidence that, over time, the totality and wide variety of donor requirements and processes for preparing, delivering, and monitoring development assistance are generating unproductive transaction costs for, and drawing down the limited capacity of, partner countries” (OECD 2003). Seeking to consign this and other related problems to the dustbin of history, more than 150 aid providers (bilateral, multilateral, and non-governmental) as well as recipients signed in 2005 the Paris Declaration on Aid Effectiveness (OECD 2005). A policy statement full of ambitious and detailed targets for the betterment of official development assistance, the Paris Declaration detailed a series of commitments based on the guiding principles of recipient ownership of reforms, donor alignment of assistance with recipient strategies and country systems, collective harmonization of foreign aid, results-oriented

management, and mutual accountability between donors and recipient. These principles translated into 12 observable indicators, such as the gradual shift from project- to program-based disbursement or from parallel implementation units (PIUs) to the recipient's own public organizations. The set of aspirations embodied in the Paris Declaration was further ratified by the heads of bilateral and multilateral aid organizations in the 2008 Accra Agenda for Action once it was evident that progress had been steady but slower than expected (OECD 2008a).

Even as these principles were conceptually evolving and gradually infiltrating the strategies and programs of aid donors and recipients, they had already served as aspirational guidelines for assistance in places like Sierra Leone and Liberia. In terms of the theoretical framework of this dissertation, they can be boiled down to two central concerns: ownership and coordination. Government ownership of reform is one of those seemingly commonsensical yet surprisingly problematic ideas that recurrently fascinate the development community, and I will discuss it in a prescriptive sense in chapter 7 below. For now, from a purely analytical standpoint, it is useful to conceptualize ownership as an expression of the agency relationship inherent in foreign aid. Specifically, it represents the degree to which the aims of the agent overlap with those of the principal. In programmatic statements such as the Paris Declaration, donors have concluded that the best way to overcome the agency problem is to delegate on recipient governments only those tasks that they themselves are willing to assume. In principle, this conceptual shift turns donors into supportive partners instead of adversarial creditors. In practice, however, the structure of incentives inherent to contexts of state capture and collapse should prevent local actors from truly agreeing on meaningful institutional reform, as I have argued in

chapter 2 above. Ownership of means, it turns out, is much more tenuous and fragile than ownership of aims: everyone wants to have an efficient public bureaucracy, but not everyone is willing to incur in the political costs of firing inefficient public officials.

Donor coordination, which the Paris and Accra aspirations hold to be a panacea of aid effectiveness, is also easier said than done. Its application and enforcement requires by itself a significant amount of political heavy-lifting, mostly in terms of reconciling all donors' idiosyncratic budget cycles, strategic and tactical preferences, and standards of reporting and evaluation. Again, despite being an eminently intuitive notion, coordination reveals itself to be a deceptive platonic ideal which is bound to falter when it meets the intrinsic messiness of reality. In terms of this dissertation's analytical framework, the coordination buzzword maps directly onto the third strategic dilemma outlined in chapter 2 above: a collective action problem between individual donors imbued with diverse ideational and material interests. As an actor-level solution to this dilemma, coordination require individual aid organizations to relinquish their agency to some centralized scheme or to another aid actor; while this may make sense strictly from the perspective of disbursement externalities, it is impractical once donor domestic politics are taken into account. As an institutional solution, in turn, coordination is but a second-order collective action problem, in so far as it necessitates the creation of an incentive scheme that prevents free-riding. The case studies in the following chapters will explore the strategic challenges of ownership and coordination and principles for aid effectiveness. Still, it is informative to briefly review their surface-level application in Sierra Leone and Liberia, as captured by OECD evaluation surveys on the implementation of Paris Declaration principles.

Using World Bank standards, the OECD surveys awarded Sierra Leone's development strategies a "D" in 2006, then a "C" in 2008 and 2010 (with "A" being the best and "E" the worst). These lackluster grades reflect the existence of policy agendas hampered by a missing link between budget provisions and policy objectives as well as by dire capacity gaps in the implementation stage. Perhaps more interesting are the survey results regarding donor behavior. On the positive side, 95% of all aid was untied, thus addressing one of the traditional pet peeves of aid skeptics. On the negative side, there was no framework for mutual accountability between the government and its international partners, and little in the form of result-based management of aid. Coordination with country programs did improve from 22% to 73% between 2008 and 2010, but over 60% of participating aid organizations avoided in-country public finance management and procurement systems, approximately 45% of all aid was not aligned with government priorities, and the national budget accounted for 30% (2008) to 58% (2010) of foreign assistance. Finally, donor coordination was limited and on the decline, both in terms of joint analysis (34% in 2010, down from 56% in 2008) and especially of joint missions (14%, down from 27%) (OECD 2008b, sec. 47, 2011b, 74). "If progress is to be made," one of the surveys concluded, "the government will need to show greater leadership and donors will need to work with the government to build its capacity. Progress is being made toward strengthening donor partnerships, but donors must do more to respect the leadership exercised by the government" (OECD 2008b, 47–17). "In short," in the words of a DfID official working in Sierra Leone between 2004 and 2006, "the scene was rather reminiscent of a school disco – a large number of disparate actors all waiting at the edge of the dance floor for someone to take the

lead. With leadership comes accountability, however, and the GoSL and donors alike were reluctant to make the first move” (M. White 2008, 11).

The prospects of Paris Declaration implementation in Liberia were grimmer. The government’s development strategies received a “D” from the World Bank in terms of their operational worth, in particular due to the fact that most aid was being delivered outside of the government budget: 5% of total ODA in 2010 was aligned with local priorities, and only 2% was registered in the national budget (both figures were up from 0% in 2008). Over 90% of aid was untied, but by 2010 there remained 4 parallel implementation units of the 16 that the 2008 survey had identified, only one third of aid actually used in-country procurement and finance systems, and a scant 12% of aid was channeled through programs instead of projects, technical assistance, or NGOs. While there was significant coordination in terms of analytic work (66% in 2008 and 43% in 2010), joint missions barely encompassed more than 10% of total aid inflows. Whatever results-based frameworks there existed received a “D” or “C” grade, and -as in Sierra Leone- there were no mechanisms for mutual accountability (OECD 2008b, 27, 2011a, 70). As the 2011 report concluded: “There is a consensus that co-ordination between development partners, and between development partners and government, is less effective than it should be. There is no lead development partner co-ordination agreement, and no forum for effective co-ordination. Development partners feel that government does not provide a sufficiently strong co-ordination lead” (OECD 2011a, 14).

Introducing the Key State-Building Donors

The United Kingdom was the indisputable leading donor in Sierra Leone's first decade of peace. In fact it had become an external backer of President Kabbah already in 1997, and by 2012 it still maintained military advisers in the Ministry of Defense and Sierra Leone armed forces. Fifteen years, and counting. This long-term commitment was not a mere succession of improvisations, but a conscious political effort which originated in an unlikely combination of personal involvement by a prime minister (Tony Blair's father had once taught in Sierra Leone), commitment to an "ethical foreign policy" by an enterprising new government, and diaspora and cultural ties to a former colony. In November of 2002 the United Kingdom took the unprecedented step of signing a 10-year memorandum of understanding with Sierra Leone governing the terms of its bilateral assistance, with administrative reforms featuring prominently as some of the key triggers for the yearly tranche of conditional assistance (DfID and Government of Sierra Leone 2002). This move was coupled with the equally unprecedented decision to start providing budget support to Sierra Leone, despite the fact that the high-risk post-conflict country did not meet any of the standard criteria for such kind of foreign aid (691429 Bilateral donor official, London 2011). Over the next ten years the British Department for International Development (DfID), albeit without a permanent office in Freetown until 2005, would have a hand in every major state-building reform taking place in the country, and particularly in the administrative ones, like the Audit Service, Anti-Corruption Commission, Governance Reform Secretariat, Office of National Security, and Public Sector Reform Unit. These interventions will be explored in detail in the empirical chapters that follow. As a snapshot of what this bilateral assistance program looked like, consider the year 2006, when British ODA

comprised “£40m a year, of which up to £15m (37%) goes to direct budget support. The balance is divided between good governance and public-sector reform (26%), security and justice (18%), private-sector development (15%) and human development (4%)” (European Commission and DfID 2007, 24).

In Liberia, DfID capitalized on the expertise it had developed in Sierra Leone as it provided assistance for the elaboration of civil service and anti-corruption strategies. It thus became a crucial donor for administrative design, although its small relative size (and an in-country presence being limited to one individual chargé d'affaires) minimized its impact on enforcement. The visible and vocal commitment to reform in Liberia mirrors the behavior displayed in Sierra Leone, and together they confirm the United Kingdom as the leading administrative state-building donor for the first decade of the 21st century, animated as it was by DfID's enterprising rethinking of the basic logics and principles of development assistance, by a willingness to carry out honest -even devastating- aid evaluations and then make them public, and finally by a concern to use British taxpayers' money to generate meaningful change (683032 Bilateral donor official, Freetown 2010). It would be tempting to classify Britain and its Department for International Development as the “good guy” in this dissertation, but the cases of civil service and security sector reform will highlight the limitations of even the most intellectually and politically committed donor when strategic concerns get in the way, or when it has to rely on coordinated action with other international partners. Donor intentions often succumb to incentives, as I demonstrate throughout this dissertation. In any event, the fact that DfID was a ministry-level agency with a direct line to its political leadership enabled it to display

some ingenuity and boldness where others would have shown conservatism and caution.

The United States was a very minor partner in Sierra Leone, supporting such areas as community development, civic dialogue at the local level, food programs, HIV sensitization, or mining sector transparency (European Commission and DfID 2007; European Commission 2005b). In Liberia, however, the US was the natural leading donor, even if this potential was never fully realized in terms of state-building. Regardless of the various interventions undertaken in the country by the State Department, the Pentagon, and USAID, the United States was forced to contend with its “original sin”: the failure to intervene to put an end to either the first or the second Liberian civil wars. That sin of omission, together with the legacy of exploitative investment under the “Open Door Policy” and tacit endorsement of Doe’s dictatorial regime, soured the perceptions that many Liberians had of their parent nation. “In the decades since the United States began intervening in the fate of this small West African territory,” read the report of the Truth and Reconciliation Commission, “it has alternately supported, exploited, welcomed, and abandoned Liberia and Liberians. While the relationship over time has been complex, during several key periods the United States’ actions and omissions have led to disastrous results for Liberians” (Government of Liberia 2009a, 303). To compound this problematic relationship, by the late 1990s poor relations between the United States and the Taylor regime had “virtually stopped all USAID activities,” forcing the United States to re-establish its aid presence from scratch (European Commission 2004, 15–16).

After the Comprehensive Peace Agreement the US focused on the first pillar of the RFTF -security- by contributing a sizable share of UNMIL’s budget. The early American response to

the needs of post-conflict Liberia also consisted in support to community-level conflict resolution and to democracy promotion through civil society organizations. To that end in 2004 USAID's Office of Transitional Initiatives launched a program in Liberia to assist civil society organizations and supply basic equipment to some government ministries ("These were literally metal ship 'containers' full of furniture and supplies and popularly called 'Ministries in a Box'") (USAID 2005, 4). The 2005 operational strategy highlighted a number of key areas of support: community rehabilitation and reintegration, elections, healthcare, agriculture, forestry, civil society, as well as transparency in public administration, which would fall under the American component of GEMAP (USAID 2006, 4–6). Over the following years USAID would also provide support to the legislature and to the judicial sector. The scale of this assistance was staggering for such an impoverished country. In fiscal year 2006-07, for instance, America channeled about \$190 million to Liberia, "of which about \$35 million for humanitarian assistance, \$40 million for security sector reform through the Department of Defense, and \$115 million for development assistance" (European Commission 2007c, 26). Overall, the state-building effects of American aid to Liberia were hindered by certain donor features intrinsic to the US in general, and to USAID specifically (under constant siege as it was from the US Congress): the focus on democracy promotion via civil society organizations, the requirement to delegate interventions to private contractors and NGOs, or the unwillingness to risk political flak over a more confrontational position were all factors against a political strategy of state-building assistance. Thus while other donors looked to the US for leadership in Liberia, its political attitude regarding administrative reform was that of an enabler at best, and that of a spoiler at

worst.

The European Commission was a central but never leading donor for certain kinds of state-building reforms in both Sierra Leone and Liberia, with a sustained focus on institutional transformation from a very early time. Under its 1998 national indicative program, European support to Sierra Leone was split in three areas: 1) public sector reform, good governance, democratization, and human rights; 2) rehabilitation and development of social sectors; and 3) infrastructure. However, the resumption of hostilities all but paralyzed implementation of this agenda (European Commission 2003a, 16). The 2003-2007 program of assistance focused on two focal sectors: rehabilitation of priority infrastructure, and good governance and institutional building, with an emphasis on decentralization, public finance management, civil society empowerment, and delivery of social services (European Commission 2003b). For the 2008-2012 period the European Commission coordinated its medium-term programming with DfID, and under the resulting joint country strategy the EC would provide supplementary assistance to agriculture and environmental protection while continuing its support to the focal sectors of infrastructure and governance, with a new emphasis on civil service reform (European Commission and DfID 2007). All throughout this period the European Commission was providing Poverty Reduction Budget Support under a coordination scheme with DfID, the World Bank, and the African Development Bank (European Commission 2007a).

With regards to Liberia, in 1990 the European Community had ceased all regular development assistance, but it had maintained a field office in Monrovia and kept a political dialogue opened with the government. In 2001, under the terms of the Cotonou Agreement for

Africa, Caribbean, and Pacific nations, the EC started negotiations with the Taylor regime for the resumption of aid (European Commission 2004, 16). Initial support to post-war Liberia centered on infrastructure, health, and community development (European Commission 2005a, 6). For its first country strategy and indicative program the EC's focal sectors were county development and education, with smaller interventions supporting civil society organizations and some of the central governance commissions emerging from the Comprehensive Peace Agreement. That last component would evolve into an Institutional Support and Capacity Building Program (ISCBP) which made the EC one of the key donors in institutional reform at the strategic policy-making and administrative levels (European Commission 2007b). After the European Commission became one of the early promoters of the Governance and Economic Management Assistance, its second country strategy and indicative program (for 2008-2013) shifted the two focal areas to rehabilitation (including economic revitalization and access to basic social services) and governance, with a very clearer emphasis on public finance management and decentralization (European Commission 2007c). Within GEMAP the EC would become a crucial donor in anti-corruption reform through its support for the General Auditing Commission, which was nonetheless hampered by an unwillingness or inability to engage in politically delicate confrontations with the government (581120 Multilateral donor official, Monrovia 2011).

The World Bank group, and particularly the International Development Association, was the second of the three main multilateral donors in post-conflict state-building in the Mano River region. In Sierra Leone, its Transitional Support Strategy encompassed assistance to the health sector, education, HIV/AIDS, and public sector management (European Commission 2005b),

and the Bank also provided budget support through loans and grants (European Commission 2007a). More specifically, with the European Commission, African Development Bank, and DfID, it was part of a Multi-Donor Budgetary Support initiative (World Bank 2006b, 7). The International Development Association was the leading donor in decentralization, local capacity-building, and public finance management; in non-state-building-related areas, it also led in water and power supply (European Commission and DfID 2007, 29).

Despite having been absent from Liberia since 1984 once the country entered into arrears for its loans, the World Bank regained its place as a central donor from the moment the CPA was signed, co-authoring with the UN a Joint Needs Assessment in December of 2003 that became the foundation for a Results-Focused Transitional Framework, the first true developmental strategy of the post-conflict period. In its 2004 Country Re-Engagement Note the Bank outlined three overarching objectives for the post-conflict period: rapid and visible socioeconomic revival, establishment and strengthening of state institutions, and establishment of a local coordination and monitoring mechanism for international assistance under the RFTF (World Bank 2004, 13–14). In 2004 a survey of donor activity had the World Bank funding projects for public sector reform, community development, revenue and expenditure management, procurement reform, natural resources management, and support to the RFTF Implementation and Coordination Office (European Commission 2005a). By 2007 Liberia still did not qualify for International Development Association credits, so the World Bank channeled its assistance as “prearrears clearance grants” amounting to \$60 million and targeting “economic management and institutional capacity building, community empowerment and infrastructure, namely roads,

ports, airports, water, electricity and telecom” (European Commission 2007c, 26). In terms of institutional capacity, the World Bank provided technical support to the Public Procurement and Contracts Commission, Ministry of Finance, Forestry Development Authority, the Senior Executive Service program, and the judiciary (European Commission 2008).

The last major state-building donor, and the third multilateral one, was the United Nations Development Program, which was a key actor in civil service reform in both countries. Under its 2004-2007 country program, UNDP’s assistance to Sierra Leone included support to the PRSP process, biodiversity, security sector reform, and particularly governance reforms targeting the rule of law, decentralization, elections, public sector reform, general capacity building, and citizen empowerment (European Commission 2005b). UNDP was the lead agency supporting the 2007 elections as well as in the monitoring and evaluation of the government’s poverty-reduction targets. More importantly, UNDP was a central partner for the European Commission and DFID on civil service reform (European Commission and DfID 2007, 30). In Liberia, UNDP had only maintained a “skeleton presence” during the Taylor years, and so its activity only really began after the Comprehensive Peace Agreement (European Commission 2004, 16). The organization’s country strategy plan for 2003-2007 focused on six areas: democracy, community development, human rights and gender, HIV/AIDS response capacity-building, and environmental management. In terms of institutional reform, UNDP supported the Governance Reform Commission (later Governance Commission) for the formulation of various policy initiatives. By 2008 these kinds of state-building interventions had assumed a central role for UNDP, and the 2008-2012 country strategy was split in two broad areas of pro-poor

economic development and democratic governance, the latter encompassing a wide brief targeting civil society, electoral legislation, or public administration reform (UNDP 2008, 3–5). In Liberia as in Sierra Leone, UNDP was a crucial sponsor of civil service reform, but its organizational mandate to mediate between donors and recipients and to avoid open confrontations minimized its ability to promote meaningful administrative change.

There were other donors who supported state-building in a limited or piecemeal fashion, but their role is virtually irrelevant in the case studies. In Sierra Leone, the African Development Bank provided budget support in coordination with the EC, DfID, and the World Bank, while Germany assisted in public outreach for the Anti-Corruption Commission, and Ireland provided assistance to the National Electoral Commission (European Commission and DfID 2007). In Liberia, Sweden provided assistance to judicial and security sector reform as well as support for developmental coordination through the LRDC, and Norway supported several good governance initiatives as well as police reform through a UNDP trust fund (European Commission 2007c, 2009a). However, all of these aid contributions pale in comparison with those of DfID, USAID, the European Commission, the World Bank, and UNDP, all of them directly involved in state-building reforms at the political, strategic, and implementation levels. Together with local public actors working under the Kabbah, Bryant, Johnson Sirleaf, and Koroma administrations, these donors are the protagonists of the analytic narratives that follow.

4. Building Effectiveness: The Politics of Aid and Civil Service Reform

The Public Service Commission (PSC) and the Human Resources Management Office (HRMO) are the two central organizations involved in the direction and control of the entire Sierra Leonean civil service. During my time in Freetown I had the chance to visit both for some interviews, but I also caught a glimpse of what the administrative engine of bureaucratic reform in Sierra Leone physically looked like. The HRMO was a relatively recent innovation, four years old by the time I visited it. Established partly in reaction to foreign demands for tangible results, it was housed in a high-rise building in central Freetown, newly painted and seemingly equipped with all the amenities of a modern professional office. The government of Ernest Bai Koroma had made the HRMO the centerpiece of its civil sector reform strategy, endowed it with a wide policy brief, and managed to secure enough international funding to get it up and running. Oddly, when I asked for the foreign expert seconded to the Office whom I was supposed to meet with, the staff kept responding with puzzled stares until the man himself happened to walk by and said: “Don’t you know who works with you in this office?”

A few blocks away, also in downtown Freetown, stood the premises of the Public Service Commission. Housed in a dilapidated two-story building but using only the upper one, it was basically an L-shaped corridor with a series of nondescript doors to its sides, one of which had

the label “Chairman.” Sometimes there was a receptionist in the office next to the main door, which was wide open during the day. Other times there was just a bored man who did not think to inquire as to who I was or what business I had with the Commission. Despite its appalling conditions, the PSC was in fact a decades-old organization with the constitutional mandate to oversee the recruitment and management of the entire civil service. Over the decades it had been neglected, ignored, reduced to irrelevance and, by the time foreign donors took an interest in civil service reform, entirely bypassed to the benefit of a new HRMO free from the stench of state capture. If the HRMO embodied the promise of state-building in Sierra Leone, the PSC was the definitive proof of its persistent failure.

In the anatomy of state-building, civil service reform strengthens the body itself, the skeleton and muscles that animate the state as a political organization. The state exists only as long as there is an administrative staff enforcing its institutions. The allegiance of the civil service to an ethos of formalism, impersonality, and rationality determine whether the state will have any ability to enforce public institutions, or whether it will be a mere vessel for private benefit. The public bureaucracy is thus instrument and locus of state-building politics, the first theoretical problem of which -albeit not necessarily the first practical problem- is ensuring that the civil service is staffed and organized in accordance with administrative principles. This is an inherently contentious process everywhere, but more so in weak and collapsed states where public bureaucracy has become a source of clientelism and patronage politics.

This chapter explores the institutional politics of foreign assistance to civil service reform in post-conflict Sierra Leone (2001-2011) and Liberia (2003-2011). I begin the chapter with a

discussion of the politics of bureaucracy and bureaucratization, using the logic of private and public institutions as a bridge between Weberian theory and public administration research. In particular, I focus on two broad kinds of administrative reform -personnel and organizational restructuring- whose distributional consequences are bound to generate tension between private and public institutions. I then proceed to the cases. For each of them I outline in turn the legacies of state failure and capture, the aims and expectations that international actors set for the recipient governments, and the prospects for donor collective action given relative commitments to reform and the presence of coordination frameworks. Having defined the theoretical expectations for each case in this way, I then explore whether they are borne out through case narratives of foreign support for reform. I close the chapter with a brief reflection on implications both for the analysis civil service reform and for the larger study of externally-supported state-building.

4.1 The Politics of Bureaucracy and the Challenges of Reform

Many studies of bureaucracy harken back in one way or another to the seminal work of German “ur-sociologist” Max Weber, who identified the emergence of bureaucracy (monocratic bureaucracy, to be precise) as a crucial component of modernity, coterminous with -and indeed necessary for- the rise of the modern state, capitalism, or mass democracy. His conceptualization of the emergence of a form of domination based on regulations and impersonality was nonetheless a contentious one, inasmuch as it subverted pre-existing social orders based on tradition and personalism. The tension between bureaucracy and patrimonialism, in Weber,

represents the conflict between merit and inheritance, between law and custom, and ultimately between the office and the official. Public and private institutions were fated to clash with the development of impersonal administration, and thereby of the modern state.

The Subversive Nature of Bureaucracy

Bureaucracy is first and foremost an expression of what Weber called “legal authority”: a form of administration based on continuous obedience to a consistent system of abstract rules for the conduct of official business, arranged in a clear hierarchy based on the principles of jurisdiction and written record, and within which no official -not even the highest one- is free from rule-bound conduct or allowed to appropriate his position or means of administration for personal use (Weber 1978, 217–219). Monocratic bureaucracy, as “the pure type” of legal authority, consists of individual officials recruited on a technical basis in exchange for fixed salaries, who are subject to authority only within the confines of official obligations defined by clear spheres of legal competence, and whose official conduct is controlled and disciplined in a “strict and systematic” manner (Weber 1978, 220–221). This abstract and comprehensive conceptualization ultimately boils down to a very basic notion: impersonal and self-policed administration. And even if this rational type of legal authority applies to virtually every modern form of organization -churches, firms, armies, parties, etc.-, “the most striking case” of its development is the “modern Western state” (Weber 1978, 223).

Bureaucracy may be a requirement for mass public administration, but its development, like that of capitalism or democracy, is not devoid of social -and especially redistributive- consequences. First, the focus on technical knowledge and recruitment results in a “leveling of

status” (Weber 1978, 225–226). Under bureaucracy birth and kinship become irrelevant categories for holding office, in stark contrast with traditional caste- or class-based forms of authority, where access to administrative positions (for instance ecclesiastic, or political) is the privilege of a group of actors related to each other by birth or some form of constructed kinship. In such contexts, even when administrative office is not inherited from parent to offspring it is always reassigned within the boundaries of the same patrimonial group, which is clearly demarcated by tradition and social convention. Bureaucratization undermines such patrimonial social differentiation by creating an organizational space that anyone with the right qualifications can access. This leveling of status is only reinforced after an official is recruited, as his conduct becomes regulated by strict norms of formalism and impersonality which guarantee equality of treatment to every individual belonging to the same empirical category. Therefore even if a member of a privileged group attains public office, he is in principle unable to use his office for his peers’ benefit, lest he face disciplining by the the bureaucratic organization. Under bureaucracy, therefore, administrative office ceases to be an entitlement or patrimony which exists for both public duty and private enjoyment.

Bureaucracy removes individuals from the tapestry of community life, full as it is of norms of reciprocity and allegiance, and severs the link between their personal and official conduct through control and discipline mechanisms. In so far as they act in an official capacity, individuals are no longer supposed to orient their behavior towards private norms: they have become instruments of a public organization. The basic requirement for such an organization to work, in the words of Chester Barnard, is “self-abnegation, the surrender of control of personal

conduct, the depersonalization of personal action” (Barnard 1938, 84). And what, if not social norms, should public officials respond to? “Common purpose,” Barnard says, the set of goals that animate the organization above and beyond the needs and ideas of every one of its individual members. For state bureaucracies, the source of such purpose is clear: “The law, the whole law and nothing but the law,” writes Samuel E. Finer. “Anything else is punishable” (Finer 1950, 134). If the spirit of public service is supposed to shape the interests of public actors, the letter of administrative law regulates their behavior, and sanctions them when they misuse or abuse public office. Administrative regulation is thus the first line of defense against “non-rational considerations, personal feelings and sympathies, clientelism, and corruption” (Olsen 2008, 22). At the very least such is the ideal type. The alternative to bureaucracy in the field public administration, as Weber beautifully put it, is “dilettantism” (Weber 1978, 223). But this is an alternative which may be perfectly desirable to those whose position in society depends on the persistence of informality and personalism.

The Institutional Politics of Bureaucratization

Bureaucratization loosely based on the Weberian ideal type has long been a prescription for weak states (Adamolekun 1991; Goldsmith 1999). It just “never goes out of style” (Caiden and Sundaram 2004). Civil service reform in particular involves a panoply of changes to the way the civil service is staffed (recruitment, training, grading, payment, retirement, sanctioning...) and to the way it is functionally organized (sizing, restructuring, mandates, accountability...) (Kaul 1996; Olowu 1999). In both cases the aim is to guarantee impersonality, formalism, and rationality. These reforms, however, rarely manage to enact meaningful institutional change in

the face of powerful “contextual factors” such as entrenched nepotism and clientelism (Andrews 2008; Grindle 1997b). Context is crucial because administrative change in the public sector creates winners and losers, and its redistributive implications shape the process of institutional continuity and change (Grindle 1996; Schneider and Heredia 2003). Public organizations in all states -but especially in weak ones- are a source of political power due to their potential for the redistribution of patronage, whether direct (in the form of jobs) or indirect (in the form of rents). When political actors collectively benefit from this privatization of public administration, there are no individual incentives for any one of them to support reform towards Weberian bureaucracy (Geddes 1994; Kjaer 2004). From this perspective civil service reform is in essence a problem of institutional tension, between private incentives for clientelism and favoritism, on the one hand, and public rules about administrative impersonality and formalism, on the other.

The development policy community is no stranger to the fundamentally institutional dilemma that the “good government imperative” generates (Grindle 1996, 1997b). The drafters of the 1997 World Development Report, which was devoted to understanding the role of the state and the politics of administrative reform, explicitly moved beyond technical interpretations of bureaucratic failure and reconstruction and into the redistributive politics that institutions enshrine. “In most countries where the state has collapsed,” the Report noted, “there are forces that have an interest in perpetuating a state of anarchy, and whose unbridled pursuit of riches or power would be constrained by a state with the capability to make rules, collect revenue, and enforce the law” (World Bank 1997, 159). These are precisely the kinds of actors who may have strong material and ideational incentives to oppose administrative reform. How, then, can new

public institutions overcome such powerful interests and social norms?

In his sociology of law, Weber delved into the problems of reconciling new laws with pre-existing customs and conventions. Legal norms, according to him, affect the material context of social actors; they also guarantee all kinds of positions of authority: familial, religious, political, etc. Law -and by extension, bureaucracy- is intimately connected to the distribution of interests among social groups, insofar as “any authority guaranteeing a legal order depends, in some way, upon the consensual action of the constitutive social groups, and the formation of social groups depends, to a large extent, upon constellations of material interests” (Weber 1978, 334). The problem for the would-be reformer or bureaucrat is that adherence to legal norms does not necessarily arise out of an ideational commitment to them, but also out of social sanction by the actor’s group, or even out of the “unreflective habituation” of customary behavior (Weber 1978, 312). The strength of these social norms and practices becomes especially apparent when one pursues legal reform of any kind (backed by state coercion), because “where it transforms a custom into a legal obligation (by invocation of the ‘usual’) often adds practically nothing to its effectiveness, and, where it opposes custom, frequently fails in the attempt to influence actual conduct” (Weber 1978, 320). This applies as much to legal authority outside as inside of bureaucratic administration: private institutions rooted in a pattern of material interests and social authority (of material and ideational incentives) will clash with new public institutions.

This conflict between private and public institutions unfolds constantly in the minds of public officials. So why would they comply with bureaucratic authority instead of succumbing to social pressures? After all, as Chester Barnard argues, an individual’s relation to any large

organization, like public administration, is always mediated by those closest to him: family, friends, and peers. Conventional answers to this question have relied either on some form of utilitarian self-interest, or on some kind of principled organizational culture or public spirit (DiIulio 1994; Grindle 1997a). For Barnard himself the solution to this dilemma lies in the use of incentives: “Regardless of his history or his obligations he must be induced to cooperate, or there can be no cooperation.” These incentives can be material (“objective inducements”) or ideational (“states of mind”), and both types are usually jointly necessary for the functioning of public bureaucracies (Barnard 1938, 139, 141). When incentives of either kind fail, however, the result is usually “rent-seeking” on the part of public actors, which has been a powerful theoretical argument for de-bureaucratization policies seeking to minimize the size and discretionary power of public organizations (Krueger 1974; Olsen 2008).

The challenge of establishing a monocratic bureaucracy in the Weberian sense is thus two-fold. There is the first-order problem of enforcing new rules on a recalcitrant society, awash with customs and interests that are incompatible with bureaucratic government. But even before that there is a second-order problem: enforcing administrative rules on the bureaucracy itself, in order to ensure that it adheres to the principles of formalism and impersonality. This second-order dilemma is precisely the one faced by every public actor or foreign donor who embarks on civil service reform.

Mindful of these twin challenges, the policy community is constantly searching for indications of “commitment” or “political will” on the part of recipient country leaders, which conventional wisdom holds to be the recipe for successful reform (Kaul 1996; Macgregor,

Peterson, and Schuftan 1998; McCourt 2003). The problem is that political will cannot be demonstrated *ex ante* with mere agreement on a policy or strategy: proper enforcement of administrative institutions policing a formal and impersonal public bureaucracy, and not just the adoption of new regulations, is the true test of commitment. Monitoring this kind of political will is not easy, especially when bureaucracies are so weak in terms of human and organizational resources that institutional subversion can be misconstrued as a deficit of technical capacity. On the one hand, civil service reform is guilty of the fundamental paradox of expecting weak public organizations to strengthen themselves. On the other hand, this patent fragility is an easy excuse for malfeasance, and we should expect public actors interested in continued subversion and continued foreign assistance to emphasize how capacity-building has to be the immediate task. Weak capacity can always be invoked to justify delays in strategy and policy formulation, as plans and initiatives shuffle endlessly between inefficient ministries and agencies, ad hoc steering committees, high-level retreats, and stakeholder consultations. These are just some of the stalling and sabotage strategies that recalcitrant public actors can use to ensure the continued enforcement of private institutions, and that we should expect in analytic narratives of reform.

Theoretical Introduction to the Cases

When donors arrive in post-conflict states they usually encounter entrenched habits of informal and personalized administration, a primacy of private institutions over public ones. And while the economic and political crisis inherent to reconstruction settings may prompt local state elites to launch civil service reforms, their success will ultimately depend on the prevailing balance of institutional politics (Grindle 1996; Schneider and Heredia 2003). In this kind of

social context it falls to external actors to use their resources to reshape the structure of incentives. In the rest of this chapter I analyze the reform of public bureaucracies through the lenses of *personnel* and *organizational reform*, which aggregate a number of policy areas prone to private capture, such as recruitment or performance monitoring, on the one hand, and hierarchical and jurisdictional clarity and rationality, on the other. Under complete penetration of the civil service by private institutions, the logical expectation would be to observe ministries and agencies with opaque recruitment and promotion procedures, unclear or redundant mandates and functions, and unchecked noncompliance with administrative rules and procedures. The opposite conceptual pole would embody the Weberian ideal of impersonality, formalism, documentation, and rationality. The subversive nature of bureaucracy, the institutional politics of bureaucratization, and the common agency problems of aid and state-building all become apparent in the first decade of civil service reform in post-conflict Sierra Leone and Liberia.

The case narratives in this chapter provide a clear illustration of the conceptual premise and two strategic dilemmas of state-building assistance, highlighting the ease with which powerful informal legacies can undermine well-meaning but uncoordinated international support. Both Sierra Leone and Liberia emerged from civil war with administrative institutions weakened after decades of capture and ultimate collapse, their civil services bloated, nepotistic, and free from regulation and sanction. Donors were thus faced with the most immediate task of post-conflict state-building: establishing public capacity for institutional enforcement. Following the logic of the explanatory typology presented in chapter 2, we should expect to see reform efforts unfold along the following lines. In Sierra Leone under a leading donor unwilling to use

conditionality, institutional change should be limited to window-dressing alterations, without actual administrative enforcement of new civil service regulations, and state-building assistance will thus unfold according to the logic of concession. Later, with the beginning of multiple-donor support, this agency dynamic should be complicated by the presence of actors with different levels of commitment to reform, and thus inconsistent preferences in terms of monitoring and enforcement: diversion, not concession, will characterize state-building assistance. Similarly, in Liberia, we should expect the government to profit from this same logic of diversion by enacting mostly superficial transformations without negative reactions from donors that are less interested in aggregate-level outcomes than specific project outputs. The analytical implications of each type will become evident as we see the structure of incentives evolve in each country over the first decade of civil service reforms.

4.2 The Structure of Incentives for Civil Service Reform in Sierra Leone

This case study covers approximately twelve years of policy efforts to reform the ineffective and unaccountable civil service of Sierra Leone, between 2001 (although policy initiatives actually date back to 1997) and 2011. This narrative of inchoate rationalization, formalization, and depersonalization spans two presidents, three administrations, and two clearly differentiated periods of donor support: a first phase (2001-2007) dominated by Sierra Leone's leading international backer, the United Kingdom, and focused on organizational reform; and a second phase (2008-2011) in which additional international actors, chiefly the United Nations

Development Program and the European Commission, joined the British in a multi-donor intervention mostly centered on personnel reform.

Public Will and Private Incentives

Civil service reform was recurrently invoked as a strategic necessity by the various post-conflict governments of Sierra Leone. The administration of Ahmad Tejan Kabbah made civil service reform a policy priority shortly after his electoral victory in 1996: with British support he launched a Public Sector Management Support program, which was later merged into a “National Strategy for Good Governance and Public Sector Reform” (Government of Sierra Leone 1997). Unfortunately, the sudden coup d’état by the Armed Forces Revolutionary Council put an end to the government’s aspirations, effectively placing the reform effort on hold for three years. It was the British Department for International Development (DfID) and UNDP who in 2000 resuscitated the strategy, which the government later incorporated into the larger frameworks of a 2001 Interim Poverty Reduction Strategy Paper (iPRSP), a 2002-2003 National Recovery Strategy for 2002-2003, and a 20-year vision document subbed “Sweet Salone.” Kabbah’s commitment was then restated in the full Poverty Reduction Strategy Paper (PRSP), adopted in 2005, which called for “speedy public sector reform based on a review of public sector functions, institutions, processes and staffing needs, and civil service pay structure” (Government of Sierra Leone 2005c, xii). In 2007, ten years after the first good governance strategy was formulated, the arrival of Ernest Bai Koroma at State House had a seemingly catalytic effect, resulting in new programs on public sector and civil sector reform under the rubric of the second Poverty Reduction Strategy Paper. Measured strictly in terms of policy

statements and strategies, both of Sierra Leone's post-conflict governments demonstrated ample high-level political commitment to reform. Unfortunately, their ostensibly public-spirited ethos was stacked against a powerful legacy of private institutions.

Reforming the public sector in general, and the civil service in particular, was going to be a daunting proposition considering the sorry state and lackluster history of the Sierra Leonean state. It took a just a few years for the country's second Prime Minister, Albert Margai (1964-1967), to unravel the delicate ethnic balance struck by his predecessor, flooding the state with his Mende supporters and paving the ground for the eventual rise to power of Siaka Stevens (Cartwright 1978). Under the rule of Stevens (1967-1985), and especially after the transition to a one-party regime in 1978, the logic of capture initiated under the second Margai was perfected throughout the Sierra Leonean public sector, giving rise to a veritable "shadow state" which shifted large swaths of the national political economy towards informal networks (Reno 1995). The President's secretary and head of the civil service, Abdul Karim, reportedly operated "an elaborate tribute system of appointments and promotions based on bribes," with some positions in diamond-rich districts requiring as much as an initial \$10,000-equivalent bribe supplemented by monthly \$8,000 payments (Kandeh 1999, 351-352). When Joseph Momoh (1985-1991) was appointed as Siaka Stevens's successor, there was a briefly a sense that things might actually change for the better. However, his tenure was as predatory and nepotistic as Stevens's, and the President used public offices liberally in order to empower the "Binkolo Mafia," so-called after his home town. Whatever hopes had been nurtured were in fact quickly dashed when he retained 17 out of 20 Stevens loyalists in his cabinet, including regime old hands who kept an iron grip on

the juiciest ministries. This led an analyst to claim that “throughout the 1980s it was more a matter of who one knew, and not what one did, that was regarded as the key to personal betterment” (Kpundeh 1994, 140, 150). By the time the war began in 1991, with the subsequent destruction and neglect of public organizations, the Sierra Leonean civil service had virtually become a subsidiary of the All Peoples’ Congress, unchecked in its pursuit of private benefit for the ruling elite and its clients.² After assuming power, the military National Provisional Ruling Council (NPRC) did not make things any better: in fact the new regime exhibited a “widespread disregard” for administrative regulations, and it staffed public organizations with “largely unqualified, inefficient and submissive officers” (Government of Sierra Leone 1997, 1).

In 1996 President Kabbah, according to his own strategy, had “inherited a thoroughly demoralised and discontented Public Service” (Government of Sierra Leone 1997, 2), disproportionately composed of junior and support officers incapable of conducting policy evaluation or design. The Public Service Commission, established in 1948 as the civil service’s major administrative body, had been severely subverted and politicized in the decades since, further weakening institutional control on the meritocracy and integrity of the civil service (Government of Sierra Leone 2010c, 17). A national security review conducted in 2005 found that one of the major threats to Sierra Leone was its “de-motivated and de-spirited” public workforce, whose discipline and responsibility were undermined by poor remuneration and

² According to sections 138 (3) and 139 (3) of the 1978 constitution: “No person shall be appointed to any of the offices to which this section applies or continue in any such office unless he is a member of the recognized party.” In combination, these provisions included: principal representatives abroad, the police commissioner, commanders of the armed forces, permanent secretaries, secretaries to the president and vice-president, the secretary to the cabinet, the financial secretary, the secretary to the foreign minister, the establishment secretary (head of the civil service), the development secretary, the director of public prosecutions, the solicitor-general, and the administrator and registrar general (Government of Sierra Leone 2010c, 17).

conditions of service. The acute lack of public ethos and administrative enforcement were jointly responsible for “decaying and dysfunctional public institutions, the inability of government to implement policies and, above all, rampant and endemic corruption” (Government of Sierra Leone 2005d, 9–10). Two years earlier a survey of public officials had pointed to “deficiency in the entire system,” including significant political interference in recruitment practices. Over half of public officials consulted had reported management decisions based on “influential connections” and “political ties or pressure.” More worryingly, around 45% of them simply did not understand their organization’s mandate and objectives, or its rules and responsibilities (Government of Sierra Leone 2003c, 37, 42). Although there can be no reliable measurement of the strength of private institutions, all the available evidence points to a deeply politicized and dysfunctional civil service. Precisely the kind of conditions under which administrative reform is unlike to prosper.

Donor Aims and Agendas

In its perpetually restated plan to bring its broken bureaucracy up to modern standards, the Sierra Leonean government relied on foreign assistance from a number of donors. The original 1996 public sector reform program had been developed with funding from DfID’s predecessor, the UK Overseas Development Agency, but the World Bank and UNDP had also conducted several studies at the time (Government of Sierra Leone 1997). However, true international involvement in reform began around the year 2000, and it can be divided into an early phase (2001-2007) dominated by DfID’s assistance through its sponsorship for a Governance Reform Secretariat, and a later phase (2008-2011) of support from DfID, the World

Bank, UNDP, and the European Commission for public sector and civil sector reform through a new Public Sector Reform Unit.

The United Kingdom became involved in civil service reform in Sierra Leone, as it did in anti-corruption or security transformations, before it actually had a plan for what to do or how to do it. Britain's first explicit assistance strategy was a 10-year "Memorandum of Understanding" signed by DfID's chief Clare Short and President Kabbah in November of 2002 (DfID and Government of Sierra Leone 2002). In exchange for continued technical assistance and budget support (to the tune of £120 million over the first three years), the government of Sierra Leone committed itself to a number of economic and governance reforms. But while the agreement was fairly detailed in matters of corruption or security, it was entirely silent on the civil service. This may be surprising, considering that a year earlier DfID had begun a program of support for public sector reform. In fact, however, that program was largely confined to a purely technical approach based on analysis and recommendation, without political conditionality of any kind, and it had assumed a shared vision between donor and government on what the reform effort should aspire to achieve (DfID 2008a, 32). It was not until 2007 that CSR was formally included in DfID's joint country strategy with the European Commission. Implicitly, therefore, from a principal-agent perspective British assistance to this area of reform was assessed under the more general aid umbrellas provided by the iPRSP and PRSP, whose monitoring arrangements were far from comprehensive. To begin with, the iPRSP had not actually set a coordinated monitoring mechanisms for donors. And when a Development Partnership Committee (DEPAC) was eventually established for quarterly monitoring of implementation, it did not perform particularly

well: in 2006, for instance, it only managed to hold one meeting in the entire year (World Bank 2006a, 3). During the first phase of CSR assistance, it was clear that the United Kingdom as a donor was more interested in administrative design than in enforcement.

In 2006 Sierra Leone's donors signaled their concern through an "Improved Governance and Accountability Pact" which focused attention on "critical areas" of reform, including the civil service. Unfortunately, monitoring of implementation remained within the somewhat ineffective DEPAC forum, and the agreement attached no explicit consequences to noncompliance with its benchmarks (Government of Sierra Leone, African Development Bank, DfID, European Commission, and World Bank 2006). The limitations of IGAP foreshadowed the challenges faced by donors in the second phase of support for public sector and civil service reform (2008-2011), the centerpiece of which was a comprehensive Public Sector Reform Program (2009-2012) which included a major Civil Service Reform component. Working under the coordination of a new Public Sector Reform Unit tasked with monitoring implementation of a government-owned plan, donors were represented in a dedicated steering committee assisted by a technical working group (Government of Sierra Leone 2009a, 27). But despite the new policy alignment and coordination framework, the government's aid inflows would be determined by each donor's individual expectations of performance. And this leads to the third strategic dilemma of assistance to civil service reform in Sierra Leone.

Donor Coordination

Between 2001 and 2007, DfID really had no one to coordinate its CSR assistance with. One donor, one recipient; one principal, one agent. Things got more complicated once the

government launched its ambitious donor coordination initiative for public sector reform, which counted on support from UNDP, DfID, the World Bank, and the European Commission. For, although the administration had hoped for a basket fund of pooled aid, the new program ended up having to reconcile distinct donor projects consistent with preexisting strategies and subject to idiosyncratic project cycles and benchmark monitoring. For instance, UNDP established its own multi-donor trust fund for its project, monitored against its own results matrix (UNDP 2009); and due to its corporate policy profile it was not ready to suspend a 3-year assistance program even if major underperformance was identified (462581 Multilateral donor official, Freetown 2010). Others would also design their separate projects, animated by entirely different aims. “To a significant extent there has been strategic agreement among donor principals,” concluded an official involved in donor coordination, “but this has not materialized at the disbursement level” (186856 Expatriate PSR official, Freetown 2010). From one donor, one recipient, the dynamic evolved into one donor, one separate agency relationship with the recipient. And consequently: one donor, one separate framework for monitoring and sanctioning compliance. The second phase of civil service reform assistance in Sierra Leone, unfolding according to the logic of diversion, was ripe for a collective action problem.

Having established the primacy of private incentives over public administrative institutions, the limited commitment and ability of external actors to monitoring and enforcement, and the further threat of free-riding in the later period of assistance, the stage is now set for a narrative of civil service reform exploring the institutional effects of -first- leading

and -later- uncoordinated foreign support for administrative change. Whether the first period of state-building assistance resembled more the first or the second explanatory types outlined in chapter 2 would depend entirely on the level of British commitment: should DfID demonstrate a strong commitment to effective administrative enforcement, as a principal it could potentially use its aid to overcome the government's incentive-compatibility constraint. The later period of reform, however, was bound to reflect the dynamics of the fourth ideal type, diversion, in which collective action problems prevent international actors from jointly monitoring and sanctioning a reluctant agent, therefore leaving the effective level of administrative enforcement at the mercy of local patrimonial politics.

4.3 Tracing the Process of Civil Service Reform in Sierra Leone

The 1997 Good Governance and Public Service Reform strategy had created a program and subcommittee on Civil Service Reform as “a critical arm to increase the productive capacity of the public sector,” and it aspired to develop a new salary and grading structure, a new incentive system, new human resource regulations, new recruitment procedures, and a new evaluation system (Government of Sierra Leone 1997, 32–35). Although the initiative was stillborn due to the military coup two months later and the subsequent three years of intermittent conflict, it did plant the organizational seed for what would be the first phase of civil service reform in Sierra Leone: a Governance Reform Secretariat designed to provide strategic guidance and coordination to all actors involved in the process (Government of Sierra Leone 2000).

The governance program was brought back to life with funding from DfID and UNDP in

2000 (Government of Sierra Leone 2001a, 22). President Kabbah's main objective was at that stage personnel reform, which had become a pressing need after decades of politicization and lack of accountability. To that end he created in September 2003 a "Presidential Commission" tasked with designing a strategy for restructuring the senior civil service. "Without a good, first class civil service," he said, "we cannot be able to build enough wealth to enable us sever our dependence on foreign aid" (United Nations 2004b, 9). The deliberations of the Commission led to a specific proposal that the government then took to donors: the creation of a Senior Executive Service, "a structured and recognised public sector management cadre" that would staff nonpolitical offices in the higher echelons of public bureaucracy (Government of Sierra Leone 2005c, 77). In terms of larger personnel reform, the administration was also exploring a pay and grading review as a precondition for further donor support, as well as the creation of a new Human Resources Management Office (HRMO) to take up some of the administrative roles of the derelict Public Service Commission.

Despite these aspirations regarding personnel, the main thrust of change in this initial period was in fact organizational. Between 2002 and 2008, the DfID-funded Governance Reform Secretariat conducted a number of management and functional reviews (MFR) of key ministries in order to diagnose organizational overlaps and inconsistencies, determine the levels of compliance with administrative laws and regulations, and make recommendations for rationalization. The reviews were carried in two batches, 2002-2005 and 2005-2008. Initially the focus was on the line ministries most vulnerable to capture of public resources: Education, Health, Agriculture, and Local Government. These were complemented in 2003 with reviews of

the ministries of Trade and Defense (crucial for the United Kingdom's security sector reform effort). In contrast, the second phase shifted attention largely to ministries responsible for the management and extraction of national wealth: Development and Economic Planning (2005), Mineral Resources (2005), Fisheries and Marine Resources (2006), and Internal Affairs (2007). The findings of these reviews were emblematic of the dilapidated conditions in which the entire civil service found itself. At the Ministry of Education, for instance, evaluators found systematic personnel irregularities, pervasive disregard for administrative procedures, low levels of morale and discipline, and the generalized and unchecked violation of basic performance standards (Government of Sierra Leone 2002b, 1–2). Many of the recommendations were properly administrative in the Weberian sense, aimed at increasing the formalism, impersonality, and rationality of each ministry. In the case of the Ministry of Fisheries, they included such proposals as developing a ministerial code of conduct and discipline (including “an immediate ban on the use of personal radios /televisions on official premises”), strengthening the internal audit unit, rationalizing personnel requirements, contracting out “non-core” activities (such as the “messengers” and errand people that are ubiquitous in Sierra Leonean public offices), merging duplicated offices, or conducting a “root and branch review” of personnel practices (Government of Sierra Leone 2006a, 8–12).

Even as the second set of MFRs were being published, President Kabbah's attention remained focused on his quest for an aid-funded Senior Executive Service program. Unfortunately for him, donors did not seem ready to oblige, and in fact were becoming increasingly anxious about the lagging pace of organizational reform, eventually coming to the

collective realization that an entirely new approach to reform was necessary (European Commission 2007a, 3). At the 2005 meeting of the donor Consultative Group in London, government officials sought to allay these concerns by presenting a brand new “Task Force on Capacity Building in the Public Sector,” but they provided no clue as to what strategy the task force was supposed to follow or implement (European Commission 2007a, 3). The text of the “Improved Governance and Accountability Pact” signed between the government and its main international backers in July 2006 betrays a certain impatience with the progress of civil service reform, or lack thereof. Ten years after the government had first requested support, and five after donor support had enabled actual implementation, Kabbah’s administration still had a number of basic tasks to complete. The “road map” for CSR had not been completed, and there was no policy framework for the review of pay and grading, training, or payroll verification. The recommendations of the five management and functional reviews approved by cabinet were still to be implemented.³ And the new Human Resources Management Office had not been established, let alone instructed to work on comprehensive personnel reform (Government of Sierra Leone, African Development Bank, DfID, European Commission, and World Bank 2006). A new civil service code had been drafted and reviewed in 2003-2004, but it had not been formally adopted due to disagreements over grading, pay, and promotions (World Bank 2008b, note 40). As to the recommendations of a 90-day review of organizational architecture, they still had to be endorsed by the very cabinet which had launched the whole exercise (Government of

3 The fact that the Minister for Presidential Affairs was at the helm of the Governance Reform Secretariat did not make it any easier for Kabbah to justify why the recommendations were not being implemented. If anything, it gave wings to suspicions of political interference. This was also the case with the official acting as head of the civil service, a responsibility that Kabbah shifted from the Establishment Secretary to the secretary to his own office (International Crisis Group 2008, 11, 9).

Sierra Leone 2006c, 38).

When the Consultative Group met in Freetown in November of 2006, the head of DfID's country office did not mince words in his evaluation of reform efforts thus far. In response to complaints about lack of capacity and imperfect donor coordination, he claimed that the government should "provide no more excuses" and focus on implementation. The slow pace of reform could not be attributed, he believed, to resource constraints: instead he called for a "change of culture" so that "people and institutions were held to account for poor performance." Britain was "prepared to increase its level of assistance to Sierra Leone," he said, "but only if there was a real commitment to partnership and reform that was clearly measurable on the ground" (World Bank 2006a, 5). This kind of negative assessment was mirrored in the joint DfID-EC assistance strategy finalized in 2007, which found that "In spite of innumerable studies and several management and functional reviews of ministries, there is still no agreed overall civil service reform strategy or consensus on the future size and shape of government" (European Commission and DfID 2007, 8). A 2006 report on public service reform carried out by DfID cut to the core of the problem: "Donors have tended to assume that by creating new formal institutions (e.g. legal codes, procedures, implementation units) they will be able to replace or side-line old informal ways of doing things. However, our analysis of public sector reform has demonstrated that informal institutions and practices have an inertia and robustness" (DfID 2008a, 27).

In 2008 a wide-ranging evaluation of a decade of British assistance to Sierra Leone highlighted the civil service as one of the outstanding areas where not even a little progress,

however slow and fragile, had been achieved at all. To explain this the drafters put forth the theory that DfID had simply adopted a fundamentally flawed approach to civil service reform:

Performance and results have been limited, although at the rhetorical level there has been agreement among the stakeholders of the need for civil service reform. The fundamental issues are that DFID's support was based on a technocratic approach, carrying out analysis and then developing proposals on what should be reformed. This approach assumed three conditions were in place. First, that there was sufficient political will and interest in place. Second, that the donors and government shared a common vision of what type of civil service should emerge from the reform process. Third, that there was sufficient technical and management capacity in place in ministries and government to actually implement proposals. None of these conditions held and hence the support was over-ambitious (DfID 2008a, 32).

Eventually the cabinet did adopt a Public Sector Pay Policy Framework in January of 2007 (Government of Sierra Leone 2008a, 158). It also managed to develop various training policies with DfID and World Bank assistance, even if it could not garner donor support for its Senior Executive Service scheme (Government of Sierra Leone 2008e, 38, 16). And the Human Resources Management Office finally began working. But by that time the election season had begun. When Ernest Bai Koroma assumed the presidency in late 2007, it seemed that public sector reform -all areas of reform, in fact- would be finally given the priority that had been lacking under the previous administration.

In his speech at the opening of the new parliament, President Koroma told legislators that he was "concerned about the tendency of some civil servants to use their offices to undertake private enterprise" (International Crisis Group 2008, 9). Almost immediately he seemed to make good on his campaign promise to run the country "like a business concern," by establishing a transition team tasked with consulting the outgoing administration and drafting a report on the status of the executive (United Nations 2007, para. 11). In order to address donor calls for the

new government to “accelerate the reform of the civil service” (World Bank 2006c, 7), Koroma not only developed a new Poverty Reduction Strategy Paper, but decided to infuse new life into the Governance Reform Secretariat by turning it into a Public Sector Reform Unit (PSRU). The new agency would be in charge of coordinating implementation of an ambitious new Public Sector Reform Program which acknowledged, for the first time in a public government document, the need to overcome “substantial resistance to change in the public sector” (Government of Sierra Leone 2009a, 8).

As part of the new agenda Koroma’s administration developed a Civil Service Reform Program (Government of Sierra Leone 2009b), the first dedicated strategy of its kind in post-conflict Sierra Leone. The document presented a snapshot of an overgrown public sector and a mostly unqualified civil service: a total of 20 ministries and 56 departments and agencies were staffed by 15,272 public officials, of which only 2,092 (13%) were professional administrators. This dearth of human capacity, together with a perceived absence of political will, was held responsible for the “extremely patchy” implementation of the 14 MFRs (Government of Sierra Leone 2009b, 5–6). Over the next three years (2009-2012) the new strategy aspired to achieve several key transformations. First, using the MFR process and “change management teams” to align ministries and agencies with the Poverty Reduction Strategy Paper and the process of decentralization. Second, launching a rationalization of staff, pay, and incentives, including covering the administrative “missing middle” (between menial and political work) through diaspora and senior-level programs. And third, improving CSR coordination and management through the Human Resources Management Office and a Steering Committee on Civil Service

Reforms.

Koroma hoped that the new CSR strategy -with an estimated cost of \$25 million over three years- would be funded by donors through a basket aid fund, and it did indeed count with a priori interest from DfID, UNDP, the European Commission, and the World Bank. But one of the hurdles to implementation that the strategy identified was the possibility that “donor agencies may not accept the notion of pooling funds,” a prospect that only increased the risk of “a piecemeal and uncoordinated approach to the reform process” (Government of Sierra Leone 2009b, 21, 22). This assessment turned out to be spot on, as “donor coordination” was revealed to mean that every donor established separate assistance programs with the government (Government of Sierra Leone 2010h). For instance, UNDP quickly supplied a one-year “Emergency Capacity Support Program” intended to support organizational support to central administrative organizations, technical assistance for a voluntary retirement program, and a senior-level salary enhancement program targeting one hundred public officials (UNDP 2009); it simply could not wait for the others if it was to match the planning and budgeting rhythm of its New York headquarters (186856 Expatriate PSR official, Freetown 2010). The World Bank, for its part, continued support through its governance reform and growth credits funding PRSP implementation (World Bank 2009). The European Commission had earmarked €10 million for support to HRMO and the Public Service Commission, as well as for “pilot civil service reform in some key ministries” (European Commission 2009b, 17). But the Freetown delegation’s first project was in fact rejected by Brussels on the basis of political risk (833942 Multilateral donor official, Freetown 2010). As to DfID, it signed a memorandum of understanding for a 4-year

program of support to the PSRU, subject to compliance with certain deliverables after the first two years, such as the development of an action plan for donor assistance, a new retrenchment policy, or the completion of a teacher payroll verification exercise (Government of Sierra Leone 2010f).

The government made some progress under this new phase of reform, mostly reducing the civil service from around 17,000 to 12,000 after a payroll and personnel verification exercise conducted in 2009 with DfID support. It drafted a Civil Service Code and a new pay structure policy, and it began to discuss a retrenchment plan (Government of Sierra Leone 2010e). However, reforms soon fell victim to their political implications. The new pay policy drafted by the HRMO and endorsed by the PSRU was stalled at the cabinet (186856 Expatriate PSR official, Freetown 2010). The teacher verification project became an issue of contention, leading to a confrontation between the PRSU officials and a Ministry of Education unwilling to release funds for the initiative unless it exercised absolute control over them (Government of Sierra Leone 2010e). More importantly, the introduction of new administrative regulations was not accompanied with a strengthening of the organizations that were supposed to enforce them. If anything, the new program had introduced greater chaos into the system of checks. The independent Public Service Commission, which was constitutionally mandated to enact and monitor recruitment and promotion, was turned into a policy planning agency (a task for which it had absolutely no capacity), while its oversight competences were hived off to an HRMO which was actually working as a policy-making office (Government of Sierra Leone 2010c). As a result, there was “a big confusion as to the chain and command and reporting within public

service” (737404 Expatriate CSR official, Freetown 2010). As to the much-touted “performance contracts” which Koroma had signed with his ministers, they were having “little to no impact” due to the disconnect between appointed and professional officials: ministers feared that civil servants were sabotaging them by underperforming, while career officials felt an utter lack of policy guidance (186856 Expatriate PSR official, Freetown 2010).

Lack of progress on teacher verification and pay policy eventually led DfID to announce that it was withdrawing its support for the PSRU starting December 1st, 2010 (Government of Sierra Leone 2010g). In contrast, UNDP decided to continue its support to the program despite having actually disbursed no more than 25% of its budgeted funds in 2009-2010 (186856 Expatriate PSR official, Freetown 2010). As to the European Commission and the World Bank, the both launched new assistance projects of their own, even as the public sector program remained plagued with weak, uncoordinated, and fragmented monitoring (Government of Sierra Leone 2011). CSR quarterly review meetings failed to convene as stipulated, leading to a more informal system of donor coordination based on inter-personal contacts between individual officials (462581 Multilateral donor official, Freetown 2010), and even then some local officials attributed donors a greater concern with their own budgets than with achieving coordination (071023 Senior civil service official, Freetown 2010). But beyond the problem of securing collective responses, the very standards of compliance were irreconcilable. Each donor had separate monitoring, reporting, and procurement mechanisms, and agreement at the strategic level failed to materialize at the disbursement level: as one participant told me, “in actuality donors do not speak with the same voice” (186856 Expatriate PSR official, Freetown 2010).

UNDP, for instance, considered “government leadership and commitment” a “key measure of success” for its assistance (462581 Multilateral donor official, Freetown 2010). Its entire philosophy was to be a “development partner,” not a “donor,” and it saw itself as an intermediary between the government and its foreign partners when their relations deteriorated (608597 Multilateral donor official, Freetown 2010). For other donors, the expectations were indeed to have on paper a clear payroll, an efficient and transparent recruitment process, and a right-sized civil service; in terms of substance, however, there was little hope that these reforms would ever be implemented (833942 Multilateral donor official, Freetown 2010).

Even if aid actors supporting civil service reform had solved their collective action problem, this would not have necessarily resulted in actual enforcement of administrative institutions. CSR donors had from the beginning focused on the kind of “soft capacity building” which does not take root, assuming that structures would make outcomes despite the prevalence of informal systems (737404 Expatriate CSR official, Freetown 2010). Instead of grappling with the civil service as a holistic problem, they had created a “shadow civil service” of organizations like the HRMO that existed outside of the normal system and were staffed by “dollar boys,” so-called because their salaries were paid by donors in American currency (071023 Senior civil service official, Freetown 2010). To political problems they had responded with technical solutions, and they were not willing to proceed in any other way; not even the United Kingdom, which in other areas of reform had been more than willing to exert political pressure. Civil service reform in post-conflict Sierra Leone came to be resemble pretty closely the kind of failed state-building assistance lacking donor coordination and commitment presented in chapter 2 as

the logic of diversion. Without a countervailing external incentive towards administrative reform, it is not surprising that local elites subject to powerful private institutions managed to achieve so little.

4.4 The Structure of Incentives for Civil Service Reform in Liberia

Much like their peers across the border, Liberian elites and their international sponsors devoted no small amount of energy to bringing the country's civil service up to Weberian standards in the years following the end of the second civil war (2003-2011). With Taylor out of the picture and a transitional government in place, civil service reform began in Liberia largely as a donor-led initiative faced with the enormous challenge of uprooting private institutions resulting from decades of politicization and capture. In contrast to Sierra Leone, however, the Liberian CSR effort was from the very beginning a multiple-donor affair, defined as an aggregation of basically technical agendas which were only very imperfectly coordinated by the successive governments and their foreign sponsors. Civil service reform in Liberia is thus an almost perfect example of diversion: post-conflict state-building under uncoordinated assistance unwilling or unable to ensure the enforcement of administrative institutions. As in Sierra Leone's second phase of assistance, whatever progress could be made would depend on the political will of the transitional and elected Liberian governments, and ultimately on the personal commitment of its public officials.

Public Will and Private Incentives

Liberia's era of post-conflict civil service reform began with the Comprehensive Peace Agreement signed in Accra in 2003. While it did not explicitly include CSR as one of the political issues that the parties had agreed upon, it did plant the seeds of eventual reform with two key provisions. Article XVI established a Governance Reform Commission (GRC) to serve as "a vehicle for the promotion of the principles of good governance in Liberia," which among other tasks was supposed to "develop public sector management reforms." And Annex IV mandated that leadership of the Civil Service Agency (CSA) was to be allocated to "Political Parties and Civil Society" instead of one of the warring factions composing the National Transitional Government of Liberia (NTGL) (Government of Liberia 2003). GRC and CSA would thenceforth be the two central organizations for civil service reform in Liberia. Interestingly, Ellen Johnson Sirleaf herself was the first Chairperson of the GRC; later, upon assuming the presidency, she would revamp it as an independent policy-making entity, rebranding it as the Governance Commission (GC) (Government of Liberia 2007a). By that time the Interim Poverty Reduction Strategy had already developed a more specific set of CSR tasks for the Commission, such as "streamlining the civil servants roster to right-size and remove ghost workers, strengthening the capacity of the civil service agency, harmonizing civil service rules and procedures and streamlining the mandates and structures of government ministries, public corporations and autonomous agencies" (Government of Liberia 2007c). But it would not be until 2008 that a three-year Civil Service Reform Strategy was prepared with British assistance and incorporated under the umbrella of a full Poverty Reduction Strategy (Government of Liberia 2008b). Like their Sierra Leonean counterparts, Liberia's post-conflict

governments had made CSR a permanent priority of their reconstruction agenda.

The Liberian civil service was in dire need of reform. Historically, the settler ruling class in Monrovia had extended the public service into the hinterland as a way to incorporate and neutralize potential political rivals. As a result, progression through the national bureaucracy did not proceed according to Weberian principles of hierarchy and merit, but on the basis of expediency, personal enrichment, and fluid political bargaining. “The preoccupation of the individual, at whatever level, thus became to ‘know the system’ and to play it to his own advantage” (Brown 1989, 377). During his presidency William Tubman (1944-1971) replicated this patrimonial system, even as he took it away from the settler elite and used it to build his support among a lower-class clientele, to such an extent that the presidency “became, directly or indirectly, the ultimate source of individual livelihood.” Tubman’s successor, William Tolbert (1971-1980), was groomed within this very patronage network yet once in the Executive Mansion he sought to introduce “a system of civil administration,” a policy which favored urban professionals and antagonized the old guard. When Samuel Doe’s military junta replaced Tolbert in 1980, it did little more than reinstate in government positions a coterie of former Tubman-era junior officials and politicians “who sought personal fortune at all costs” (Sawyer 1992, 185, 187, 295). This pattern was only amplified under Taylor’s “Greater Liberia” and “Liberia Inc.”

There had been several attempts at reform since the establishment of the Liberian civil service in 1934, including a “Special Commission on Government Operations” established in 1960, the creation of the Civil Service Agency itself in 1973, or the adoption of “Standing Orders for the Civil Service” in 1983 (United Nations 2004a, 11). Even Charles Taylor himself had

established a “Committee for the Pursuit of Governance” with UNDP support. But the Committee conveniently found that most of Liberia’s public sector problems were technical and not political (718456 Senior elected official, Monrovia 2011). These reform efforts hardly made a dent on the prevailing private institutions that defined the civil service. By the time the CPA was signed in 2003, the NTGL found itself in charge of a unknown number of public officials (“ghost workers” made estimates range between 20,000 and 60,000 due to), whose salaries had been eroded by inflation several orders of magnitude below 1980s levels, and who were free from effective control by an incapable and politicized Civil Service Agency (DfID 2006, 12–13). At a workshop held in 2004 Liberian legislators argued that, besides low salaries⁴, the civil service was afflicted by “lack of education and understanding of government, dishonesty and greed, lack of accountability and the lack of commitment” (United Nations 2004a, 13). An American-style “shallow” civil service, topped with four layers of political appointees, had developed “a patronage culture that values loyalty over performance, informal relationships over chain-of-command, illusory consensus-building over critical thinking, and acquiescence over analysis and competition of ideas” (Government of Liberia 2008b, 9). There were no standards of conduct, no meritocratic recruitment procedures, no sanctioning mechanisms, and therefore no accountability. Decades of political patronage, exacerbated during the civil war, had created a “bottom-heavy” civil service with a disproportionate number of unqualified and unskilled officials. Morale was “poor”; professional ethics “questionable and difficult to enforce” (Government of Liberia 2007c, 63, Annex 2).

4 From an average of a monthly \$1500 salary in the late 1970s, the steady decline of the Liberian dollar relative to the American one had led to average salaries of \$50 a month in the early 2000s (DfID 2006, 12).

Donor Aims and Agendas

Liberia's international partners were not oblivious to the problems of public bureaucracy, nor the need to address them if post-conflict reconstruction was to prosper. The 2004 Results-Focused Transitional Framework (RFTF) which enshrined aid priorities for the immediate years after the Comprehensive Peace Agreement did in fact contain a number of provisions on civil service reform. By June 2004 it expected the NTGL to complete a civil service census, reinvigorate the CSA, prepare work on personnel and organizational restructuring. By December 2004 it expected ghost workers to be removed from a consolidated payroll, and the NTGL to begin to take action on the restructuring reports. A fully empowered CSA was to begin issuing new regulations and restoring transparency by June 2005 (National Transitional Government of Liberia 2004). Despite having a detailed implementation matrix, the RFTF was not in fact a holistic program, but a collection of aims, which individual donors began to support with projects launched soon thereafter, which can be divided in three categories: support to the Governance Reform Commission (the main policy body); support to the Civil Service Agency (the organization tasked with enacting CSR); and support to specific projects targeting different offices or cadres within the civil service.

As part of a "Capacity Building Support for Governance" program, UNDP signed in April 2004 a memorandum of understanding governing a two-year project of financial support to the Governance Reform Commission, budgeted at half a million dollars. This was part of an attempt by the multilateral donor to "jumpstart" the governance aspects of the RFTF (UNDP 2004). The European Commission also provided technical support to the GRC under the terms of its Governance and Economic Management Assistance Program (GEMAP) commitment

(European Commission 2007c). And in July 2004 DfID followed in UNDP's footsteps with a "Governance and Economic Implementation Support Program" aimed at the preparation of preparatory studies on civil service restructuring at the GRC, including management and functional reviews of the Liberia Institute of Public Affairs and the Civil Service Agency. This assistance was broadened beyond the GRC in 2006 with the "Capacity Building for the Civil Service Program" (CISCAB), a 30-month project also targeting the Liberian Institute for Public Affairs and especially the Civil Service Agency (DfID 2006). The World Bank provided support to the CSA by financing a number of diagnostic studies through a "Civil Service and Governance Support Program," and would later finance an "Economic Governance and Institutional Reform Project" with a human resources component (World Bank 2007, 10). And the United States, through its Office of Transitional Initiatives, channeled between 2006 and 2007 \$1.5 million to ministries and agencies for short-term technical assistance (USAID 2007). Finally, when UNDP developed with the government a Senior Executive Service program aiming to supply much-needed professionals for the higher echelons of public organizations, a number of donors jumped on the bandwagon, including the World Bank, Greece, the United States, and the NGO Humanity United (World Bank 2007, 3).

In all these projects, donor approaches remained eminently technical. This suited perfectly the corporate role of UNDP as a "facilitator" working with recipient governments (143387 Multilateral donor official, Monrovia 2011). Another multilateral donor, the European Commission, operated through a "demand-driven" programming approach subject to Brussels-dictated project cycles that hampered quick reaction to lack of performance, which even then

would have to be agreed with member states (581120 Multilateral donor official, Monrovia 2011). Bilateral donors may have been more willing to deploy institutional conditionality, and indeed DfID's CISCAB program was designed with an array of clearly designated "observable verifiable indicators." But at the end of the day the significance of this conditionality was relatively minor, as the United Kingdom did not "envisage a role as a major donor partner of Liberia" (DfID 2006, 9). As to the United States, which could have been able to act as leading donor and thus engage the government on a political level, it had deliberately chosen to focus on small-scale capacity-building projects. As far as one could speak of any aid conditionality, it remained enshrined in the ambitious Results-Focused Transitional Framework, the interim and full poverty reduction strategies, and the CSR Strategy, all of which were based on the premise of collective monitoring of government efforts.

Donor Coordination

Civil service reform was from the beginning an amalgam of separate priorities agreed between external actors and the government of Liberia. This was fertile ground for a collective action problem, and indeed the RFTF had clearly failed to create any durable forum for aid coordination. For instance, by 2006 DfID was working on the assumption that given "available information" they were likely to work with the European Commission and UNDP in their CSR program (DfID 2006, 11). The lack of certainty in its programming documents is a clear indicator of the extent of disconnect between external actors. When the new government of Ellen Johnson Sirleaf came to office that year, it established a Liberian Reconstruction and Development Committee (LRDC) tasked with coordinating implementation of the -first interim

and later full- Poverty Reduction Strategy, both between ministries and agencies and between the government and donors. To that end the PRS third pillar, “strengthening governance and the rule of law,” would have its own dedicated working committee monitoring and evaluating public sector and judicial sector reforms (Government of Liberia 2007c). The LRDC framework was supposed to provide a high-level forum, underneath which other programs could set up their own coordinating schemes, like the Implementation Committee which oversaw a Senior Executive Service multi-donor trust fund (World Bank 2007), or the CSR Donor Coordination Forum established under the Civil Service Reform Strategy launched in 2008 (Government of Liberia 2008b, 62). This locally owned architecture of fractal aid coordination was supposed to achieve inter-donor harmonization as well as donor-government alignment, and thus avoid the usual pitfalls of duplication and contradictory assistance.

Actual coordination by the LRDC, however, left much to be desired. The government itself acknowledged as much when it lamented the “weak communication between coordinating bodies” (Government of Liberia 2010a, 45), but a public official involved in the process phrased it rather more colorfully: the first two years of the PRS had been “chaotic,” with every donor pursuing their own agendas separately (274889 Governance official, Monrovia 2011). Even when it started to do some proper coordinating, the pillar working committee on governance tended to focus on technical issues, with little dialogue about fundamental challenges (518975 Multilateral donor official, Monrovia 2011). The situation did not look any brighter at lower levels of aggregation. For instance, by 2011 the CSR Donor Coordination Forum was yet to be inaugurated, with every major actor involved “playing wait and see” (489986 CSR officials,

Monrovia 2011), and still the government kept establishing new working groups, reportedly bringing the overall number to 28 (895362 Multilateral donor official, Monrovia 2011). Donors themselves were not outperforming the LRDC by much, and some officials came to think that aid coordination had never been a “reasonable aspiration” to begin with (733895 Senior governance official, Monrovia 2011). The troubling fact was that collective action would have to rely on two big Achilles’ heels: whatever was not coordinated through the United States, which was unwilling to lead politically, was to be coordinated through the United Nations, which was unable to get its own agencies to agree among themselves (581120 Multilateral donor official, Monrovia 2011). In practical terms there was coordination after a fashion, but it was based on good personal relationships among the expatriates in Monrovia, not on any sort of institutional framework that could ensure clarity and continuity (572119 Bilateral donor official, Monrovia 2011). The small number of donors present in Monrovia, paradoxically, had demonstrated to be less of an asset than Mancur Olson would have predicted. Their aims, standards of success and failure, and relations with the government were simply too different to be reconciled.

A prevalence of private legacies over administrative institutions, a mostly technical commitment of external actors, and an ever-present threat of free-riding were the key features of foreign support for civil service reform in Liberia, as they had been in Sierra Leone’s later period of assistance. In combination, they are likely to shape an analytic narrative of civil service reform in line with the political dynamics of the fourth type of state-building assistance, diversion, which expects a limited impact of foreign aid on institutional change.

4.5 Tracing the Process of Civil Service Reform in Liberia

In early 2004 the United Nations and the World Bank carried out a Joint Needs Assessment for the transitional government which laid the basic conceptual foundations for post-conflict CSR in Liberia. On the one hand, beyond “upgrading and revitalization,” there was the “even more challenging” problem of enacting “norms of transparent and law-abiding governance” in the civil service. On the other hand, without the necessary transformations the reconstruction effort would be slow and unsustainable, and this made foreign assistance “essential” (United Nations and World Bank 2004, 11–12). Taken together, these two observations had but one logical implication: in the short term donors themselves would have to be the agents of administrative change.

The initial focus of support was establishing a Governance Reform Commission that could provide policy guidance to the process, as well as strengthening the Civil Service Agency that could manage it. Concrete international support for both organizations first arrived in the form of UNDP’s “Capacity Building Support for Governance” program and DfID’s “Governance and Economic Implementation Support Program.” Both initiatives were designed as catalysts of reform, empowering the GRC and CSA with basic capacity building and providing them with the first ever snapshots of the post-conflict civil service. The idea was not that the National Transitional Government would immediately move on with implementation, but rather that the new government to be elected in 2006 would find the groundwork of reform already laid out (DfID 2006, 9). Administrative design was the only real aspiration of the early years of foreign assistance.

However, donors soon began to experience the tensions inherent in working with a make-shift government composed of former warring factions whose investment in Liberian reconstruction was limited by design to a 3-year time horizon. Unsurprisingly, different members of the NTGL maintained a competitive focus on personal benefit. One faction in particular, the Liberians United for Reconstruction and Development (LURD), felt that it had “liberated” Liberia and was thus entitled to a greater share of power (European Commission 2005a, 8). Animated by such private incentives, the NTGL soon found itself marred by scandal after scandal, and devoid of much transparency or accountability (Ebo 2005, 8). In this political environment, it is not surprising that the Governance Reform Commission became a donor-led organization virtually orphaned by the NTGL (European Commission 2007c, 7), whose management and functional reviews were hamstrung by “formidable challenges” in obtaining reliable information from reluctant MDAs (UNDP 2007). Not only was the transitional government doing little to address the fundamental problems of the civil service, it was in fact continuing the pattern of using of public appointments as patronage for its clients and supporters (World Bank 2007, 4). The mark of the corrupt NTGL was felt throughout all sectors of reform, and overall progress under the Results-Focused Transitional Framework was so slow that donors began to reduce or withhold their aid disbursements (World Bank and African Development Bank 2007, 22).

A new era of civil service reform began when Ellen Johnson Sirleaf, erstwhile Chairperson of the Governance Reform Commission, was sworn in as Liberia’s democratically elected President in January of 2006. Barely two months after assuming office she issued

Executive Order 2, which infused the CPA-engineered GRC with new life and an array of new mandates, including the development of a code of conduct for the civil service. This demonstrable change in high-level political will managed to attract renewed interest from international partners (European Commission 2007c, 7 in Annex 3). The new administration also made the new CSA Director General a member of the cabinet as a way to signal ownership of civil service reform, and shifted away from the NTGL's obstructionist path by promoting organizational reviews of key MDAs. The policy objectives included in the Interim Poverty Reduction Strategy were indeed ambitious: developing a CSR strategy by March 2007 and a human capacity strategy by November 2007; implementing a new civil service compensation and benefits scheme by January 2007; developing job descriptions and recruitment procedures a month later; and adopting legislation on the new mandates and structures for ministries and agencies by May 2007 (Government of Liberia 2007c, 68–69). At this time the government also formulated what would be the centerpiece of its CSR effort: a Senior Executive Service (SES) program which would deploy 100 local and diaspora professionals across the civil service, recruited according to technocratic standards and remunerated with generous salaries “topped up” by donor funds.

On the surface SES was a brilliant idea. Instead of waiting for the kind of wholesale restructuring of the civil service which would enable promotion and recruitment of qualified individuals, the program would target key offices within ministries and agencies and staff them with professionals hired according to international standards. Not only would it imbue public organizations with much needed capacity, it would encourage skill transfer to non-SES officials

and thus propel reform at a micro level. This was exactly the kind of program that Kabbah's government had sought for Sierra Leone, but it was Liberia's Johnson Sirleaf who managed to successfully excite donors' imaginations, garnering support from the big three -UNDP, the World Bank, and the United States- and others to such an extent that it overcame the vested reluctance within the aid community to finance civil servants' salaries (World Bank 2007, 2). SES was also exceptional in that it represented the first truly coordinated program of donor assistance to civil service reform in Liberia, even if in actuality it relied on two different aid channels: while UNDP had set up a trust fund directly targeting the CSA as managing stakeholder, the World Bank decided to supply its assistance via a Public Financial Management Unit that it had established at the Ministry of Finance, and which had the kind of control mechanisms that the CSA still lacked (World Bank 2007, 14). Such disbursement discrepancy notwithstanding, the government was able to secure external commitments amounting to over \$5.4 million (70% of the proposed cost) for the three-year program. This despite the obvious risk that "those with a vested interest in traditional patronage based management" may oppose the initiative (World Bank 2007, 18). The real problem with SES, nonetheless, was that it contained a fundamental design flaw: program success would only be attained if progress was made in the broader civil service reform agenda. By itself, SES could not establish new administrative institutions, nor ensure their enforcement beyond the restricted briefs of its participants. Perhaps it was not such a brilliant idea after all.

At first the new government seemed to be securing victory after victory in the process of reform. By 2007 the GRC had sponsored management and functional reviews of 18 ministries and 3 central management agencies (UNDP 2007). In February of that year the Director General

of the Civil Service Agency presented to donor partners a CSR “vision paper” intended as a stepping stone towards a full fledged CSR strategy (World Bank 2008a, 5). The government successfully removed 7,000 “ghost” civil servants from the payroll, began settling salary arrears for the “living” ones, and developed in September of 2007 a code of conduct for civil servants (Government of Liberia 2008e, 18). However, organizational reform was proving to be much more difficult than the government had anticipated (or wished), generating tensions at the level of enforcement which donors were quick to notice. The United States, for instance, had implemented a “Building Recovery and Reform Through Democratic Governance” (BRDG) program of short-term technical assistance (STTA) between September 2006 and December 2007. While -according to evaluators- “ministerial stakeholders” held the program experts in high regard, they were not equally fond of the actual changes said experts were trying to implement. According to the final evaluation report, “BRDG made some miscalculations in determining whether an institution had a verifiable interest in implementing the recommendations provided by the STTA consultant” (USAID 2007, 10). The result was to be expected: the politics of patronage thwarted reform wherever the contractors did not focus on purely technical capacity-building (such as, tellingly, in the Ministry of State for Presidential Affairs). But instead of engaging the government to address the problem, BRDG program leaders simply suspended the problematic STTA and focused instead on the non-problematic ones. The United States thus shirked the leading role it could have played, leaving the enforcement of administrative reforms to other, more committed donors who may have been willing to bear that burden.

In the meantime, the government of Johnson Sirleaf kept producing new strategies and enunciating action priorities. According to the 2008 Poverty Reduction Strategy, the legislature would officially adopt the code of conduct for public servants by December 2008, while the Civil Service Agency and Governance Commission would rationalize and restructure ministries and agencies by June 2009. The administration did not mince words regarding the need to implement these objectives, as “any failure in this regard would likely have negative consequences for implementation of the overall PRS process” (Government of Liberia 2008e, 161). To that end it formulated -with World Bank and British assistance- a “Civil Service Reform Strategy” for 2008-2011, which aimed to put an end to the “piecemeal, problem-specific and reactive fashion” in which previous CSR initiatives had been carried out (Government of Liberia 2008b, 11). Its overarching objectives: restructuring and rightsizing, pay reform, improved service delivery, better human resources management, leadership development, and gender equity. More specifically, it endorsed the following policies: correcting the 38 functional overlaps among ministries and agencies that the Governance Commission had identified; flattening the superstructure of political appointees by introducing principal administrative officers after the British model; preparing and adopting a medium-term pay strategy; or updating the legislative framework through a new civil service law. Implementation would be led by an Inter-Ministerial Committee, conducted through a Civil Service Reform Directorate within the CSA, consulted via a Stakeholders’ Forum, and aligned with foreign assistance through a CSR Donor Coordination Forum (Government of Liberia 2008b, 59–62). With a new strategy in place, the government sought to galvanize local and international support for civil service reform to an unprecedented

degree.

Among Liberia's international partners, DfID would turn out to be the main facilitator and later main critic of the CSR Strategy: despite its crucial role in drafting it through its CISCAB team, the British assistance to the process was suspended in 2010. DfID had developed the program with high aspirations, and not a little certain pride in its accrued expertise on civil service reforms (DfID 2006, 11). As it had in Sierra Leone, the British aid agency had specified a number of clear performance indicators for the CSA and GRC under the terms of its support, such as pay reform, a new personnel policy, or a new performance management system. However, it decided to let CISCAB expire without renewing it due to increased concern over the lack of tangible outcomes and questionable level of political leadership demonstrated by the CSA Director (674691 Bilateral donor official, Monrovia 2011). Indeed, by 2011 the work of the much-vaunted CSR Directorate, staffed in fact with SES professionals, had been slowed to a snail's pace due to resistance to restructuring. At the time not even half of the ministries and agencies reviewed by the Governance Commission had implemented its recommendations (489986 CSR officials, Monrovia 2011). Some agencies were simply ignoring the GC by developing their own strategies, based on "cosmetic" and "ill-conceived" approaches to reform (354978 Auditing officials, Monrovia 2011). There was strong opposition in particular to the idea of substituting a career administrative officer for the politically appointed assistant ministers. In this and other similar examples, public officials were simply demonstrating that "rational self-interest comes before national interest" (733895 Senior governance official, Monrovia 2011). The PSR itself had been "heavy on outcomes, but not so on outputs," leading to a veritable

“quagmire” of conflicting impact assessments and lessons learned (274889 Governance official, Monrovia 2011). The government recognized this basic problem, albeit under a remarkable veneer of “donorspeak,” when it succinctly noted in its first PRS progress report that “Ownership is not backed by sectoral leadership” (Government of Liberia 2010a, 45). A UNDP report on Liberia’s public administration found that “Public sector reform rhetoric far exceeded the commitment to undertake and sustain reform initiatives.” Consequently, “When critical decisions were made at the cabinet level, some cabinet ministers decided not to cooperate in the implementation of the decisions” (UNDP 2011, 9). But the problem was that at the most basic level the framework of public institutions governing the civil service was inadequate, and even then it was hardly implemented (DeGroot, Talvitie, and Umarov 2011). A sympathetic participant could not avoid the conclusion that public sector reforms in general had been “lackluster” (143387 Multilateral donor official, Monrovia 2011).

The lagging pace of administrative change after eight years of assistance betrayed the failure of commitment and coordination on the part of donors. Despite adopting a medium-term pay strategy and yet another two strategies (this time for capacity building and public sector reform in general), the “Code of Conduct for Public Officials” which the President had submitted to the legislature in September 2007 was in 2011 nowhere near adoption as law, despite some explicit pressure from international actors (402969 Governance official, Monrovia 2011).⁵ The proposed new legislation for the civil service, in turn, remained to be developed. As to the Senior

5 In early 2012 President Johnson Sirleaf promulgated the Code of Conduct as Executive Order 38, hoping to use her public signature as political pressure on legislators (Government of Liberia 2012). Shortly thereafter the outgoing legislature committed the bill to the archives of the House (Boima J. V. Boima 2012), but the newly inaugurated Senate seemed much more amenable to the idea of finally enacting the Code into law (Genoway 2012).

Executive Service, its “immediate impact” and “success stories” could not hide the fact that, once its original three-year time frame had ended, the government was still unable to pay for the “topped-up” salaries. Consequently absorption of SES professionals into the civil service was postponed at least until June 2012 in order to “allow time for further reforms to take place” (Government of Liberia 2010b, 8). Still, no other donors besides DfID were willing to revise the terms of their assistance. The World Bank, for instance, deemed implementation of the PRS “satisfactory” despite the fact that only 20% of specific deliverables had been achieved the first year (World Bank 2010, 9). UNDP, in turn, enthusiastically maintained support for its various technical CSR programs despite a mid-term evaluation in which, to the question of whether progress had been achieved, the drafters could only answer with a “reluctant ‘Unsure’” due to a “disconnection” between the country program framework and what the office had actually been doing (UNDP 2010b, 33). The nature of donor-recipient relations in Liberia was clear to all: “there is no conditionality these days” (895362 Multilateral donor official, Monrovia 2011).

Absent a leading donor willing and able to ensure that the administrative organizations -the Civil Service Agency and Governance Commission- were given the teeth which they needed, it was unclear that private institutions in the Liberian civil service would cease to define the behavior of public officials in the years to come. It remained to be seen whether the government could rise by itself above dominant clientelistic practices. “Given her huge political clout,” a donor official commented, “the President could force resignations. But she too is captured by coalitions in the executive and the legislature” (895362 Multilateral donor official, Monrovia 2011). Much as in Sierra Leone, donor reluctance to engage the government on a

political level had stymied the prospects of administrative change in the civil service, and thus of meaningful post-conflict state-building.

4.6 Implications

The comparison of civil service reform efforts in post-conflict Sierra Leone and Liberia generates interesting insights both for the study of CSR as a policy process, and for the larger study of external assistance to state-building.

Both cases are strikingly similar in the extent to which personnel reforms outpaced organizational ones. Management and functional reviews of ministries and agencies were conducted in the two countries by independent governance agencies funded by donors, and yet by the end of the period under study, implementation of all but the most banal recommendations was lacking in public organizations. The obvious lesson to be learned from this outcome is that assistance to central policy-making organizations may be easier for donors, and even necessary for the purposes of strategic design, but it leaves implementation of whatever policies are adopted vulnerable to the whims of semi-autonomous ministers and senior civil servants whose very livelihoods are threatened by reform. Without administrative sanctioning powers, central agencies are great agents of institutional design, but not-so-great agents of enforcement. This calls for a fundamental rethinking of CSR assistance programs, which need to explicitly couple design and enforcement by investing cabinet members or internal reform units in the success and failure of state-building assistance.

Even though they seemed to enjoy greater success than organizational restructuring,

personnel reforms were still subject to the powerful incentives of private institutions. While governments were able to carry out some truly heroic efforts towards payroll consolidation, staff retrenchment, and pay reform, they were much less successful in terms of enacting -let alone enforcing- administrative policies and regulations. The civil service codes of both Sierra Leone and Liberia are perfect illustrations of this problem: whereas the former got stuck at the cabinet level, the latter made it through only to be stalled at the legislature for five years (and counting). This kind of deliberate interference with reform betrays the perceived power of public administrative institutions, even in post-conflict states where private incentives are prevalent, inasmuch as the codes would have created a public standard of behavior against which deviations could be easily measured. The obvious lesson is that donors should generate early momentum towards adopting and implementing such codes, as they will provide an immediate and observable indicator of political commitment, and lay down the new standards against which the reformed public bureaucracy is supposed to perform.

In any event, civil service reform in both Sierra Leone and Liberia was characterized by eminently technical ownership by their respective governments, with the successful adoption of the rhetoric of the aid community, or “donorspeak.” Both processes were defined by ambitious and ultimately less than successful poverty reduction strategies which focused more on outputs than outcomes, and which caused a proliferation of ineffective coordinating and consultative fora. This kind of pseudo-bureaucratic behavior, organized around meetings and strategies instead of monitoring and sanctioning, is the kind that we should expect in countries that may have the strategic wish to reform, but lack the political will to do so. Instead of promoting

elaborate and comprehensive strategies, therefore, donors concerned with administrative reform would be wise to focus on enforcement first and foremost, even at a small scale, and proceed in an incremental fashion instead of devoting years to developing unenforceable holistic frameworks.

The failure of both Sierra Leonean and Liberian elites to effectively organize and oversee their civil service reform initiatives can be attributed, to a not insignificant degree, to the failure of their respective donors to coordinate and monitor their own aid interventions. The parallels are particularly striking between the dynamics of international support for each country's civil service reform strategies after 2008: in both cases only one bilateral donor, the United Kingdom, established a consequential set of observable benchmarks, and when it decided to suspend assistance on the basis of insufficient political commitment, its international counterparts (the European Commission, UNDP, the World Bank, or the United States) simply continued to disburse their aid according to much less exacting standards. The remarkable equivalence in political dynamics between the cases demonstrates the problems of multiple-donor state-building assistance, which are likely to result in major diversion of external inducement due to differential levels of commitment to administrative reform.

It is important to note, however, that this is not an inevitable outcome. As the next chapter will demonstrate through detailed narratives of assistance to anti-corruption reform, a committed leading donor can profoundly alter the structure of incentives, triggering the kind of administrative enforcement that was patently absent in these cases of civil service reform.

5. Building Transparency: The Politics of Aid and Anti-Corruption Reform

Driving around Freetown in the back of a motorcycle is one of the easiest ways to come across the everyday reality of corruption. The center of the city is subject to obscure and malleable regulations allowing or forbidding the passage of public moto-taxis. Except for the very center of town this does not seem to be a blanket prohibition, as there are often alternative routes available. And there are not enough police officers to cover every possible street and roundabout, so each day the hapless passenger becomes an unwitting spectator in a game of cunning -a lottery, really- between police officers and the brotherhood of motorcyclists. If you happen to take the wrong turn, you run the risk of running into a couple of police officers ready to drop on the ground a spiked plank in order to bust the motorbike's wheels. This happened to me once as I was returning from a meeting.

The spikes were not enough to stop my driver, but a surprisingly quick and strong policeman grabbed the back of the bike and held it up to stop us. It was evident from the very beginning that the seemingly furious officers could be persuaded to forget the incident. The problem was that everyone in the street had witnessed the seizure of the motorbike, and the policemen did not want to lose face in the neighborhood. My driver's solution was ingenious: he talked to the owner of a rather large store in the street, who happened to be from the same ethnic

group as the officer. He gave some cash to the man (equivalent to no more than \$5), and asked him to talk to the unreasonable but law-abiding policeman. It took some time, and a bit of mock indignation on everybody's part, but eventually he seemed to relent. What happened then was interesting. "Walk towards that corner," the driver told me, pointing to the other end of a cross-street. Before I could ask for clarification he got on the bike with the police officer, who was ostensibly taking the offending vehicle to the depot and its driver to the precinct. What was actually happening, in fact, was that the officer wanted to be seen leaving the place as an unflinching enforcer of law and order, but once around the corner he stopped, took the money, and happily waved us good-bye.

As an example of a private institution, the abuse of public office for personal benefit may be less pervasive than the patrimonial management and staffing of public organizations (chapter 4), and certainly less dangerous than an unwieldy security sector (chapter 6). But corruption is the most politically salient issue of the three, prone to a level of scandal and public discussion that the others rarely attain. One does not need to be an expert in security or public sector management to understand corruption: it is intuitive and crystal clear, and a powerful sign of the probity of public officials. From a purely analytical perspective, corruption is a better indicator of public actor preferences, as it is easier to pinpoint efforts as well as barriers for administrative enforcement. In that sense, international donors are more likely to encounter open obstructionism from local elites in clear matters of corruption than in nebulous issues of public sector management. That makes the analysis of anti-corruption reform a privileged window into the anatomy of state-building assistance.

I begin the chapter by discussing the theory of corruption and anti-corruption, subsuming it under the institutionalist logic that animates this dissertation. Specifically, I emphasize two types of administrative institutions, reporting and sanctioning, whose enforcement will determine the success or failure of reform. I then proceed to the cases. For each of them I outline in turn the legacies of state failure and capture, the aims and expectations that international donors set for the recipient governments, and the prospects for collective action given relative commitments to reform and the presence of coordination frameworks. Having defined the theoretical expectation for each case in this way, I then explore whether they are borne out through explanatory narratives of foreign support for reform. I close the chapter with a brief reflection on implications both for the analysis of civil service reform and for the larger study of state-building assistance.

5.1 Private Subversion and Administrative Policing: The Institutional Politics of State Corruption

Corruption is the abuse of public office for private gain. It is the conceptual opposite of administrative enforcement, and thus a fundamentally institutional phenomenon: for corruption to exist there have to be state organizations staffed by individuals who are subject to ethical codes and administrative rules delineating the boundaries between the public and the private sphere. It is this distinction between public and private institutions that justifies the word “abuse,” which denotes infraction, instead of the neutral term “use.” It would be pointless to discuss the idea of corruption in those places where public and private institutions are one and the same: there would be no state to speak of in that case. Instead, it is where public and private

institutions differ, however slightly, that corruption becomes a meaningful category for analysis. One could make a further conceptual distinction between so-called political corruption, affecting the enactment of rules, and bureaucratic corruption, affecting their enforcement, but at the end of the day they are but expressions of what most scholarship and policy research considers the basic definition (Rose-Ackerman 1978, 1999; Bardhan 1997, 2006). The most important questions are: Why do people engage in corrupt behavior? Do they do so because they can, or because they believe it is just? Most crucially for the problem of state-building assistance, what sorts of organizational and institutional arrangements can hope to curb corruption when it is widespread and entrenched?

Bridging the Material and Ideational Incentives for Corruption

There are two general theoretical approaches to the problem of corruption, “sociological” and “economic,” and they focus on different causal variables and mechanisms. The economic or political-economic approach conceptualizes corruption as a principal-agent problem, in which the guiding idea is the primacy of incentives (Rose-Ackerman 1978; Bardhan 2006). In its most simple and intuitive formulation, public actors everywhere are subject to a universal motivator: self-interest, “including an interest in the well-being of one’s family and peer group” (Rose-Ackerman 1999, 2). Individual officials thus face a basic choice: they can use their public position for its intended, regulated purposes, or they can carry out their obligations while extracting some personal benefit from them. However much we complicate this model, its solution usually boils down to the question of incentives: is it more beneficial or costly for the public actor to behave honestly or to be corrupt? If there is close monitoring from superiors, or if

the punishment for getting caught is dire, it might not be rational to abuse public office. Conversely, if supervision is limited and sanction mechanisms are lenient, only an irrational public official would refrain from extracting a little side benefit from his job. Economic-minded analysts of corruption thus focus on the kind of structural features that may change either the payoff structure or the game itself, like the expected costs from monitoring and sanctioning (Becker and Stigler 1974), the degree of discretionary power enjoyed by public officials (Chand and Moene 1999), or the different externalities of centralized or diffused authority (Bardhan 2006; Gillespie and Okruhlik 1991).

Like many abstract models, the theory of corruption as agency makes no specific assumptions about a public official's values, or the meanings he attaches to his public status and responsibilities. From the standpoint of the alternative sociological approach, this is a fundamental misconception. Every individual is embedded in a community awash with various expectations and social norms about what is honest, smart, or desirable. Culture, that tricky social concept, becomes the principal theoretical engine of corruption: whereas some communities value a culture of impersonality and public service, others may see public office as another source of welfare for the official's dependents (Rose-Ackerman 1999, 106). Corruption, in those cases, represents "a way of life, a mode of business and politics," and capturing public resources becomes "the cultural thing" to such an extent that those who abstain are subject to social rejection (Ellis 2006). Formal bureaucracy in the Weberian sense is, after all, a fairly recent innovation, and even the most advanced industrial democracies exhibit a residual level of corruption. The difference between stronger states and weaker states, for this approach, is not the

relative strength of administrative institutions and sanctions, nor the presence of a vibrant private sector where everybody can make a decent living—it is the fact that some states are embedded in societies which have a negative valuation of corruption, whereas others are subject to a neutral or even positive valuation of the private use -not abuse- of public office. In these cases a “moral economy of corruption” emerges which reproduces a routine form of corruption in public administration, based on social expectations about the informal redistribution of resources from state coffers toward society (Olivier de Sardan 1999).

There have been conscious attempts to supply a conceptual middle ground between both approaches. One such attempt is the study of the social capital that allows corrupt networks to coalesce around shared expectations and values, whether these networks are criminal or quasi-criminal (della Porta and Vannucci 2004), or simple mechanisms for group solidarity when trust in public actors and institutions is low (Olivier de Sardan 1999; Hellsten and Larbi 2006; Morris and Klesner 2010). Regardless of its character, a network coordinating and sustaining corrupt patterns of behavior can overcome individual decision-making, and thus act as as a major factor in the perpetuation of capture underneath formal administrative changes (Fjeldstad 2003). An expansion of this line of argumentation would consider whether social interactions even allow for steadfast honesty regardless of individual values, and perhaps conclude that “the problem of corruption is not so much the morally corrupt few as the behaviorally corruptible many” (W. L. Miller 2006, 371). This is an implication mirrored in game-theoretic equilibrium analyses, where the utility of being an honest individual can be extremely low when everyone else is dishonest (Mishra 2006). Compared to the warmth and coziness of corruption, in this sense, honesty is a

recipe for asocial loneliness.

Like all culturalist-versus-rationalist debates, the sociological-economic divide regarding corruption reflects less a fundamental chasm than the use of different analytical lenses. Abstract models of incentives always require some grounding in cultural settings to attain any semblance of plausibility. And value-based explanations can seldom explain change in norms without recourse to non-cultural factors. The intersection between both approaches is obvious: cultural norms and values are incentives in the minds of public officials, and the consolidation of incentive equilibria can give rise to new norms about what is public and private (Hellsten and Larbi 2006). Any analysis of corruption, and therefore of anti-corruption, would be remiss to neglect this connection. Without it the only practical implications we can generate are simply unrealistic: either corruption will be washed away by the sheer influx of money in the form of salaries and fines, or it will depend on virtually immutable values which bound societies to remain unchanged unless culture itself is uprooted (Rose-Ackerman 2006, xx).

In this dissertation I opt for a more flexible understanding of the interaction between public and private institutions, and thus of the concept of corruption: material and ideational utility together shape the incentives of public officials, and regardless of their location in the public-private spectrum they can always be swayed one way or the other by strong normative or distributional changes. In the Weberian sense, this reflects the notion that both instrumental rationality and value rationality affect an actor's conscious decision-making (Weber 1978, 24–25); this is but a recognition of the basic principle of contextualized agency. I begin with the reasonable assumption that public officials all over the world are well aware of the distinction

between public and private, formal and informal, regardless of the relative levels of actual enforcement. They are slaves, in a way, to mutually conflicting sets of rules, and they use cues from their personal relationships as well as from organizational customs in their decision to enforce public institutions, private institutions, or some combination of the two. Changes in patterns of administrative enforcement and corruption are thus possible via two distinct but complementary causes: new norms, or new material costs and benefits. For the sake of simplicity I will use the term incentive to encompass both sets of factors: material incentives and ideational incentives.

Institutions for Monitoring and Sanctioning Corruption

Administrative institutions can generate new material and ideational incentives. Materially, they can attach costs to the decision to abuse public office by imposing penalties and increasing the chances of getting caught. Ideationally, strong administrative enforcement reshapes the structure of incentives and -over time- the behavioral patterns of all actors involved. The anti-corruption research and policy community has long pondered whether ideational or material incentives contain the secret to curbing state capture, and has reached the demoralizing conclusion that while a cost-benefit transformation may have positive short-term effects, it is attitudinal change in society at large that ensures the penetration and sustainability of anti-corruption reforms (Rose-Ackerman 2006). Since I am concerned with relatively short periods of time, measured in years, it would be unreasonable to expect observable changes in basic social norms, especially those which have blossomed under decades of corruption and state collapse. However, the crystallization of a given path out of a critical juncture depends on the dedicated

efforts of purposeful actors and organizations to impose some institutions over others. And so anti-corruption administrative laws and regulations that report and sanction are essential even in such an early stage.

By definition, the dominant political-economic approach to corruption generates prescriptions based on the effect of institutions on material incentives. These include better screening of agents, greater rewards and penalties, or more comprehensive gathering of information (Klitgaard 1988); strengthening “horizontal accountability” across public organizations (O’Donnell 1998); devising better constitutional checks and balances (Kunicová and Rose-Ackerman 2005); enhancing the political autonomy of auditing and monitoring organizations (Melo, Pereira, and Figueiredo 2009); or delineating more clear responsibilities (Tavits 2007). At the level of the regime, variables such as presidentialism or federalism are said to have a dampening effect on corruption, no matter how feeble the actual supporting evidence is (Treisman 2007). At a lower, bureaucratic level of analysis the focus shifts to organizational restructuring, monitoring, and sanctioning (Rose-Ackerman 1978). One frequent prescription is the reform of salary structures in the civil service (Bardhan 2006); under perfect information, state principals simply need to remunerate their agents enough to deter corrupt behavior (Becker and Stigler 1974). The problem is that when monitoring and sanctioning mechanisms are themselves suboptimal, higher salaries may come to be seen not as an incentive but as an added benefit to corrupt behavior (Fjeldstad 2003). Moreover, it can be actually really difficult to causally separate dishonest losses from mere incompetence, especially in weaker states (Bardhan 2006, 346). Anti-corruption approaches based on rules and sanctions, in turn, have complications

of their own. First, they generate a second-order problem, namely how to ensure that oversight officials themselves act in an honest manner. Second, they could in fact distort the official's motivation away from public ethics, which is hardly a desirable outcome. And third, in any event they can hardly be expected to keep up with the market for corruption in order to "outbid the briber" (Lambsdorff 2009). Regardless of the promises and challenges of different incentive mechanisms, the reality is that for the most part states with high corruption levels have already adopted the necessary reporting and sanctioning institutions: it is the level of enforcement which leaves much to be desired (Doig and McIvor 2003).

There is one enforcement-oriented prescription which occupies the conceptual space between high-level constitutional rules and low-level salary structures and which has attained a certain popularity in the anti-corruption community over the last few decades: the establishment of dedicated, independent anti-corruption agencies with administrative enforcement powers over the entire public sector (Klitgaard 1988; Doig 1995; Meagher 2005). The earliest and most famous examples are Singapore's Corruption Prevention Investigative Bureau, created in 1952, and Hong Kong's Independent Commission Against Corruption, established in 1974 (Johnston 1999; Heilbrunn 2006). The latter in particular was designed with a wide mandate encompassing education, prevention, investigation, and prosecution, and it demonstrated that a dedicated and empowered agency can overcome perceived "cultural traits" (Klitgaard 1988, 120). Its much-touted success has turned it into a model for many a developing country government seeking to demonstrate its anti-corruption bona fide.

However, there are a number of basic problems with the independent agency model,

especially the one fashioned after Hong Kong. First, they are incredibly costly organizations, which are hardly affordable even in the short term by cash-strapped developing country treasuries. Second, they are likely to generate resentment in other public sector organizations as well as “poach” much-needed qualified personnel from them (Doig 1995, 161). Moreover, they can have little impact by themselves in the context of a reluctant public sector (Johnston 1999), and the track record indeed suggests that agencies frequently succeed in contexts where broader administrative institutions are already effective (Meagher 2005). Third, they wield immense administrative power, which can get out of hand in contexts where legislative and judicial oversight are weak or nonexistent (Klitgaard 1988; Meagher 2005). Fourth, and most importantly, they may be used as token reform efforts aimed at satisfying international standards or conditionality, but ultimately designed to fail by astute governments unwilling to undermine the rents that ensure their political survival (Heilbrunn 2006). In any event, the promise of the model is certainly alluring in countries where constitutional and administrative checks and balances are feeble.

Theoretical Introduction to the Cases

Independent agencies are particularly attractive “one-stop shops” for donors concerned about corruption but who do not want to engage with usually bloated and captured judiciaries and bureaucracies; it is the so-called “enclave approach” (Doig 1995). As in all state-building assistance, however, donors face a basic problem of imperfect information: they can never be fully sure about the recipient officials’ motives, and it may take a long time to screen corrupt leaders from honest ones (Tangri and Mwenda 2006). Political will is difficult to pinpoint,

although there are some revealing indicators, like the locus of initiative for reform, the degree of analytical rigor, the degree of support mobilized, the presence and credibility of sanctions, and the continuity of effort (Brinkerhoff 2000). African leaders, for instance, have historically been all too willing to launch high-minded anti-corruption initiatives, only to leave implementing agencies starved of resources or politically hamstrung (S. P. Riley 1998). The prospects of success of anti-corruption agencies thus rely on de facto donor operation during the initial years (Doig 1995, 163), even if such concentrated foreign support may detract from a more sectoral approach to transparency and accountability, and suffer from the usual ailments of foreign assistance, like short project cycles and institutional memory, or inadequate coordination of funding (Doig, Watt, and Williams 2006, 2007).

Post-conflict settings complicate further these basic challenges of external assistance to anti-corruption reform (Rose-Ackerman 2009). Administrative institutions often have to be built from scratch in places where state capture is not a moral dilemma but an entrenched survival strategy. A fragile peace creates significant uncertainty, shortening local actors' time horizons in a drastic manner: public officials might as well "cash in" while they can, for no one can tell what will happen tomorrow. Moreover, a time of social instability may not be the best occasion for a politically-charged institutional reform with major distributional implications. This is the kind of environment that post-conflict donors encounter. Simply put, private institutions are reliable, public ones are not. And the incentives structure is deeply set against anti-corruption enforcement, so that public officials are unlikely to start behaving in a radically different way (Doig and Tisne 2009). A context of residual and conservative state capture leaves external actors

with a political choice: Will they provide an external incentive for the enforcement of anti-corruption institutions, or will they rely on the calculation of local public officials?

The conceptual premise and two strategic dilemmas developed in chapter 2 appear clearly: left to their own devices public officials will enforce private institutions, so that donors seeking administrative enforcement will have to rely on reluctant or obstructionist agents, and monitoring them in order to enact conditionality will be all the more difficult when multiple donors attempt to coordinate their efforts. Sierra Leone's anti-corruption agenda was shaped by a single donor, the United Kingdom, whereas Liberia was the recipient of institutional assistance by multiple donors. If the cases of reform presented below bear any resemblance to the explanatory types presented at the end of chapter 2, in Sierra Leone we should expect the dynamics of a pure agency relationship in which the success of foreign aid in inducing meaningful reform crucially depends on the willingness of the leading donor to apply credible conditionality: a commitment to administrative enforcement will result in a dynamic of tension, whereas a focus on design will lead to a dynamic of concession. In contrast, the GEMAP experiment in Liberia combines the challenges of agency with those of donor collective action, which should make it difficult to coordinate a system of rewards and punishments able to overcome the moral hazard imperative for local public actors. On the one hand, even if all donors are interested in enforcement collective conditionality will be subverted by the incentives of the least committed member. On the other hand, if most donors are interested in design, then the impact of reform-minded donors will be diverted by contradictory inducements.

5.2 The Structure of Incentives for Anti-Corruption Reform in Sierra Leone

The process of anti-corruption reform in Sierra Leone began even before the war was officially over. In 1999 the -then embattled- President Ahmad Tejan Kabbah launched a “war against corruption” after his main backers, bilateral and multilateral aid donors, warned him that their assistance was conditional on an assurance that their funds would not simply vanish in the unreliable public finance system (“Sierra Leone’s War Against Corruption” 1999). It is difficult to exactly pinpoint the first cause for anti-corruption state-building in Sierra Leone, whether it was purely external, purely internal, or an uneasy mix of the two. Regardless, the analytical trajectory of administrative change was defined by the close interaction between the two post-conflict administrations and their closest international ally, the United Kingdom of Great Britain and Northern Ireland. In the following sections I present the local legacies, donor aims, and process of interaction in anti-corruption reform at the sector level in Sierra Leone, before delving into the more fine-grained dynamics of the case through a detailed narrative of the rise, decline, and rebirth of the Anti-Corruption Commission.

Public Will and Private Legacies

If political will is to be measured in the adoption of laws and strategies, the successive governments of Sierra Leone between 1997 and 2012 certainly displayed it in no small measure. Already in 1998 the democratically-elected government of Ahmad Tejan Kabbah adopted an Audit Service Act intended to revamp and strengthen the fundamental reporting organization in Sierra Leone. Two years later his government passed an Anti-Corruption Act establishing an

Anti-Corruption Commission (ACC) after the Hong Kong model. In 2005 a National Anti-Corruption Strategy was adopted in order to institutionalize a sustained, coordinated, government-wide campaign against public corruption. However, by that time the efficacy of the ACC was in question due to widely shared suspicions of political interference. From his arrival to State House in 2007, President Ernest Bai Koroma seemed determined to relaunch anti-corruption efforts through a campaign of “attitudinal change” as well as a commitment to review the ACC Act, which his administration did in 2008. And a new National Anti-Corruption Strategy was promulgated in 2008, aiming to define a “national integrity system” according to international best practices emanating from Transparency International and other organizations.

Regardless of their motivations and achievements, both Kabbah and Koroma were fairly courageous in their open fight against corruption, a legal concept condemning some deeply-rooted social norms which were a constituent element of Sierra Leonean society. Historically, this culture had originated in the combination of extended family obligations and the norm of offering gifts to traditional rulers, with any failure to observe such conventions being frowned upon (Transparency International 2004, 21–22). The “shakehand” which embodied the culture of gift-giving steadily increased during the post-colonial period, and the misuse of tradition fed into increasingly widespread corrupt practices. As an anti-corruption official put it: “If you are in a high office people expect you to make money; you receive visitors constantly, and if you do not pay, social sanction ensues” (970364 Senior ACC official, Freetown 2010). The process of state capture in Sierra Leone began in earnest with the second Prime Minister, Albert Margai (1964-1967), who redistributed public offices to the benefit of the southern Mende peoples

overwhelmingly filling the ranks of his Sierra Leone Peoples' Party (SLPP), and who later attempted -unsuccessfully- to create a single-party state. But it was Margai's successor, Siaka Stevens, who first as Prime Minister (1968-1971) and later as President of the republic (1971-1985) would transform the Sierra Leonean state into an instrument of personal enrichment for his Temne and Limba cronies within the All Peoples' Congress (APC). In a broadcast to the nation a few days after the proclamation of Sierra Leone as a presidential republic, Stevens had told the people: "We are all in office not for the sake of our personal ambitions but in order to make this a better country to live in" (Transparency International 2004, 25). The reality of his regime, however, was far from such lofty aspirations. For instance, Stevens turned control of the diamond industry over to a prominent Lebanese businessman, who not only attended cabinet meetings and was able to veto ministerial decisions, but was also allowed to keep his own 500-strong paramilitary force. At a lower level, it was common knowledge that one could become appointed district office in diamond-rich Kono in exchange for an initial payment of Le10,000 (about \$10,000 at the time) followed by monthly disbursements of Le8,000 (Kandeh 1999, 351–352).

When Stevens designated Joseph Momoh as his successor to the State House in 1985, Sierra Leoneans hoped for some semblance of change. What they got, in contrast, was continuity, albeit with some new faces: relying on his fellow Limbas, Momoh governed through an ethnic network known locally as the "Binkolo mafia" and through a Limba political-cultural organization called "Ekutay." Entrance into the society was highly priced, as it all but guaranteed fantastic opportunities for pillage: one of Ekutay's members, Momoh's Minister of Finance,

reportedly embezzled \$15 million from state coffers, while another, Sierra Leone's Permanent Representative to the United Nations, sold the premises of the diplomatic mission in New York for his own benefit. While not as violent as Stevens, Momoh's regime was no less predatory, and his anti-corruption strategy was limited to having officials reimburse the state for what they had taken (Kandeh 1999, 353). Little if anything was done to address the various scandals that became public, such as "Vouchergate" (1982), "Squandergate" (1984), or "Milliongate" (1987).⁶

Feeling neglected by Momoh, and ostensibly motivated by a desire to defeat the RUF rebellion, the National Provisional Ruling Council (NPRC) seemed at first eager to end the culture of impunity for public officials, and in fact launched three commissions of inquiry into irregularities committed under the previous APC government. These failed nonetheless to act as deterrents for further corruption, and mostly served to legitimize the NPRC's coup (Kpundeh 1994, 146–147). It was not long, in fact, before the military leaders started to behave like their predecessors, using their public offices as an avenue for self-enrichment. In the words of the first Minister of Finance appointed after the 1996 elections, "those boys looted everything they could lay hands on - not a cent was left in the treasury; they stole everything" (Kandeh 1999, 355). When a brief respite in the war with the RUF presented the opportunity to re-establish multiparty democracy, Sierra Leoneans elected a former protégé of Albert Margai, Ahmad Tejan Kabbah, who failed to fundamentally alter the political landscape of Sierra Leone, granting amnesties to

6 "In the Voucher Gate scandal, officials in the financial departments of government ministries, including the Treasury, prepared fake vouchers for payment to certain contractors for not doing any work which they could be paid for. The quantum of vouchers was so massive, that it was dubbed Voucher Gate by the press when unearthed by a government minister in the Ministry of Finance. In the case of the Million Gate scandal, millions of leones were embezzled from the Treasury by certain government officials. Similarly, huge amounts of money from the Treasury were squandered by certain government officials, which came to be known as the Squander Gate scandal, but little attempt was made to punish these offenders" (Transparency International 2004, 26).

corrupt members of past administrations and facilitating the return of Momoh to the country on a generous government pension.

The link between decades of corruption and the eventual collapse of the Sierra Leonean state was given an official endorsement with the publication in 2004 of the final report by the Truth and Reconciliation Commission, which found “endemic greed, corruption and nepotism” to be the central cause of the civil war, and which held all post-independence governments and political elites directly responsible for it (Government of Sierra Leone 2004, 30–32). Above all, by the end of the war corruption had become a defining feature of Sierra Leonean society:

The concept of “consideration,” “dash” or “appreciation” is so widespread that it is a way of life and there are no credible, voluntary alternatives to that situation. . . . Institutional weakness is a highly probable contributory factor, but even if checks and balances were put in place inefficient managers, who are appointed through nepotism and never sacked, would counter any ambition for proper controls (Government of Sierra Leone 2005d, 15).

Donor Aims and Agendas

Donor interest in anti-corruption state-building in post-conflict Sierra Leone emerged as the struggling government of Kabbah and his Sierra Leone Peoples’ Party were still contending with the erstwhile alliance between the RUF and the Armed Forces Revolutionary Council. Already in 1997-98 the World Bank had been advising the nascent democratic government on the need for a policy and accountability organization at the highest level. But it was the United Kingdom, Sierra Leone’s main donor, which provided part of the impetus and much of the financial and technical support for a new Anti-Corruption Commission and a reformed Audit Service of Sierra Leone. From the beginning there was a clear concern on the British side that any anti-corruption instrument could be used for political purposes, much as it had been the

tradition in the past (691429 Bilateral donor official, London 2011). In order to counter these temptations, the United Kingdom became directly involved in the establishment of the necessary administrative organizations for public reporting (the Audit Service) and public sanctioning (the ACC), through a direct political dialogue involving President Kabbah, the British High Commissioner in Freetown, and the Secretary for International Development Clare Short back in London. In February 2002 Short made a very symbolic visit to Sierra Leone, and in a key speech she restated the terms of British assistance: “I want to make clear today that the UK Government is committed to stand by Sierra Leone for the long-term provided that we have a strong mutual commitment to the building of a competent, transparent and uncorrupt modern state” (Government of Sierra Leone 2003a Appendix I). Though she acknowledged the “strong personal commitment” which Kabbah had made to the anti-corruption process, she warned that stronger enforcement of the law was needed.

The tacit link between success in anti-corruption and aid disbursement was formalized in the 2002 “Memorandum of Understanding” that Clare Short signed with President Kabbah in November of 2002. The agreement included corruption as one of the key elements of governance reform, and as a conditionality “bargain” it committed the UK to continue funding its multiple projects in the Sierra Leonean state in exchange for clear action on the part of the government in the enforcement of corruption legislation. Specifically, the MoU called for the development of a national anti-corruption strategy as per the 2000 Anti-Corruption Act, establishing clear roles and responsibilities for all public organizations involved, which should in turn be strengthened so as to ensure the success of the strategy (DfID and Government of Sierra Leone 2002). The MoU

both simplified and complicated DfID's situation. On one hand, it made the task of monitoring easier, insofar as there were some clear, tangible benchmarks regarding the ACC and the national strategy against corruption. On the other hand, this made it extremely easy to assess whether the government of Sierra Leone exhibited the requisite political will in its commitment to fight corruption. If it became evident that State House was blocking or stalling reform efforts, would Britain be ready to withhold the yearly tranche of conditional budget support that kept the Sierra Leonean state alive?

Given the absence of other donors to contend with, the case of foreign assistance to anti-corruption reform in Sierra Leone embodies closely the first explanatory type presented in chapter 2, in which state-building assistance unfolds according to the logic of tension. The principal-agent relationship between leading donor and recipient government would be the crucial strategic dilemma in this particular process of state-building. Should DfID as an aid agency and the United Kingdom as a bilateral donor be willing to flex its conditionality muscles in this relationship, they would have an unique opportunity to fundamentally transform the structure of incentives responsible for three decades of state capture and one of state collapse in Sierra Leone. Chapter 4 above demonstrated that the lack of donor enforcement in the area of civil service reform had facilitated a protracted and unimpressive process of limited institutional change. In the area of corruption, Britain was not beholden to the interests of other donors less inclined to engage in political dialogue. Perhaps this time things would unfold in a different way.

5.3 Tracing the Process of Anti-Corruption Reform in Sierra Leone

Post-conflict Sierra Leone, rife as it was with corruption and state capture, sorely needed new institutions for administrative accountability. Corruption may have been a beast rooted in local cultural norms, but state reconstruction could not await a best-case scenario of custom and moral evolution which would take generations. It is not entirely surprising, therefore, that the government of Ahmad Tejan Kabbah and his British backers soon agreed to establish a dedicated anti-corruption agency after the Hong Kong model, with a wide policy brief encompassing sensitization, prevention, and investigation, even if the exact decision-making calculation that the President followed is unclear. On the one hand, he had reportedly received advice against the creation of an Anti-Corruption Commission from certain sectors within his administration: some public officials were concerned that there were simply “too many skeletons in the closet” (“Sierra Leone’s War Against Corruption” 1999). On the other hand, donors were unsettled by the risks of granting massive amounts of foreign aid to a country which was unable to manage its own finances transparently. From this perspective, the ACC was established by the government of the Sierra Leone Peoples’ Party (SLPP) in response to international accusations of corruption (970364 Senior ACC official, Freetown 2010). Regardless, the idea at the time was that the Commission would oversee the proper employment of donor funds, reassuring international partners weary of a weak Sierra Leonean state by setting up a good watchdog organization (030798 Senior ACC official, Freetown 2010). A consultant with experience in Hong Kong was tasked with outlining the blueprint and terms for the new organization and institutions, and

studies were conducted on foreign models such as Hong Kong, Botswana, and Zambia, as well as on best practices espoused by Transparency International. “We cannot say that the ACC is home-grown,” an ACC official told me. “Foreign principles were replicated and adapted to Sierra Leone” (692610 ACC official, Freetown 2010).

In late 1999 an Anti-Corruption Act was drafted,⁷ and it was signed into law on January 26th, 2000. The Act was to be the basis of a new Anti-Corruption Commission dedicated to sensitization, prevention, and prosecution of nine specific corruption offenses.⁸ By law, the ACC was thus imbued with both reporting and sanctioning responsibilities, making it the most powerful administrative body within the executive. The idea was to enlist public support in the fight against corruption, to promote and strengthen administrative systems and processes within ministries, departments, and agencies (MDAs), and to investigate such reports as were filed on corrupt practices. Some limits to this expansive brief were however built into the new institutions. Article 53 of the Act made the Commission independent of “any person or authority,” and yet the appointment of the Commissioner and his deputy was the President’s prerogative as per article 3. The decision to prosecute, moreover, would not rest with the Commission itself. As per the 1991 constitution, Article 37 of the Act vested that power in the Office of the Attorney General and Minister of Justice, who was a political official and member of the cabinet. In addition, the ACC did not have the ability to threaten or impose compliance sanctions on MDAs which failed to implement its recommendations. The Commission was an

⁷ According to a former anti-corruption official, the Act was written by “a bunch of idiots” in six weeks without any policy guidance (347420 Former ACC official, Freetown 2010).

⁸ The corrupt practices included in the Act were: corrupt acquisition of wealth, soliciting or accepting an advantage, using influence for contracts, corrupting public officer, soliciting or accepting advantage for public officer, misappropriation of public funds or property, misappropriation of donor funds or property, impeding foreign investment, and corrupt transaction with agents.

unprecedented development in Sierra Leone, but as an administrative organization it was built weak. Its effectiveness would rely on the political will of the president. I will explore in greater detail the tension that dominated the first decade of the Commission's existence in the next section.

Besides its immediate administrative competences, the ACC was also envisioned from the beginning as a sector-oriented organization, with the Commissioner required to implement an anti-corruption strategy which would enable policy coherence and coordination across the public sector. In this task the ACC would have to work with other administrative organizations, like the Auditing Service, Parliament, or the judiciary, as well as with State House and relevant line ministries within the executive. Getting all these players up to speed would be one of the major political challenges of the new Commission's work, which needed assistance from a strong auditing organization able to supply its own reporting of public-sector malfeasance.

The office of the Auditor-General was a product of the 1991 constitution of Sierra Leone, promulgated by Momoh in his final dash to democratization before being deposed. Article 119 of the constitution had stipulated an independent public official, appointed by the president with parliamentary approval, who was to conduct external audits of all state organizations and other bodies established wholly or partly with public funds, and to compile these in a yearly report for Parliament to review. In 1998 the democratically-elected government adopted an Audit Service Act, which removed the Auditor-General from the public service and provided him with an overseeing board and a service composed of deputy auditors and other auditing officials. Noncompliance with requests from the Audit Service, moreover, was elevated by the Act to the

category of punishable offense, with up to 5 million leones in fines and two years of imprisonment. However, it would be six years before the Act was finally implemented, and with it the Audit Service actually empowered as an independent administrative institution. In the meantime, the office of the Auditor-General remained weak and functionally constrained by its reliance on the Public Service Commission for its personnel (who themselves did not enjoy constitutional independence), and on the Ministry of Finance for its budget. A Transparency International report published in 2004 reached a sobering conclusion: “Over the years, Audit Reports have not contributed to the fight against corruption” (Transparency International 2004, 36).

When the Audit Service of Sierra Leone (ASSL) was born in 2004 with the delayed application of the 1998 Act, DfID launched a project of support with two key organizational objectives: to increase the financial auditing standards, and to develop the capacity to conduct non-financial audits. An independent review of the project, conducted in April 2007, found strong evidence that the ASSL’s technical capacity had been greatly increased in the intervening years, even if its independence remained compromised by financial reliance on the government, and cooperation by other public actors with its information requests was limited (DfID 2008c). While the Audit Service was providing, with British support, increasingly detailed reporting on corruption and financial malpractice in public organizations, the true Achilles’ heel of the system was sanctioning, which by law was the prerogative of the Public Accounts Committee in Parliament. As audit reports became more frequent and increasingly longer and more comprehensive, there remained a significant lag in their submission to Parliament, on average

over two years after the fiscal year under review.

DfID had included support for the committee and the demand-side of audits as two of the four outputs for its ASSL project, but the April 2007 review had found that “Audit reports are not published when submitted to Parliament, and the PAC [Public Accounts Committee] consideration of audit reports has often taken years to complete.” Moreover, there was “no formal response from the Government to PAC findings and no responsibility for ensuring that effective action is taken to recover losses reported by the PAC” (DfID 2008c). As of May 2005, the report for 1996-1999 had just been approved by Parliament; those for fiscal years 2000, 2001, and 2002 were being examined concurrently in an effort to catch up (Government of Sierra Leone 2005a, 1). While two years later the Public Accounts Committee had managed to process those reports, its recommendations for the 1996-1999 one had still not been fully implemented (Government of Sierra Leone 2007a, 2). The delay, as the Transparency International report pointed out, minimized the significance of the audit reports, as by the time they were acted upon “those that might have misused public funds would have died, retired, resigned, or been transferred to other departments” (Transparency International 2004, 35). As a result, there was agreement among all other anti-corruption actors that the legislature had “not been able to effectively exercise its ‘watchdog’ functions” (Government of Sierra Leone 2005b, 20). Besides its own inefficacy, Parliament was acting moreover as a choke point for the dissemination of the Audit Service’s findings, since by law audit reports could not be publicized upon submission to Parliament, which may or may not publish its own report on the report (DfID 2008c, 9). Given the patent “lack of commitment and leadership,” DfID decided to limit to a minimum any further

support to Parliament under phase II of its project (DfID 2008c, 12).

The anti-corruption reform process in Sierra Leone had been jump-started without any strategic planning: law had preceded policy, not the other way round. In June 2003 the national anti-corruption strategy was still on the Anti-Corruption Commission's to-do list. It was only in February of 2005, after a year of work by a small team advised by a high-level steering committee⁹, that the National Anti Corruption Strategy (NACS) was launched. It finally provided an analysis of the causes and extent of corruption in Sierra Leone, identifying priority areas and organizations of reform, and supplying a 32-page policy matrix of sectoral recommendations (Government of Sierra Leone 2005b). Almost immediately, however, the shortcomings of the much delayed NACS became apparent, as there were no budgetary provisions for its activities, the "integrity officers" it designated in each public organization found themselves "unable to influence policy decisions," and the implementation process unfolded in a very slow and ad hoc manner (Government of Sierra Leone 2008d, 8). Barely a year and a half after the NACS was endorsed by the President, a technical working group for its review was established, comprising civil society representatives, public actors, as well as donors.

A revised National Anti-Corruption Strategy for the period 2008 to 2013 was adopted in May 2008, which broadened its predecessor's emphasis on education and prosecution by adopting a "national integrity system" approach modeled directly after the prescriptions of Transparency International. The new NACS located anti-corruption reform at the core of larger public sector reform, and provided an organization-by-organization analysis of pillars of

⁹ Chaired by the Minister of Finance and comprising the ACC Commissioner as well as representatives of World Vision, SLANGO, World Bank, UNDP, DfID, and the European Union.

integrity. From the perspective of institutional strengthening at the agency level, NACS 2008 reiterated the call for prosecutorial autonomy of the ACC from the Attorney General, which NACS 2005 had already singled out as a bottleneck; at the sector level, it acknowledged the lack of “structured coordination between the ACC and the various public sector institutions which constitute the implementation context” (Government of Sierra Leone 2008d, 42). NACS 2008 outdid its predecessor by including a 53-page-long “strategic action plan matrix” of tabulated policy recommendations. The feasibility of this action plan, however, was limited, as it relied on the financial support of a cash-strapped government and the willful cooperation of reluctant ministries and agencies, a weak Audit Service, and an uninterested Parliament.

In September 2008, with a new president in State House committed to a policy of “zero tolerance” on corruption, a DfID review of its country program painted a decidedly grim picture:

Corruption is rife at all levels of government and broader society, which, when combined with weak capacity and fragmented civil society, hampers the implementation of laws and the protection of human rights. Parliament and the judiciary are weak. An inefficient civil service due to years of mismanagement and neglect, lack of training and low wages, means that Government is unable to deliver effectively even basic services to citizens. Lack of accountability allows, indeed encourages, poor levels of individual and corporate responsibility (DfID 2008a, 5).

As the lead donor, DfID had contributed to a more professionalized and capable Audit Service, which had served to clear the backlog of audit reports; however, effectiveness was hampered by “the reality that the audited accounts are released only with significant delay after PAC review and that no corrective actions are taken by the government” (DfID 2008a, 32). Support to Parliament, and particularly to the Public Accounts Committee, had been canceled “once it became clear that there was insufficient support from key stakeholders within

Parliament, across all party lines” (DfID 2008a, 34). As to the eight years of support for the Anti-Corruption Commission, DfID’s flagship integrity project, they were deemed “a failure” (DfID 2008a, 48).

In all these instances the terms of the Memorandum of Understanding had never been translated into an operational strategy, remaining instead mere political signals to the offices of the President and the Vice-President. Despite all the evident political roadblocks, the United Kingdom was reluctant to use whatever aid conditionality it had agreed to with the Kabbah administration. According to a former ACC official, the British were “possibly too willing to help,” knowingly overlooking the defects and shortcomings of the anti-corruption system (347420 Former ACC official, Freetown 2010). In the face of a “perceived lack of ownership and commitment” by the government, DfID had used whatever leverage it had to “buy reforms.” The MoU itself was little known by the public actors whose organizations it was supposed to reform. Everything pointed to the simple fact that “It is largely informal institutions and practices – not formal rules and procedures – that determine hiring and promotions, policy formation and implementation and delivery of goods and services” (DfID 2008a, 37, 43). The constant challenge of private institutions, in anti-corruption and other areas of public sector reform, undermined the process of state-building. Beyond mere design and regulation, according to the reviewers, “Enforcement and implementation of new procedures is key” (DfID 2008a, 59). The report concluded with a sobering assessment of the potential use of aid as an inducement to reform: “Donor driven conditionality cannot buy reform. Genuine government ownership over the reform agenda is key to a realistic pace of reform” (DfID 2008a, 59). This conclusion was

challenged merely a year later when the Anti-Corruption Commission came to be celebrated in the international media and among donors as an institutional success. All it had taken was for the United Kingdom to finally decide to use its conditionality to remake the incentive structure.

5.4 Rise, Decline, and Rebirth of the Sierra Leone Anti-Corruption Commission (2000-2011)

The first decade of existence of the Sierra Leone Anti-Corruption Commission was shaped by the consequences of two strategic choices. First, the appointment of the Commissioner by the President, which would dictate the tenor of relations between the ACC and the rest of the public bureaucracy that it was intended to oversee. Second, the lengths to which Britain as the Commission's chief foreign sponsor would go to ensure that the government was co-operating in the task of empowering and consolidating it as an administrative organization. The outcome of the first decision would emanate from the political incentive structure surrounding the presidency, and the relative power of corrupt elements within the governing party. The second decision, in turn, would result from DfID's own identity as a donor and its interactions with the Foreign Office and Number 10 at Downing Street.

The personality of the first Anti-Corruption Commissioner crucially defined the character of the ACC as an organization during its first five years of existence. The President's first pick reportedly "ran away" during parliamentary confirmation when he was found to have avoided taxes in the past. In the ensuing tug of war between State House and London, after 6 months of paralysis a British-sponsored candidate who had not been on the initial shortlist emerged as the

unlikely nominee for the post: Valentine Collier, chief of the public service as secretary of the establishment in Kabbah's administration. In a way it was a rational choice, considering that the administration envisioned the ACC's main task as prevention through oversight of the civil service (650061 Senior ACC official, Freetown 2010). However, it was also an unpredictable appointment, and when Collier was brought in, nobody could predict that he would actually be determined to make the Commission work (030798 Senior ACC official, Freetown 2010).

In his first annual report to Parliament, the new Commissioner invoked William Reno's popular notion of the "shadow state" as an explanation for corruption in Sierra Leone, and singled out "inadequate incentives" as one of the main causes of corruption in developing countries. In his determination to confront corruption, Collier expected to rely on the assistance of "our most reliable partner," the UK Department for International Development (Government of Sierra Leone 2002a, 3, 4). Britain's foreign aid was in those early days mostly technical, seconding consultants and personnel to key positions within the ACC and providing the funding and equipment for carrying out its operations. A British consultant put together the conditions of service, code of conduct, standing orders, and competence-based training that would make the Commission into an effective administrative organization. The process of recruitment sought young men straight out of university, and was contracted out to private firms under DfID monitoring. A new culture of integrity was instilled within the ACC through in-house training; that is why only young men were recruited (347420 Former ACC official, Freetown 2010). The Commission was officially launched on July 7th, 2001, and by the end of the year it had grown to 61 staff, including 5 expatriate officials. Despite the paucity of experience and resources, the

ACC then secured the conviction of a magistrate, Justice Taju-Deen, with a sentence of 12-month imprisonment (although later the accused successfully appealed his conviction).

These novel administrative efforts did not particularly conform to the President's agenda. Before Collier arrived in the Commission, Kabbah had appointed his own candidates to the key positions of Director of Investigations and Director of Prevention, but the resulting lack of progress had prompted DfID to force their removal. It was not the last time that DfID, especially through its entrepreneurial Secretary, Clare Short, found itself at odds with the President in their support for Collier (347420 Former ACC official, Freetown 2010). The Deputy Commissioner himself was a Brit, and he spared no punches in his contribution to the Commission's first annual report: "In spite of the introduction of the Act and Presidential determination to fight corruption," he wrote, "many politicians, public officers, civil servants and their accomplices are still bent on betraying public trust and civic responsibility for personal gain" (Government of Sierra Leone 2002a, 8). Soon it would be clear whether Kabbah would live up to the commitment that he had voiced during the ACC's launching ceremony not to "interfere, frustrate or obstruct the effort of the Commission" (Government of Sierra Leone 2002a, 21).

During a visit to Sierra Leone in February 2002, Clare Short received complaints from ACC officials regarding the failure of ministers and their subordinates to act upon the findings and recommendations relayed by the Commission, and they shared with her their suspicions of political interference ("Heading for the door" 2002). At the time, the Attorney General's office was sitting on 35 investigations submitted by the ACC, and leaked documents betrayed the President's desire to appoint already a new Commissioner ("Kabbah's cabal" 2002). The

Commission's second annual report conveyed a mixed picture of acquiescence and hostility: support within the public bureaucracy "was in the mean characterized by open apathy and in a fair number of cases outright non-compliance." Likewise, the report complained of "the rather lukewarm attitude of the judiciary, which after two years has yet to take a single matter of adjudication to a final conclusion." Finally, there was "the level of disinterestedness over the past two and half years displayed by Parliament" (Government of Sierra Leone 2003a, 6, 7, 10). In other words, neither of the three branches of the Sierra Leonean government seemed willing to work with the Commission.

Prosecutions were by and large blocked at the office of the Attorney General except on those occasions when they served a political purpose for the administration. That was the case of Minister of Transport Momoh Pujeh, associated with the Kamajor militia, whose prosecution was personally encouraged by Kabbah in December 2001 as a signal to the restive militia; later, when the message had been clearly received, the President himself intervened personally to drop the prosecution (International Crisis Group 2002b, 16–17). In contrast, further investigations of allegations of corruption against Okere Adams, Minister of Marine Resources, Energy and Power, and Momodu Koroma, Minister of Foreign Affairs, were stopped short and the suspects were simply reprimanded by the administration (International Crisis Group 2002b, 3). It was unclear whether Kabbah was unwilling or unable to prosecute corrupt officials. Some of them had helped him achieve power, and it might have been politically unfeasible to crack down on them (691429 Bilateral donor official, London 2011). By the end of 2002 over 40 cases had been submitted to the office of the Attorney General for prosecution, of which half had been

discarded. The fact that there was no obligation for him to justify such dismissals made it difficult to ascertain to what degree they were based on legal grounds. While some fears of political interference were dispelled when Attorney General Solomon Berewa moved on to a different post, the appointment in his stead of Eke Halloway, a political figure close to Berewa and Kabbah, did little to encourage optimism (International Crisis Group 2002b, 16). A political clique within State House, dubbed “The Untouchables,” accused the ACC in cabinet meetings of embarrassing the government through its accusations, and advocated for the appointment of a sympathetic lawyer to handle corruption prosecutions (International Crisis Group 2002b, 17). It was a covert confrontation between Collier and Kabbah, with Britain in the middle. A conflict that would soon escalate into open conflagration.

By the spring of 2005 official cooperation had all but ceased between President Kabbah and Commissioner Collier, who was refusing to shield cabinet ministers and had no less than six of them under investigation (UNAMSIL 2005, 20). When the ACC Director of Community Relations made a critique of the administration during a BBC radio interview, reportedly the President phoned the Commissioner and shouted at him “Since when is your office at war with my office!” before hanging up abruptly (030798 Senior ACC official, Freetown 2010). Collier’s misgivings with the President gradually escalated into an open confrontation with the governing Sierra Leone Peoples’ Party, which came to a turning point in April of 2005 after he made the following remarks at a public forum organized by civil society activists: “Parliamentarians were sick men in crutches,” he said, “handicap [sic] acting hopelessly with disillusionment in addressing state matters.” A few days after these words were reported in the Freetown press

(“Anti-Corruption Boss Condemns MPs” 2005, “Don’t Trust Salone Parliament” 2005), two Members of Parliament motioned to summon Valentine Collier so that he could answer for his remarks and face a possible charge of contempt for Parliament.

On the May 31st meeting of the Parliamentary Committee on Privileges, the Members’ reactions to the remarks were full of indignation and dismay: the Commissioner’s comments had been “derogatory,” an “affront the dignity and prestige of Parliament.” “Such negative statements, the committee observed, are far-reaching and misleading, especially in the eyes of the International Community.” There was an unanimous view that there were grounds for charges of contempt of Parliament under article 95 of the 1991 Constitution. Collier was eventually summoned for June 13th, and then again for the 22nd. Here are some excerpts from the second of the two sessions:

Collier: “Parliament has not criticized what we are doing and has not provided guidance or direction to us in the conduct of our work.”

Chairman: “Mr. Collier, you have failed to take into due regard the constraints of Parliament. We legislate but don’t have the personnel to make these documents. All our legislations [sic] come from Government. In other countries, Parliaments have their legal teams which carry out their legislative drafting work but this facility is not available in Sierra Leone.”

Chairman: “If we don’t respect our Parliament no outsider will.... The ACC documents are going to donor countries and when Parliamentarians in other countries read about our Parliament including what was said by you at that forum, it could be devastating to this country” (Sierra Leone Parliament 2005).

With these words the Chairman of the Committee on Privileges, which was supposed to act as an administrative check on public officials, betrayed the growing sense of unease that the SLPP and the administration felt at the ACC’s meteoric rise in popular prominence. Even without the political autonomy necessary to secure convictions of corrupt officials, the dedicated work of

the Commission's staff in collecting reports and publicizing them in the press was making a dent in the respectability of the Freetown elite. In a context of acute information scarcity, the ACC was providing citizens with the first honest appraisal of their leaders' probity. That information was slowly shifting popular expectations, and contributing to a growing resentment against President Kabbah and his SLPP allies. The aggrieved public officials did not sit idly by while the Commission exposed their abuses. By the time of the parliamentary inquiry the list of grievances that the administration had against Collier was already long and somewhat fantastic. In a memo sent to the British High Commissioner in late 2005,

The government accused Collier and his deputy, Andy Felton (a British national and DFID consultant), of causing the death of Gloria Newman-Smart, the former head of customs and immigration, whom the Commission accused of corruption; of discourtesy to the President and parliament (which Collier allegedly described as full of rogues); of "traveling in and out of the country without the permission of the government"; of paying journalists to "write negative articles against the government"; and of giving a French public relations firm \$50,000 "to write against the Sierra Leone Government" (International Crisis Group 2007, 9 note 61).

The position of the ACC's first Commissioner became politically untenable. And so on November 8th, 2005, the government of Ahmad Tejan Kabbah decided not to renew Valentine Collier as Anti-Corruption Commissioner, invoking as a justification the slim chances that Members of Parliament would confirm him after his public confrontation with them ("President Kabbah's 'Sack' Letter to Anti Corruption Commissioner, Val Collier" 2005).

Around that time a DfID team was sent to Sierra Leone in order to conduct a fundamental review of its assistance to the ACC. Considering the degree of political interference, it was a perfect opportunity for a cessation of financial support. However, it was decided by both local

government and foreign donor to give the anti-corruption aid relationship yet another try (691429 Bilateral donor official, London 2011). The truce would not last long.

During the ACC's first years, President Kabbah had come to rely on a personal relationship with Clare Short, who had headed the creation of DfID as a paradigm-shattering and risk-taking aid agency. In 2003, however, Short had been replaced by a new Secretary for International Development, Hilary Benn, who had no personal stake in the success of the Sierra Leone intervention and was much less inclined to humor an evidently duplicitous government. By 2005 tension had been mounting for months between Benn, the High Commissioner in Freetown, and the Kabbah administration, with some confrontations taking place publicly in the newspapers, as well as through letter exchanges. Benn wrote a letter to Kabbah in March 2005 complaining about the government's failure to address the worsening corruption ("A matter of graft" 2005); Kabbah replied with a 26-page letter complaining about DFID actions in Sierra Leone (691429 Bilateral donor official, London 2011). Popular perceptions were not lagging far behind such high-level quarrels: Sierra Leoneans were increasingly suspicious that their government had no political will to address the fundamental problem of corruption (UNAMSIL 2005, para. 50).

One of the main sources of contention was Henry Joko-Smart, an elderly law professor and brother in law of President Kabbah, and the new ACC Commissioner once Collier had been let go. Sierra Leonean and donor officials who witnessed the transition agree on the fact that Joko-Smart's appointment was the outcome of a political decision to stall the anti-corruption agenda, or at least the ACC's targeting of cabinet ministers (030798 Senior ACC official,

Freetown 2010; 691429 Bilateral donor official, London 2011; 970364 Senior ACC official, Freetown 2010). Joko-Smart himself had been penalized for corruption -unjustly, in his mind- during an inquiry by the NPRC regime in the early 1990s. Much like Kabbah, he had an instinctive disgust of investigations and prosecutions of high-level officials (International Crisis Group 2007, 9). The first order of business, according to him, was to clean the Anti-Corruption Commission itself. As a result there were no prosecutions for a 2-year period, a time remembered by one ACC official as “the dark ages”: “We were just idle... could not hold our head up high... people called us all sorts of things” (970364 Senior ACC official, Freetown 2010). Joko-Smart ignored his subordinates, accused them and DfID of being “thieves” and complained of British interference. Investigations ceased, and civil servants working for the Commission began to come to the office to do no work, some of them devoting themselves to distance learning instead. The ACC was put in a “deep slumber,” said an official working there at the time. “Nothing was happening” (030798 Senior ACC official, Freetown 2010).

In late 2006 a team of DfID consultants was sent to Freetown in order to carry out the annual review of British support for the Anti-Corruption Commission (DfID 2007a). The evaluators registered with dismay the impact that new leadership was having on the organization. Joko-Smart had stopped carrying out the fortnightly meetings between department heads which allowed for a coherent strategy and policy for the Commission. Instead, they had been replaced by monthly management meetings, as well as daily mini-management meetings dealing with minor administrative issues, for which no agendas or minutes were prepared (DfID 2007a, 14). There was a significant underspend of about 750,000 pounds, suggesting that costly tasks in

investigation, prevention, and community relations were not being carried out (DfID 2007a, 14). In their meeting with the consultants, Joko-Smart claimed to ignore the contents of the Project Memorandum governing DfID assistance (DfID 2007a, 14). He initially refused to let them meet department heads individually, and failed to provide them with documentation until the end of their visit.

The team found that the Commission had fallen behind in all the components of the support framework: there was limited collaboration with MDAs and civil society on prevention, no impact assessment of community mobilization efforts, low numbers of -generally low-profile- prosecutions, and no new surveys on corruption. The Commission had voluntarily limited its organizational footprint in the country, and in so doing it had become unable to measure the results of its own work. It had become “inwardly focused,” with no attempt being made to establish stronger ties with the office of the Auditor General or to pressure the Attorney General to process cases at a faster pace. Meetings between the Commissioner and the Attorney General had in fact ceased after DfID decided to stop attending them (DfID 2007a, 22). Informers from other state sectors reported the gradual disappearance of the ACC from the strategic policy level (DfID 2007a, 22). Press conferences had begun to focus more on why prosecutions were not initiated than on the merits of the cases (DfID 2007a, 21). And the Advisory Committee mandated by law to oversee the Commission had lost all relevance. The Commissioner was accountable to no one but the President himself (DfID 2007a, 25).

The conclusions of the review were simple enough:

the recent leadership and management of the organisation has undermined any progress that had been made with previous donor support. It is our view that during the period

under review, the necessary leadership in building and leading an effective ACC within an already difficult environment has largely been absent (DfID 2007a, 29).

Considering the the future trajectory facing the ACC under the stewardship of Henry Joko-Smart, there was only one logical conclusion: “We recommend that DFID ends support to the ACC Sierra Leone” (DfID 2007a, 30).

The fact that DfID’s Sierra Leone office was willing to adopt the report’s drastic prescription, and thereby to cut funds to the ACC altogether, did not do much to improve its already deteriorated relations with the Kabbah administration. Unsurprisingly, the aid agency found opposition to this option within the UK’s own Foreign and Commonwealth Office, where diplomats were much less inclined to send such a strong political signal. But eventually London managed to secure a middle way between suspension and acquiescence. Official funding for phase 2 of support was scheduled to end in March 2007, and it was determined that on that date the Commissioner would be notified of an offer of five additional months of limited assistance in order to implement some of the pending recommendations (DfID 2008a, 30). After that, continued non-compliance would result in a freeze of British support for the ACC.

In April 2007 the DfID report found its way into the public eye, and the press presented it as an indictment of Joko-Smart’s work as Commissioner and -indirectly- on President Kabbah’s commitment to the fight against corruption (“Britain Blacklists Kabbah, SLPP Gov’t for Corruption” 2007). For some within the ACC, the report was lopsided, placing no blame on the British consultants who had worked within the Commission; for others, however, it was the natural outcome of Joko-Smart’s refusal to work with donors (647416 Senior ACC official,

Freetown 2010; 650061 Senior ACC official, Freetown 2010). Later that year, DfID finally did what it had not dared for seven years: it applied its conditionality, although not due to transgressions of the ACC assistance framework. Together with the EU, Britain withheld disbursement of the conditional tranches of budget support to the government in response to its failure to release public account audits going as far back as 2002 (“The first-round fight” 2007). Even though perhaps not enough thought had been given to the political implications of such a symbolic gesture in an election year (691429 Bilateral donor official, London 2011), the freeze sent a powerful message to President Kabbah about donors’ new-found seriousness. Coupled with the ACC report, Britain’s willingness to suspend budget support signaled to the people and political opposition alike that the SLPP government -and by extension, the SLPP presidential candidacy of Vice-President Solomon Berewa- did not have the political will to address corruption at a fundamental level.

The opportunity was not lost on Kabbah’s rivals, chief among them Ernest Bai Koroma, the insurance businessman who had rose to candidate for the presidency under the banner of Siaka Stevens’s old party, the All Peoples’ Congress (APC). Koroma capitalized on public discontent and made the fight against corruption the central theme of his campaign: by promising “zero tolerance on corruption” he was sending a message, not just to the voters, but in particular to the donors (030798 Senior ACC official, Freetown 2010). The ACC had acquired a significant public profile since its creation, and its success -or lack thereof- had become an important component for the assessment of politicians (647416 Senior ACC official, Freetown 2010). It was precisely its high profile that made Koroma focus on it during his campaign, in which he

made all sorts of pledges, like strengthening the ACC, drafting new legislation, or ensuring that there would be no sacred cows in his cabinet. The only way for the APC to separate itself from the previous administration, and to win the vote of Sierra Leoneans, was by committing itself to make the Commission effective (692610 ACC official, Freetown 2010).

Koroma beat Kabbah's Vice-President Solomon Berewa in the second round of presidential elections in the fall of 2007. And while the losing SLPP blamed donors for its defeat, accusing them of emboldening the opposition and withholding budget support as political punishment, Koroma in fact won due to a split within the ranks of the SLPP that had led Charles Margai, son and nephew of the post-independence prime ministers, to form his own splinter party (the People's Movement for Democracy and Change) and then strike an alliance with the APC (Kandeh 2008). As President-elect, however, Koroma could not renege on its electoral commitments. He once again pledged that he would prosecute corrupt officials, investigate crimes of the past, and reinvigorate the ACC. Specifically, he aimed at giving the ACC its long-sought ability to prosecute independently without veto from the Attorney General ("A clean sweep, maybe" 2007). The most powerful message that he could send was the removal of Henry Joko-Smart from the Commissioner's office. This he did shortly after his election, when he replaced the elderly law professor with a young human rights lawyer who would preside over an anti-corruption renaissance in post-conflict Sierra Leone.

In his first annual report as Commissioner, Abdul Tejan-Cole welcomed with relief the end of an "annus horribilis" for the Anti-Corruption Commission. He also expressed his aspiration to persuade DfID to restore its support, and reported the establishment of a committee

tasked with revising the Anti-Corruption Act 2000 (Government of Sierra Leone 2008b, 5–6). The latter task he carried out without external funding, calling in favors from friends in the legal community, and by late July 2008 a draft was ready for ministerial review and parliamentary approval (International Crisis Group 2008, 18). The government did not make any major changes to the proposal; because its public commitment it could not have (650061 Senior ACC official, Freetown 2010). Free from interference from State House, Tejan-Cole secured political pressure on MPs to pass the act by building an alliance with civil society groups (647416 Senior ACC official, Freetown 2010). Caving in under popular demand, Members of Parliament adopted the Anti-Corruption Act 2008 without much attention to its contents—only later would they come to realize the administrative strength of the new law (970364 Senior ACC official, Freetown 2010).

Most importantly, the revised act increased the number of punishable corrupt offenses from 9 to 27.¹⁰ Moreover, it granted prosecutorial autonomy to the Commission, as well as the power to enforce compliance sanctions on public officials who refused to implement its recommendations. The ACC thus became, in many ways, a veritable “state within the state” (347420 Former ACC official, Freetown 2010): an administrative organization independent from the civil service, with its own internal and external revenue streams, and the power to investigate and prosecute any public official within Sierra Leone. All of this, ostensibly, with President

¹⁰ Corrupt acquisition of wealth, Offering, soliciting or accepting advantage, Using influence for contracts, Corrupting public officer, Soliciting, accepting or obtaining advantage for public office, etc., Misappropriation of public funds or property, Misappropriation of donor funds or property, Impeding investment, Corrupt transactions with agents, Possession of unexplained wealth, Influencing a public officer, Peddling influence, Bid rigging, etc., Bribery of or by public officer to influence decision of public body, Deceiving principal, Accepting advantage to protect offender from legal proceedings, Abuse of office, Abuse of position, Public officer using his office for advantage, Conflict of interests, Treating of public officer, Receiving gift for a corrupt purpose, Protection of public property and revenue, etc., Dealing with suspect property, Bribery in relation to auctions, Gifts, Transfer of proceeds of corruption, etc.

Koroma's backing ("Peace and the looming crisis" 2009). In the words of an ACC official: "The government has given us a free hand" (647416 Senior ACC official, Freetown 2010). Tejan-Cole also reorganized the Commission internally (with assistance from DfID), separating its community relations and prevention offices into separate departments, and establishing a special unit overseeing implementation of the new National Anti-Corruption Strategy. He gave the staff a new impetus with the addition of intelligence and legal personnel, as well as an increase in salaries (114980 ACC official, Freetown 2010). The ACC moved ahead of other MDAs, not only in terms of remuneration, but also of equipment, work plans, strategy, reporting, and recruitment. A Strategic Plan was provided to donors, containing guidelines and expectations, and DfID provided additional benchmarks, for instance regarding the number of cases prosecuted, but also a high premium on preventive work, e.g. the number of reports on MDA systems and processes. Meeting the benchmarks would be necessary in order to secure further funding. As a result of all these changes since the arrival of Tejan-Cole, there had grown among the ACC staff an awareness of greater responsibility to the public: "You don't want to be seen as a non-performer," one official said. "Because of clear benchmarks you cannot afford not to work" (030798 Senior ACC official, Freetown 2010).

The new Commissioner wasted no time in terms of investigations, arresting in April 2008 the former ombudsman, Francis Gabbidon (UNIOSIL 2008, para. 37). By February 2009 the ACC was investigating the sitting Minister of Energy and Power, Haja Afsatu Olayinka Kabba, for an energy contract that may have wasted up to \$100 million ("Peace and the looming crisis" 2009). The Commission had also indicted the Sierra Leone Road Transport Authority's acting

head, Sarah Finda Bendu (“We go no tire” 2009). In September 2010 President Koroma suspended the head of the National Revenue Authority after the ACC launched investigation into several offenses. And on November 4th the Minister of Health, Sheku Tejan Koroma, was relieved of his office and charged with abuse of office and failure to comply with procurement regulations (UNIPSIL 2010, para. 61). Gabbidon, Koroma, and Kabba would all be convicted by late 2010.

The Anti-Corruption Commission had become one of the best-run state organizations in Sierra Leone. It had been unable to change prevalent cultural norms, and it still faced significant resistance within the state apparatus: “some institutions have embraced the fight whilst others have not. This has made our work very difficult” (Government of Sierra Leone 2010a, 7). But it was succeeding in transforming the basic incentive structure for public officials, in changing their risk calculations. “Culture can also be ambushed” (376956 ACC official, Freetown 2010). The key to this new dynamic was enforcement. And though its prevention department had failed to use compliance sanctions in its interactions with other MDAs, prosecution of high-level officials signaled to all public actors that the days of impunity were over. This drastic reversal of fortunes eventually secured the Commission a diversified stream of donor funding: besides DfID and GTZ (German technical cooperation), it started receiving support from IrishAid, the World Bank, the European Union, the UN Peacebuilding Fund, and the Open Society Initiative for West Africa (Government of Sierra Leone 2010a, 7).

The United Kingdom, as Sierra Leone’s leading donor, had embraced the tension of its agency relationship with the government. For a time it seemed that a weakening of the ACC was

the inevitable result of the interaction between a public-minded donor and a private-minded government. But by altering the incentive structure through the political use of foreign aid, the UK was able to shift behavioral patterns toward administrative reporting and sanctioning of corrupt practices.

5.5 The Structure of Incentives for Anti-Corruption Reform in Liberia

Liberia emerged from its 14-year-long conflict to find not a leading donor but a plethora of them willing to assist with reconstruction efforts. Ostensibly a good thing by the standards of the humanitarian and development communities, the presence of multiple aid actors did not necessarily bode well for institutional change in the collapsed state. But in fact external actors involved in anti-corruption state-building seemed to be able to solve their collective action problem, and in the process they launched the Governance and Economic Management Assistance Program (GEMAP), one of the most ambitious aid coordination and conditionality mechanism ever seen outside of international transitional administration. Their aims were equally ambitious: increasing the transparency and accountability of economic governance on a sector-level scale. The road to revolution, however, was not a straightforward one. And neither were its results. As in the Sierra Leonean case, I will first discuss local and foreign actors and their incentives, before exploring the general process of reform and delving into the specific dynamics of the establishment and evolution of the Liberia Anti-Corruption Commission.

Public Will and Private Legacies

Post-conflict anti-corruption efforts in Liberia can be split into two clearly differentiated political periods. Between 2003 and 2005 an internationally-mandated National Transitional Government of Liberia (NTGL) was empowered to begin governance reforms under the terms of the Accra Comprehensive Peace Agreement. The Agreement included a series of political provisions intended to guarantee transparency and accountability in the immediate period after the end of the second civil war (Government of Liberia 2003). Article XVI, specifically, mandated the creation of a Governance Reform Commission (with support from the United Nations Development Program), which among other tasks would “ensure transparency and accountability in governance in all government institutions and activities.” The NTGL, however, fell short in these obligations, and only managed to establish an Executive Task Force of Corruption towards the end of its mandate. By that time international actors had grown impatient enough to agree on GEMAP and force it on the transitional government. With the inauguration of Ellen Johnson Sirleaf as democratically-elected President in early 2006, international actors gained an invaluable ally, ready to “accept” and “enforce” the terms of GEMAP and declaring corruption “the major public enemy” (Government of Liberia 2006c). Johnson Sirleaf also directly requested the wholesale reform of the General Auditing Commission under European oversight, formulated a National Anti-Corruption Strategy in December 2006, and eventually signed into law an Anti-Corruption Act in August 2008 establishing the Liberia Anti-Corruption Commission (LACC). It seemed that where the NTGL had been an anti-corruption spoiler, President Johnson Sirleaf would prove to be a champion.

And nothing less than champion was required to challenge entrenched institutional

legacies. Towards the end of the second civil war (1999-2003), corruption had become endemic in all Liberian public organizations. Nepotism dominated staffing decisions in the civil service, and the judicial system was either unable or unwilling to act as a check of any kind. There were no administrative institutions for public accountability, and no incentive for public officials to refrain from capturing state resources. Crucial positions within government were considered first and foremost a stupendous source of personal enrichment (European Commission 2004, 7), and there was a widespread belief among the people that “if you don’t steal from the government you’re seen as stupid” (Government of Liberia 2009a, 296–297). The US Department of State’s annual human rights report on Liberia left no room for interpretation: “Corruption was widespread during the year. The absence of salaries for government employees exacerbated the situation. Corruption was present in all sectors of society including the judiciary. Those who publicly admitted to corruption were often not charged or tried” (US Department of State 2004).

The institutional path which had resulted in this kind of capture of public resources was rooted in Liberia’s early settler society, and had been reinforced after World War II by every successive administration despite each clique’s attempt to undo the patronage networks of its predecessors. Under William Tubman’s rule (1944-1971) the presidency had ceased to be the guarantor of settler patrimony, and instead became “the ultimate source of individual livelihood” in Liberia: “Whether derived as a gratuity from the briefcase carried by Tubman’s valet or from earnings from private agricultural estates or peasant farms, all incomes were perceived to be derived from President Tubman” (Sawyer 1992, 285). William Tolbert (1971-1980) perfected the presidential abuse of public office, and together with his family pursued a policy of blatant

capture of the state. His brother Frank was President of the Senate, his brother Steve Minister of Finance, his son A.B. a Member of the House of Representatives, his daughter Deputy Minister of Education, and two of his sons-in-law were, respectively, Minister of Defense and Deputy Immigration Chief (Government of Liberia 2009a, 130). Interestingly, Tolbert had in fact created in 1975 a “National Force for the Eradication of Corruption” directly reporting to the office of the president. However, the force had “no appreciable impact in tackling corruption,” and was discontinued under the military junta (Government of Liberia 2006d, 6).

President Samuel Doe (1980-1989), too, opened up state offices and resources to personal supporters and those from his Krahn ethnic group, while keeping to himself the rents from the lucrative timber sector (Sawyer 2004, 444). The institutional status quo became further entrenched: “Wealth was acquired not by any successful ingenious enterprise but by outright corruption and patronage” (Government of Liberia 2009a, 149). Warlord-turned-president Charles Taylor, both through his National Patriotic Front of Liberia (NPFL) and from the Executive Mansion (1997-2003), amplified this historical pattern of state capture by seeking to exercise absolute control over Liberia’s wealth. Small and well-connected Lebanese and Americo-Liberian entrepreneurs came to control the extraction and export of gold and diamonds. Logging companies made payments to the tune of millions of dollars directly into Taylor’s bank accounts in exchange for a lenient tax policy. It was estimated by Liberia’s Truth and Reconciliation Commission that the forestry sector had been managed in a captured fashion for decades: between 1979 and 2003 “no single company had the legal right to log in Liberia,” and yet the successive governments had granted concessions equaling 2.5 times the total forested

area of the country (Government of Liberia 2009b, 28, 17, 12). The state and its prerogatives had been effectively privatized and sold to the highest bidder.

Donor Aims and Agendas

Donors were not oblivious to the strong legacies of capture which threatened the entire reconstruction enterprise. In late 2003 a Joint Needs Assessment prepared by the UN, World Bank, and IMF concluded that the truly challenging reform would not be the upgrading of the civil service, but “the alignment of state practices according to the norms of transparent and law-abiding governance” (United Nations and World Bank 2004, 12). In order to secure the foreign resources to overhaul the public sector, the transitional government had to “reassure donors that if they contribute to the transition, their resources will be properly managed and make a difference.” A fundamental requirement for the general process would be a mechanism which had “the authority to manage the transition process, enabling stakeholders to monitor progress, assess achievements, track the use of resources and obtain the information necessary to decide whether or not to release additional tranches of finance for specific purposes (United Nations and World Bank 2004, 24). Multilateral donors were calling, in essence, for institutional conditionality. This was exactly the same concern that had animated the British to establish an Anti-Corruption Commission in Sierra Leone. But while the aims were similar in Liberia, the means were not. Under the Results-Focused Transitional Framework there was simply no concrete and dedicated public transparency and accountability organization which could keep the NTGL honest.

The Governance and Economic Management Assistance Program (GEMAP) agreement,

signed by the transitional government and donors on September 9th, 2005, began with an acknowledgment of failure: Accra had assumed good faith on all parties to the NTGL, an uneasy alliance operating in a context of “weakened” and “dysfunctional” institutions. As a result, after a year and a half of foreign support, “widespread weak fiscal management” was hampering efforts to curb “systemic corruption,” and thereby endangering implementation of the RFTF and negotiation of subsequent foreign assistance (Government of Liberia 2005, 1–2). While GEMAP’s immediate concern was public financial management, its ultimate aim was to help relieve aid and fiscal inflows from the pressure of private capture. To that end it was designed with a full armor of sticks for its carrots. Besides technical assistance -and surprisingly for a donor initiative- GEMAP seconded international experts with co-signatory authority to the Central Bank of Liberia and a number of revenue-producing state-owned enterprises (SOEs), effectively establishing external veto over Liberia’s financial decision-making.

GEMAP was in many ways a truly revolutionary aid scheme, destined to become a model for subsequent post-conflict state-building assistance. It held the promise for donors of addressing the Liberian government’s moral hazard. However, before the agent could ever be monitored and sanctioned for non-compliance, the multiple principals would have to agree on whether and how to do it. The second strategic dilemma of state-building assistance, donor coordination, would make or break the GEMAP experiment, decisively shaping Liberia’s anti-corruption experiment.

Donor Coordination

Born as a rare example of remarkable complicity between donors, the GEMAP agreement

was designed to maintain strong coordination into the implementation phase, while adopting a much less confrontational relationship with the government. An infrastructure of donor coordination, monitoring, and joint oversight with the government of Liberia was set up, based on an Economic Governance Steering Committee. Chaired by the head of state of Liberia and “a representative of a development partner” (the American ambassador) as his deputy, the Committee was meant to bring together all relevant ministries and agencies from the transitional government, along with its international backers: African Union, European Commission, ECOWAS, Ghana, IMF, Nigeria, UN, United States, and World Bank. It would not only review GEMAP periodically “against benchmarks, results, and resource needs” during its intended 36-month implementation period, but also ensure alignment with complementary capacity building efforts by donors, as well as broader coordination within the context of the RFTF (Government of Liberia 2005, 6, 16). GEMAP was engineered to behave as a true embodiment of the principles dominating aid doctrine at the time: coordination, alignment, ownership.

These aspirations were decidedly ambitious. Too ambitious, perhaps. Despite its name, GEMAP was not in fact a program, but a umbrella term for a plethora of separate donor projects: there was no shared programming cycle, no pooling of funds, and no integrated reporting lines. The question of resource-sharing and joint disbursement, for instance, did not appear in the agreement, and had in fact never been a central point of discussion among donors. Instead, at the time that the text was drafted the understanding was that specific GEMAP tasks would be divided between international actors, with funds for them diverted from preexisting and mutually disconnected aid streams (Dwan and Bailey 2006, 18). What donors had agreed to was a set of

common aims, as specified in the program document, as well as a formal information-sharing mechanism. From the standpoint of the principle of coordination, therefore, GEMAP was not so much a realization as a shared hope. Hence its motley shopping list of objectives, as I will detail below, reflecting executive, institutional, and technical components drawn from each donor's objectives and programming preferences.

GEMAP was a dream. An aspiration to overcome the collective action problem inherent in donor proliferation. As per the framework presented in chapter 2, ideally this case of foreign support for state-building should have unfolded as if there was a single donor and not many, a clear logic of tension which would have allowed aid actors to make sure that the Liberian government upheld the required standards of transparency and accountability. Instead, the lack of actual institutional mechanisms for collective action through selective participation incentives, as well as the absence of a leading donor which could allow for an Olsonian "exploitation" dynamic, all but ensured that international actors would be unable to coordinate the application of their conditionality. Thus the actual GEMAP process would be at best closer to the third explanatory type of state-building assistance, subversion, and at worst result in the kind of contradictory inducement which characterizes the fourth type, diversion. In any event, the prospects of administrative institutional change would have to rely on the political willingness of two fractured administrations.

5.6 Tracing the Process of Anti-Corruption Reform in Liberia

In early 2004 the international community and the National Transitional Government of Liberia agreed to the Results-Focused Transitional Framework (RFTF), a detailed reform and aid coordination strategy (National Transitional Government of Liberia 2004). The RFTF lacked a dedicated section on accountability and transparency, separating these reforms under different clusters and sectors: public official probity would be dealt with through civil service reform, whereas auditing and procurement transparency were included under public financial management. As a result there was no overarching mechanism whereby donors could monitor or check the anti-corruption efforts of the NTGL. This was only too convenient for a fractured coalition of big men animated by a sense of entitlement and retribution, whose time horizons had been shortened by a CPA-mandated end to their tenure by January 2006.

An European aid strategy drafted at the time lamented the fact that the transitional assembly was “not a proactive political body,” but “more preoccupied with salaries and cars.” This “culture of bad governance” posed a threat to revenue collection, dampening the prospects that the NTGL could ever meet its stated objectives (European Commission 2004, 8, 14). In fact by 2005 the Speaker of the National Transitional Legislative Assembly, his deputy the Chairman of the Ways and Means Committee, and the Chairman of the Rules and Order Committee, were all suspended for fiscal and administrative misconduct (Ebo 2005, 25). The Speaker had allegedly taken home about \$90,000, but he was not alone: the Director of National Welfare and the Managing Director of the Port Authority had both embezzled \$600,000, while the head of the Bureau of Maritime Affairs had pocketed \$3.5 million. Despite the widespread suspicions of

malfeasance -or rather because of them- in June of 2005 the NTGL established an “Executive Task Force of Corruption” comprising nine governmental and non-governmental commissioners. Its mandate included civic education, investigation and recommendation for prosecution, the elaboration of an anti-corruption law and strategy, as well as the drafting legislation for the establishment of an anti-corruption agency (Government of Liberia 2006d, 7). However, no reports were published by the Task Force, and no public officials were ever prosecuted under the NTGL regime (Government of Liberia 2006d, 6). Instead of effectively hampering state capture, transitional legislators themselves engaged in a free-for-all capture of public resources: in November 2005 they passed a law allowing them to take government vehicles for personal use at the end of their terms, and the following month “legislators leaving office stripped the capitol building of desks, computers, chairs, and carpeting” (US Department of State 2006). By that point, however, donors were no longer idly witnessing the pilfering of their aid money.

In order to address the shortcomings of the initial phase of assistance, international actors designed in 2005 the Governance and Economic Management Assistance Program (GEMAP), envisioned as a coordinated external intervention along six lines of action: (1) financial management and accountability; (2) budgeting and expenditure management; (3) procurement and granting of concessions; (4) processes for the control corruption; (5) key governance institutions; and (6) capacity building. In terms of administrative organizations, the GEMAP agreement mandated the NTGL to issue “within two weeks” an executive order establishing an “effective and independent non-political Anti-Corruption Commission with full prosecutorial powers” and headed by both Liberian and expatriate commissioners (Government of Liberia

2005, 13). And it committed the government to the adoption of a new law guaranteeing the independence of the General Auditing Office. Such was the kind of “immediate remedial action” which, according to the GEMAP agreement, all partners had agreed that the situation required. What the document failed to mention was that the emergence of such “agreement” had been far from uncontroversial.

In a twist of fate not deprived of a certain irony, the roots of what would become the intrusive GEMAP scheme lay in a series of audits of the Central Bank and certain state-owned enterprises (SOEs) that in early 2004 were conducted by the European Commission after a direct request from NTGL Chairman Charles Gyude Bryant. At the time public financial management was a key prerequisite for European assistance, but was also becoming a growing source of concern for the international financial institutions and the United States. Reports of widespread corruption and pilfering of state coffers were rattling the nerves of those external actors most involved in resurrecting the Liberian state and economy; once finished, the audits provided an empirical justification for such fears. Before going public, the Europeans shared the reports with the International Monetary Fund, the World Bank, and the United States, and together they began to discuss the possibility of an international intervention of some sort to counter such levels of corruption. At a meeting in Washington the four donors decided to take the issue to ECOWAS and the UN at the next gathering of the RFTF in May 2004. According to a joint World Bank-UN report on the origins of GEMAP, that particular meeting turned out to be a veritable “grim occasion”:

Speaker after speaker focused on corruption as the main reason for Liberia’s lack of recovery, so much so that the leader of the NTGL delegation, Minister of Planning and

Economic Affairs Christian Herbert, felt obliged to intervene a second time to assure donors that the NTGL accepted the need for a more robust international role in public finance management. He characterized the problem as lack of capacity and asserted that there was no resistance to international experts coming in to work alongside counterparts in line ministries. Herbert called on the World Bank, the IMF and the US to provide this assistance (Dwan and Bailey 2006, 10).

With this admission of constraints, the Minister had provided a political justification for the intrusive aspirations of donors, who set out to design an economic governance assistance program (EGAP) which would go far beyond the usual kind of technical assistance. An initial draft in fact granted the envisioned program's steering committee veto power over any government policy. Naturally this aroused major resistance from the NTGL. "They wanted a take-over," recalled a Liberian official who participated in the negotiations (718456 Senior elected official, Monrovia 2011). The transitional government at first "capitalized on tensions between partners," hurling around accusations of international trusteeship. Bryant secured an uncomfortable ally in the United Nations Mission in Liberia (UNMIL), which found itself trapped between its reluctance to be overly political and its fear that the NTGL would only accede to a watered-down program. In contrast, to the government's continued obstructionism the other donors responded with increasingly drastic measures: at first they raised the possibility of withdrawing their aid, and when that did not work they resorted to direct pressure on Chairman Bryant himself. Shortly thereafter the US conveyed a more specific and powerful threat, the withdrawal of its support to security sector reform, which prompted the NTGL to accede to the signature of GEMAP (Dwan and Bailey 2006, 13–14). Six years later, a former negotiator on behalf of the government rationalized the decision by arguing that foreign

controllers were just meant to confirm what the NTGL was supposed to be doing anyway. “We knew our weaknesses,” he admitted. “We were prepared to play ball” (718456 Senior elected official, Monrovia 2011).

The Governance and Economic Management Assistance Program was an interesting mix of very different instruments, which were themselves expressions of different aid relationships with the government. The shared authority over financial processes, for instance, was almost exclusively an American intervention. USAID’s main concern with regards to Liberia’s economic management was the leakage of public revenue, and what it foretold for the country’s eventual graduation from foreign -and especially American- aid. To that end, under the first GEMAP component, in early 2006 USAID deployed expatriate financial controllers to four revenue-producing state-owned enterprises (SOEs) -Liberian Petroleum Refining Company, National Port Authority, Roberts International Airport, and Forestry Development Authority- as well as to the Bureau of the Budget, where they were supposed to contribute technical expertise as well as “exercise cosignature authority over all financial commitments and payments or allotments of their company or agency, including the use/replenishment of petty cash” (USAID 2008, 6). The only other donor employing executive authority in this fashion was the International Monetary Fund, which in February 2006 seconded its own expert as chief administrator of the Central Bank of Liberia. Institutional assistance, in contrast, was dominated by multilateral donors. The European Commission, in particular, provided support for the Governance Reform Commission, the Public Procurement and Concessions Commission, and most importantly to the General Auditing Commission (GAC) (European Commission 2008).

Finally, all donors engaged in various forms of public finance management technical assistance, deploying short- and long-term experts to state-owned enterprises, the Ministry of Finance, the Ministry of Lands, Mines, and Energy, the aforementioned commissions, and other public agencies throughout the Liberian executive. The result was a sprawling and somewhat undefined set of interventions aimed at improving financial management and curbing public corruption.

In all these efforts, donors were not so much coordinating as aligning their efforts. It was much less clear, however, whether they were also aligned with the Liberian government's own plans. It must not be forgotten that GEMAP was born out of explicit political pressure from donors. Regardless of the diplomatic tone that permeated the agreement, the reform context was one of mutual suspicion, if not outright hostility. Fortunately for them, donors were relieved of an uncomfortable local agent when Liberia's first post-conflict democratic elections were held in late 2005, ushering Ellen Johnson Sirleaf into the Executive Mansion shortly after GEMAP was signed and before the beginning of its implementation. Johnson Sirleaf publicly assumed the inherited GEMAP commitments as her own, and in so doing she gave donors the benefit of a retroactive ownership of sorts. Indeed it seemed that the energetic new President -a former multilateral donor official herself- was willing to own GEMAP's aims to the bitter end. Pressure from the Executive Mansion on public officials, for instance, would be later identified in a mid-term review as one of the main sources of improvement in SOE performance and revenue generation (Government of Liberia 2008c, 16). Moreover, the President dismissed a number of high-level public officials suspected of corruption, like the comptroller of the Ministry of Public Works, the Deputy Minister for Health and Social Welfare, or the Director of the Civil Aviation

Authority (US Department of State 2007). And she instilled new life into the process of developing central administrative organizations for corruption reporting and sanctioning, even if it is in these processes of institutional reform that we begin to see the government's reluctance to embrace and enforce actual change. I will explore the case of the Liberian Anti-Corruption Commission and the investigation of public officials in greater detail below. But before that I will take a brief detour into the troubled history of the General Auditing Commission (GAC).

The GAC, like all supreme audit institutions, had the potential to become a reform multiplier in Liberia's economic management and anti-corruption efforts. As the Bureau of Audits since 1956 and then General Auditing Office since 1972, the organization had historically been subordinated to the office of the president, both informally and legally, even after the 1986 constitution defined it as an autonomous commission. Part of the GEMAP deal had been the establishment of a truly apolitical Auditor General (AG), and in June 2005 the National Transitional Legislative Assembly complied by adopting the General Auditing Commission Act under which the GAC would enjoy greater independence and report directly to the legislature. In response to a request from President Johnson Sirleaf, the European Commission agreed to organize and fund the recruitment process for a new Auditor General, and to provide financial support to his office for an initial contract of two years. The job eventually went to John S. Morlu, a young, American-trained Liberian auditor with experience in the financial consulting sector. The new AG immediately revealed himself to be an energetic leader for the GAC, drafting a 65-page-long organizational blueprint which was part strategic vision, part management plan, and part legal review of the Liberian public audit system (Government of Liberia 2007b). Morlu

also succeeded in taking the Commission out of the civil service recruitment system after confronting and winning a challenge from legislators at the supreme court (354978 Senior auditing officials, Monrovia 2011). The way he saw it, the GAC was “the first line of defense for promoting integrity, transparency and accountability throughout the public sector” (Government of Liberia 2007b, 5). The new Auditor General was not free from an almost messianic zeal to rattle the public sector, but like all Liberians he knew perfectly well what the challenge ahead would be:

At our first training, of 127 staff, I asked a simple question as I was asked to make an introductory remark. I asked the staff to name me a few wealthy Liberians who they believe or know obtained their wealth through the private sector, not Government. After a few minutes, they came up with two individuals. But soon, the debate started on the second individual because it was said he got his clients through his close contacts with the President then. Essentially, the basic reality was that they could only name two Liberians they believe obtained their wealth outside of Government. I felt then I have got my work cut out for me (Morlu 2011).

Indeed, barely a year after it started receiving European support, the General Auditing Commission was already considered “one of the success stories of GEMAP.” 127 auditors had been trained, 11 audits completed, recommendations formulated for the new Public Finance Act and Financial Regulations, and development begun on an internal audit strategy for the Ministry of Finance (Government of Liberia 2008c, 18–19). In what was surely to be a politically-charged mission, Morlu could rely on the umbrella of support from the European Delegation in Monrovia, which acted as *de facto* supervisor of the AG’s office under a “Special Dispensation” with the government (Government of Liberia 2007b, 65).

Besides the entrepreneurial new Auditor General, the second major factor in the GAC’s

early success was another individual: President Johnson Sirleaf herself. As the foreword to a GAC Strategic Plan celebrated,

The desire by the President to forgo her Constitutional right to appoint an Auditor General but instead allow the development partners through the leadership of the European Union to competitively recruit and finance an independent Auditor General was a clear demonstration of commitment to “end the business as usual” and usher into place a new era of public sector transparency and accountability (Government of Liberia 2009c, 2).

Nonetheless, full ownership of the GAC’s mission, and through it of GEMAP aims, required sustained political support beyond the foundational moment. And no matter how revolutionary the President’s gesture may have been, the no less revolutionary Auditor General soon became a political thorn in the executive’s side. On June 13th, 2007, Morlu criticized the omission of part of government revenues from the national budget, and declared that the administration was “three times as corrupt as its predecessor” (European Commission 2008, 6). The AG shared his concern about “parallel budgets” with the House Speaker in a letter that was subsequently leaked to the press by a senator. In response, Johnson Sirleaf attacked him publicly for exceeding his legal responsibilities (“Rumours and plots: President Johnson-Sirleaf’s enemies have come out in the open with a raft of allegations and threats of military action” 2007). In April 2008 the government appointed two Deputy Auditors General, but it did so without consultation with the office of the AG, which made everyone view them as political appointments. It was assumed at the time that their hiring anticipated the eventual departure of European long-term technical assistance in 2008, and of the AG himself in 2009, but an official review found “no concrete evidence” to support that interpretation (Government of Liberia

2008c, 53–54). The greatest source of frustration for Morlu and his subordinates stemmed from the fact that the GAC only had a reporting mandate, with no power to enforce any of its recommendations with sanctions. The two main stakeholders in the auditing system offered little support. The legislature was considered by GAC officials “the weakest link in the process,” with legislators rarely acting upon recommendations, and sometimes being themselves named in the reports. As to the executive, it did not enforce the implementation of systems and procedures, even when the recommendations were explicit; at times it did not know what to do with the recommendations, and simply passed the buck to the Governance Commission for policy suggestions (402969 Governance official, Monrovia 2011). Nor did it pressure ministers and agency chiefs to ensure the independence of internal audit units, or even to have them produce any kind of report (354978 Senior auditing officials, Monrovia 2011). Frustrated and politically isolated, the GAC took to using its findings as a way to spur public debate on corruption, publishing every audit and reporting on every controversy between the Auditor General and the executive on its website.

By the time I arrived in Monrovia in early 2011, the open confrontation between Morlu and Johnson Sirleaf was the talk of the town. On the one hand, the Europeans had been reluctant to interfere in the clash between the President and her Auditor General, and did not seem ready for a political fight, much less in an election year (581120 Multilateral donor official, Monrovia 2011). On the other hand, the political salience of the Commission had sparked the curiosity of the previously uninterested American mission, so the government could count on some additional support for its operations (581120 Multilateral donor official, Monrovia 2011). Still,

key donors abstained from voicing their concerns, choosing to remain “politically correct” (895362 Multilateral donor official, Monrovia 2011). Having renewed Morlu’s contract in 2009, it was not clear whether the Executive Mansion would keep tolerating him or appoint a more friendly face in his stead. Senior GAC officials were concerned that a new AG “without vision and political aspirations” would undo the achievements of the past few years; continued independence, they believed, was predicated on strong support from the Liberian people and from international partners (354978 Senior auditing officials, Monrovia 2011). For an expatriate adviser at the Commission, someone like Morlu would be required to be the engine behind GAC for the foreseeable future, a strong leader unafraid to publish reports; “an AG should not be a people pleaser,” he said (963735 Expatriate auditing adviser, Monrovia 2011). Eventually Morlu’s term expired on April 27th, 2011, but not before a final spat of confrontation: an e-mail to President Johnson Sirleaf in which the still Auditor General asked her to “call off the dogs” and “take the darn job” (“Need to Review Auditor General’s Tenure” 2011). After a tenure filled -in the President’s words- with “needless controversies and distractions” that the country could “ill afford,” the search for a new AG began, this time managed by the Civil Service Agency with the assistance of Liberian civil society organizations, and with the European Delegation and USAID as observers (“How New Auditor General, Deputy Were Selected, CSA Boss Explains” 2011). During his Senate confirmation hearing, the prospective new Auditor General accused his predecessor of breaching professional auditing principles by using legal terms and politicizing his reports, arguing that an auditor should be careful about releasing information, much less before the legislature can review it, and that in fact the GAC should “protect its findings from the

public” (“New AG Indicts John Morlu” 2011). As to the European Delegation, it decided to maintain its capacity-building support for the General Auditing Commission, but warning that donor support was “an empty shell” when political commitment from the government was lacking (“GAC Shell is Not Empty.” 2011).

Those words could be applied to the entire GEMAP experience. As much as it was touted by its designers as an innovative -and even exemplar- approach to foreign assistance, the results of the Governance and Economic Management Assistance Program that oversaw Liberian public finances between 2005 and 2009 were mixed at best. For instance, performance and revenue generation at the intervened SOEs increased substantially during GEMAP, but international controllers were unable to fully enroll their Liberian counterparts for the purposes of proper monitoring and oversight, and the mindset of subordinate public officials seemed to change little beyond the offices of the finance departments where the expatriates sat. As a USAID mid-term review found: “In other departments that are in less frequent contact with the Controller, old habits have reportedly been slow to change” (USAID 2008, 10). For instance, whereas the finance and marketing units at the Liberian Petroleum Refining Company had incorporated modern accounting standards, other departments persisted in producing false receipts, imbued with a culture of tolerance for the continuing disregard of financial and corruption controls (USAID 2008, 16). Indeed, evaluators recurrently found that technical assistance was successful only whenever organizational leadership was aligned with GEMAP objectives (USAID 2009, 39). That is, the program components were able to garner support from sympathetic public officials, but they were largely incapable to swaying the stance of those who were not.

Across the SOEs, reform efforts were making progress under direct supervision of GEMAP controllers, but no further. In other administrative organizations covered by the program, the results were equally mixed. Whereas on one end of the spectrum the General Auditing Commission was becoming so effective as to elicit political backlash, on the other end support for the General Services Agency, the centralized supplier of government goods, had been “irrelevant” or “scarcely effective” (USAID 2008, 19). Local officials offered contrasting evaluations on GEMAP: whereas a legislator opined that the right systems had been put in place (718456 Senior elected official, Monrovia 2011), some auditing officials considered that co-signature powers did not entail a sustainable change in customary practices (354978 Senior auditing officials, Monrovia 2011), and for a senior governance coordination official, if not a failure, GEMAP had not been as much of a success as its backers claimed, because it did not properly train local officials to take over when expatriate controllers left (733895 Senior governance official, Monrovia 2011). Another governance official agreed with this view: the concept was great, the aims laudable, but once it was completed the government had nothing in place, no checks and balances nor systems building. With such major gaps inherited from the design phase, the program had simply been “a waste of time, a waste of money” (274889 Governance official, Monrovia 2011).

Even more interesting is the fact that GEMAP is actually impossible to properly assess. First, it was really difficult to define the boundaries of GEMAP assistance. The imperfect aggregation of preexisting programs under the same label, as well as the presence of similar interventions outside the formal agreement, made it hard for donors themselves to isolate a

coherent set of interventions for the purposes of monitoring (Government of Liberia 2008c, 18). According to a researcher who conducted interviews at the time, “none of the centrally placed persons had an overview of ‘basic facts’ concerning the size and scope of GEMAP activities.” For instance, whereas USAID claimed tax reform as a GEMAP success, those actually carrying out the reform -the IMF and Ministry of Finance- claimed the project was outside the program (Andersen 2010, 131). Second, even when one knew where to look, it was not clear what to look for. Initially GEMAP had relied on a quarterly reporting system emphasizing narration over indicators, which had “proved relatively unsuccessful in providing stakeholders with consistent and meaningful information on program progress and impact” (USAID 2009, 40). It was only after a retreat in August 2008 that a set of empirically verifiable benchmarks was agreed. Even then, indicators often related to outputs and deliverables instead of impact; annual targets and project targets were confused, with instances of multiple counting; and ultimately “all targets were so low that life of project goals were achieved every year” (USAID 2010, 28). For the drafters of the final USAID review, the unfortunate implication was that “people who read the history and accomplishments of GEMAP will not have the proof as to accomplishments or impact, just number of people trained and offices assisted” (USAID 2010, 30).

A large majority of the people, in and out of government, interviewed by the assessment team, said that the most important cross-cutting contribution to improved governance under GEMAP was the public involvement of the President in espousing the program’s goals and supporting its implementation. . . . On a related issue, and perhaps in spite of the President’s very important support for GEMAP, there is a low-key, widespread *ennui* about Liberia’s government. There is a cynicism that because there has always been corruption, and because corruption is still so prevalent, despite the important and acknowledged progress made by GEMAP, the system may never attain the governance goals articulated by the President (USAID 2010, 24).

The truth is that GEMAP was never a fully coordinated, fully owned institutional assistance program: donors continued to act independently, and their alignment with the Liberian government was more symbolic than effective.¹¹ It was “a child of the immediate post-conflict moment,” beyond which every donor went its own way (895362 Multilateral donor official, Monrovia 2011). As a result, its ultimate objectives -improving financial accountability and curbing corruption- remained aspirational goals for a disparate group of donors more individually concerned with technical assistance than institutional enforcement. And on the odd occasion where politics did emerge from underneath layers upon layers of managerial timidity, as in the case of the Auditor General, international “backers” shied away from an overly and overtly confrontational relationship. Therefore one might ask whether GEMAP was ever intended to address corruption and to put in place the kind of administrative institutions that hinder or punish the privatization of public organizations. The specific case of the Liberia Anti-Corruption Commission will help answer this question.

5.7 Orphaned by All: The Troubled Infancy of the Liberia Anti-Corruption Commission (2005-2011)

The idea of an independent anti-corruption agency following the Hong Kong model -or, for that matter, the Sierra Leone one- was nowhere to be found in the 2004 Results-Focused Transitional Framework (RFTF). Neither was it included in the Joint Needs Assessment which

¹¹ Andersen (2010) recounts a very illustrative anecdote regarding ownership. GEMAP’s Economic Governance Steering Committee, chaired by the President, was supposed to publicize the program’s activities. Until November 2006 bulletins were released by the US embassy in Monrovia, but thereafter they were issued directly by the Ministry of Information, Culture and Tourism. Officially, at least. Because in fact the draft continued to be prepared by the US embassy, which also organized the agenda and materials for the Committee’s meetings.

followed it shortly thereafter. Anti-corruption was not a specific priority for the immediate transition period, but a generalized concern that would be addressed in a piecemeal way through the plethora of public sector and justice system reforms sponsored by donors. The 2005 Executive Task Force set up by the Transitional Government made it seem for an instant as if Liberia was ready to follow in its neighbor's footsteps. The task force's utter failure in all its objectives, however, evidenced the unwillingness or inability of the NTGL to confront the issue of corruption in a serious fashion. By the time GEMAP was signed in September of 2005, changing donor sentiment had resulted in a new approach to the matter of anti-corruption, and this was reflected in the text of the agreement.

GEMAP included a dedicated component focused solely on the establishment "in the immediate term" of an "effective and independent" Liberian Anti-Corruption Commission (LACC) (Government of Liberia 2005, 4). Given the Sierra Leonean experiment across the border, this was not a surprising inclusion. What was remarkable was the expectation and detail with which this component was imbued in the Technical Annex to the agreement. LACC was to be established by the NTGL through executive order without a long-term lawmaking process at the Transitional Legislative Assembly, which would only follow up after an unspecified amount of time with "appropriate legislation." In fact, the document established a concrete deadline of two weeks for the issuing of such executive order, which means that the donor drafters were expecting -or hoping for- the commission to be legally constituted by the end of September 2005 (how they expected the NTGL to achieve in two weeks what they had been unwilling or unable to do in two years is anyone's guess). The LACC would be staffed by both Liberian and

international commissioners, and linked to an “independent prosecutor” whose office would benefit from technical assistance from the international community. The GEMAP agreement went so far as to outline a basic mandate for the presumptive commission: “investigating any alleged or suspected corruption brought to its attention by any person or group and recommending prosecution in cases of substantive corrupt practices.” Moreover, it would have “the authority to investigate cases brought to it by donor countries who believe that their funds were not properly utilized by the government” (Government of Liberia 2005, 13–14). Therefore the LACC would work both as an internal administrative body and as an enforcement mechanism for donor conditionality. On paper, the proposed commission was the ultimate expression of the concerns that gave birth to GEMAP, namely ensuring that the fragile and unreliable Liberian government used aid inflows for their intended public aims.

There was a major flaw in the anti-corruption component of GEMAP: the fact that the establishment and development of the LACC was not assigned to any of the major donors. It must be recalled that GEMAP was not so much a new program as an aggregation of preexisting or planned institutional assistance. And despite its prominence in the agreement, the Anti-Corruption Commission was an initiative of one of Liberia’s minor donors, the United Kingdom, only later supported -and to a lesser degree- by other aid actors. This meant that, compared to its sister organizations like the General Auditing Commission or the Governance Reform Commission, LACC-to-be had a very weak parent on the donor side, and so its fate would depend to a greater extent on the political will and capacity of the transitional government.

A January 2006 assessment conducted by UNDP painted a bleak picture of Liberia’s anti-

corruption system at the most essential level: the constitution did not actually provide for the independence of the judiciary or certain aspects of legislative oversight; it did not define the powers of the Attorney General or the Auditor General, which were specified in separate laws; and there had been no legislative elaboration of a constitutional provision on a code of conduct for public officials (UNDP 2006, 22). At a practical level, the office of the Attorney General comprised only four prosecutors for the whole country, and the position was shared with those of Chief Law Officer and Minister of Justice, which entailed the administrative oversight of a bloated set of legal, law enforcement, corrections, and public safety organizations, as well as the responsibility to prosecute any offenses reported by them (UNDP 2006, 31–32). As to the specific task of anti-corruption prosecution, Liberia lacked an independent preventive body as required by the United Nations and African Union conventions (UNDP 2006, 39). The existing Penal Code Law criminalized a handful of corrupt offenses: bribery, unlawful reward of public servant, trading in public office and political endorsement, and misapplication of entrusted property. In addition, it codified the crimes of larceny, defrauding and cheating, obtaining money under false pretense, embezzlement, extortion, blackmailing, and receiving stolen goods. Not only did this codification fall short of international anti-corruption standards, but all these crimes were moreover considered misdemeanors or felonies, carrying maximum prison terms of between thirty days and five years. In other words, “the current laws dealing with anti-corruption issues [could] no longer act as deterrence” (UNDP 2006, 46). The development of an anti-corruption law was thus “imperative,” even if there was no single public organization with the competence to do so (UNDP 2006, 42, 45). Finally, the report echoed GEMAP in recommending

the creation of an independent and dedicated anti-corruption agency “as an expression of the political will to fight corruption and to address the culture of impunity which had gained ground in the system” (UNDP 2006, 46).

Predictably, GEMAP’s two-week deadline passed without an Anti-Corruption Commission being created. Indeed it would take two years for the LACC to acquire legal personality, and the road to such delayed inception was plagued with difficulties. To begin with, GEMAP was signed with an outgoing transitional government, its implementation paralyzed until elections were held and a new president and legislature sworn into office in January of 2006. Ellen Johnson Sirleaf had announced during her presidential campaign that she would “wage war against corruption regardless of where it exists, or by whom it is practiced.” Her inaugural address conveyed a defiant reaffirmation of this pledge:

Corruption, under my Administration, will be the major public enemy. We will confront it. We will fight it. Any member of my Administration who sees this affirmation as mere posturing, or yet another attempt by yet another Liberian leader to play to the gallery on this grave issue should think twice. Anyone who desires to challenge us in this regard will do so at his or her personal disadvantage (Government of Liberia 2006c).

While she did assume the GEMAP obligations inherited from the transitional government, Johnson Sirleaf did not mention any anti-corruption agency in her speech. Instead, the two components of her stated anti-corruption drive were, first, a requirement for all cabinet members and agency heads to declare their financial assets, and second, the legislative adoption of a code of conduct for public officials. What is important to note about both initiatives is that, while ostensibly geared towards increasing accountability and curbing corruption, they entailed no administrative controls whatsoever, relying instead of the political clout of the Executive

Mansion for enforcement. Not surprisingly, few major public officials actually released information on their personal finances (US Department of State 2007), and although the Governance Reform Commission managed to produce a draft Code of Conduct in June of 2006, its adoption was delayed for the time being due to its political implications. As it turned out, the will of the new President had a weaker effect on incentives than expected.

Nonetheless, political will and ownership were on the march. The legislature ratified both the United Nations and the African Union conventions on corruption, and so it seemed that it would not be long before national legislation was brought up to speed with Liberia's new international obligations. In fact, it took half a year for the EC- and UNDP-assisted Governance Reform Commission (GRC) to elaborate a National Anti-Corruption Policy paper with dedicated British technical assistance. A draft was submitted to cabinet and donors in June 2006, and approved by President Johnson Sirleaf two months later. The paper outlined a "pillars of integrity" approach to anti-corruption, as well as the next steps in the process: first the elaboration of a national anti-corruption strategy, and only then the drafting of legislation establishing the commission itself (Government of Liberia 2006b, 9). Falling short of an actual administrative reform, this plan did nonetheless generate some unrest. Resistance to the idea of an independent organization with complementary prosecutorial independence manifested itself most clearly within Johnson Sirleaf's own government: the Minister of Justice argued that her office was the legal depository of all prosecutorial power in Liberia, which meant that an independent anti-corruption prosecutor could only be established through amendment or repeal of the legislation governing her Ministry (Global Integrity 2006).

The Governance Reform Commission released the National Anti-Corruption Strategy (NACS) in December 2006. In the foreword, the President pledged her “personal commitment and the collective resolve of the Government to the full implementation” of the strategy (Government of Liberia 2006d, ii). The “over-arching objective” of NACS was “to fight corruption in a holistic, systematic and sustainable manner” (Government of Liberia 2006d, 3). And yet the means at its disposal could hardly be expected to produce such end. The strategy’s roles were circumscribed to coordination, monitoring, and promotion of participation; what specifically it would coordinate and monitor, or ensure participation in, was not at all evident. The strategy was quick to identify institutional weakness and the absence of administrative checks as some of the central causes of corruption in Liberia, but did little more than prolong even further the already slow gestation of the anti-corruption agency that the NTGL and donors had called for a year and a half earlier. It nonetheless credited the “unprecedented prevailing political will to tackle corruption” with “much of the progress” made in the preceding months, a lackluster list which included treaty ratification without legislative reform, a code of conduct mired in legislative limbo, and a series of donor-led GEMAP activities (Government of Liberia 2006d, 7–8). What the National Anti-Corruption Strategy did do was reaffirm the need for the revision of outdated and incomplete anti-corruption legislation, and for the establishment of a Liberia Anti-Corruption Commission with a mandate to “investigate all cases of corruption and, in coordination with the Ministry of Justice, effectively prosecute all cases of corruption” (Government of Liberia 2006d, 13). On top of this the future commission was supposed to lead and coordinate the implementation of the National Anti-Corruption Strategy itself, posing an

interesting conundrum that wiser philosophers may wish to tackle: Can an organization be tasked with ensuring the implementation of the very strategy that aims to create it?

In any event, the constrained but tenacious British technical assistance was finally getting somewhere. By February of 2007, a mere three months after the Strategy was released, the Governance Reform Commission had prepared a draft Anti-Corruption Commission Act (Government of Liberia 2007a). In contrast to its Sierra Leonean counterpart, the proposed Liberian bill was purely an organizational one, leaving the definition of corrupt offenses to the eventual review of the Penal Code Law. Also different from the Sierra Leonean example, the Liberian ACC as envisioned by the GRC was to be a collegiate body of five commissioners endowed with the organization's powers and receiving technical and administrative support from a secretariat headed by an executive director. The proposed commission's brief was expansive, and probably inspired by the observed shortcomings in its older counterpart across the border. In particular, according to Article 3.1 it could subpoena, arrest, freeze and seize, establish its own detention facilities, issue regulations with the force of law, and investigate and prosecute any act of corruption (however defined in a separate law). More importantly, according to Article 4.2.4 prosecution could be carried out "alone or in coordination with the Ministry of Justice." On paper, therefore, Liberia would have a strong ACC with the kind of prosecutorial initiative that the Sierra Leonean commission lacked, and which the transitional government, GEMAP donors, UNDP, and the elected administration itself had all called for at one point or another.

In the meantime the government pursued its anti-corruption drive, albeit in a rather *sui generis* fashion. Some senior officials had been suspended for corrupt practices, but they mostly

hailed back to the previous government's era. The most prominent example was the former Chairman of the NTGL himself, Charles Gyude Bryant, who was arrested in late 2006 for embezzling \$1.4 million during his tenure. But as time went by some prominent cases continued to be pending judicial review, and other suspected corrupt public officials simply re-entered the administration in different positions. For instance, former police director Chris Massaquoi, suspended in 2004 on accusations of corruption, was appointed by Johnson Sirleaf as Commissioner of Immigration and Naturalization. And former Commissioner of Customs Charles Bennie, also suspended under similar charges, was appointed Director of Price Analysis at the Ministry of Commerce and Industry (US Department of State 2008).

Time went by, and the mid-term GEMAP review offered a succinct summary of progress so far: "assistance to the Anti-Corruption Commission has not yet taken off due to delays in the approval of legislation" (Government of Liberia 2008c, 19). It was on August 21st, 2008, after a troubled legislative process which limited the LACC to a mostly awareness-raising role, that the Anti-Corruption Act was finally signed into law by President Johnson Sirleaf. Four weeks later the five commissioners were sworn in, in a process that was not without controversy: on the donor side, the US reportedly wanted a say in the selection of the Executive Chairperson (402969 Governance official, Monrovia 2011); on the civil society side, the initial obligation of the President to consult them on the appointments was watered down to a mere option (Global Integrity 2009). Despite the quick appointments, the means-end dissonance which had dominated the LACC's creation shortly become manifest, as the commissioners found themselves with a minimal budget and a whole secretariat to staff and equip (US Department of State 2009). The

government had made good on its pledge to literally establish the Commission, but absent a strong donor willing to build the organization, there was little the commissioners could hope to do in a funding-starved public sector where corruption may not actually represent the kind of budgetary priority that political rhetoric made it to be. Thus the long process of actually setting up the LACC began, with whatever scarce international assistance it could garner. Donors were initially hesitant to support the Commission because of the perceived political nature of the commissioners, under whom the organization could become “just a tool of the establishment” (402969 Governance official, Monrovia 2011). There was a discussion among European donors to adopt an integrated approach to the General Auditing Commission and the Anti-Corruption Commission, but the idea was discarded due to the apparent weakness of the latter’s leadership, which prompted the United Kingdom to withdraw its support after stubbornly willing the Commission into existence (581120 Multilateral donor official, Monrovia 2011). In response to a request for technical assistance, USAID eventually fielded a consultant at LACC, who over the course of two weeks developed institution building and project priority ideas, drafted LACC’s first brochure, reviewed internal regulations, and agreed with other public organizations the creation of a NACS Steering Committee (USAID 2009, 36).

In July 2009 the Commission adopted its Standard Operational Procedures and By Laws. But when a transparency NGO provided the first public evaluation of the Liberian Anti-Corruption Commission’s work, the conclusions were not encouraging: the agency was not pursuing legislative change, manpower was low in the investigations department (six people without specialized training), reporting was irregular and following no clear guidelines, and there

was no publicly announced system for receiving complaints. According to this report the LACC could only investigate, turning over evidence to the Ministry of Justice for prosecution (Global Integrity 2009). But a contemporary US State Department report, in contrast, found “unclear whether the Commission or the Ministry had responsibility for prosecuting corruption cases” (US Department of State 2010). According to my interviews in 2011, the actual arrangement was indeed unusual: the LACC had to submit cases to the Minister of Justice, and only if he did not respond before 90 days could it move on with its own prosecution (172274 LACC official, Monrovia 2011). It was a moot point, in any event: by the end of 2009 LACC still had “minimal budget” and “insufficient staff,” and it had completed no investigations. Eleven corruption cases were pending by the end of the year: “To date, the government has been unsuccessful in every corruption case it has brought against present and former officials” (US Department of State 2010). Throughout this period the Commission had also received technical assistance from UNDP, as part of its work towards the establishment of a National Integrity Framework, yet another coordinating scheme without administrative enforcement capabilities. The March 2010 evaluation provided a rhetorically optimistic interpretation of the 3-year long, \$350,000 assistance program: “the stage has been set but there remains some significant work to ensure that processes and systems being institutionalized [sic] and the culture of integrity is deepened” (UNDP 2010a, 3).

When I visited Monrovia in early 2011 some public officials did not consider the LACC as an actual watchdog organization, a role that they identified with Morlu’s GAC. The Commission was making some progress in its investigative and prosecutorial mandate: in 2010 it

had investigated eight cases, left twenty-one pending, and reported four for prosecution (US Department of State 2011). Whatever prosecutions prospered, however, were still considered in the light of outdated and lenient legislation: the Corrupt Offenses Act was still a draft, and the Code of Conduct that the President had proudly announced at her inauguration in 2006 was nowhere near adoption into law, despite considerable donor pressure (354978 Senior auditing officials, Monrovia 2011; 402969 Governance official, Monrovia 2011). The fact that LACC Executive Chairperson Frances Johnson-Morris and Minister of Justice Christiana Tah were both perceived to be personally close to the President did not help improve Liberians' and donors' perceptions of the Commission's effectiveness.¹² As to the Executive Chairperson herself, she often voiced her frustration regarding the lack of prosecutorial power and enabling legislation, or the political connections that suspects usually had in government. The trouble was getting the external support to overcome all these hurdles. A senior multilateral donor official considered this a crucial paradox: funding came as a result of leadership and initiative, but the LACC had to be first empowered to act in that way. Still, his final assessment was grave: "If you don't have a vision of where you want to go, it's difficult for anyone to help you go there" (584620 Senior multilateral donor official, Monrovia 2011).

Five years after its establishment, the Liberia Anti-Corruption Commission remained the way it had been born: an orphan of both donor and government support. A Commission official wondered in our conversation why there was no more support. He could come up with two explanations. First, there was an ownership problem: both the international community and the

¹² Reportedly Minister Tah had been appointed by President Johnson Sirleaf in 2009 after her dissatisfaction with the previous minister's anti-corruption performance (Voice of America 2009).

government were waiting to see their respective true intentions, and as a result there had been a stalemate. Second, there was a political problem: it would be difficult to empower the GAC and LACC at the same time, even through the latter more so than the former was “a brainchild of the international community” (172274 LACC official, Monrovia 2011). The comparison with the Sierra Leone Anti-Corruption Commission could not be starker: whereas the latter had enjoyed the political support of a leading donor, the Liberian Commission had received lukewarm and piecemeal assistance from successive donors, none of them committed enough to engage President Johnson Sirleaf in a serious conversation about reform.

5.8 Implications

Over two decades ago Robert Klitgaard (1988) warned of the high political and material costs involved in the establishment of successful independent anti-corruption agencies, and for that matter of any serious enforcement of anti-corruption institutions. In this chapter I have illustrated how easily best-case administrative organizations can fail in the kind of worst-case states that need them most. Consistent with the analytical logic of capture, agency, and collective action, the cases of state-building assistance to anti-corruption reform in Sierra Leone and Liberia validate the central policy implications of this dissertation: donors are more likely to promote institutional change when they are willing to use aid as an incentive mechanism, and this is a challenge best undertaken by a single or leading donor than by a donor coordination arrangement.

As long as the United Kingdom was willing to acquiesce with non-compliance, the

government of President Ahmad Tejan Kabbah was able to interfere with the ACC's functioning, shielding its ministers from prosecution by a zealous and independent Commissioner. Kabbah failed to anticipate, however, that there might be a limit to British patience, and the appointment of a political ally with the sole purpose of stalling the enforcement of anti-corruption institutions triggered the mechanism of conditionality which had long been neglected by the UK. Given the high profile of the ACC, the political opposition was able to capitalize on international pressures on Kabbah, and it reinvented itself through a commitment to end corruption. Such commitment could not be easily jettisoned once in power, and therefore the new President, Ernest Bai Koroma, was forced to fulfill his promises and strengthen the Anti-Corruption Commission. Under Abdul Tejan-Cole the ACC achieved more than it ever did under Valentine Collier: new independence, more expansive jurisdiction, and freedom from political interference in the prosecution of high-level officials. It may not have changed Sierra Leonean culture; the time frame has simply been too short. But it significantly altered the incentive structure facing local public officials, and thus it may have laid the foundations for effective state-building. The lesson is clear: when actually enforced, aid conditionality can have momentous effects in state-building processes, even when they take place in a context of widespread and entrenched private institutions.

The case of GEMAP in Liberia represents a much closer embodiment of the development policy community's aspirations, as enshrined in current aid doctrine: coordination, alignment, ownership. It also illustrates what happens when best-case principles are pursued in worst-case scenarios. Coordination becomes a façade obscuring independent and incompatible reporting

lines, programming cycles, and agency relationships. Alignment of donor and government policies becomes a convenient fiction. And local ownership implies a continuation of patterns of state capture by public officials subject to a resilient structure of private incentives. GEMAP donors rarely strove to accurately monitor the compliance and performance of recipient organizations, and when President Ellen Johnson Sirleaf's cautious obstructionism became most evident, as in the case of Auditor General John Morlu or the Liberia Anti-Corruption Commission, they adopted a policy that can only be characterized as "out of sight, out of mind."

The implications of these two cases are clear, but that does not make them any more palatable or feasible. At the end of the day, anti-corruption, like all forms of state-building, is a political process, and necessitates a strong political donor able and willing to alter the structure of incentives. Only then will things stop changing solely to stay the same.

6. Building Security: The Politics of Aid and Security Sector Reform

“Is there a central archive or documentation center in the Ministry that I could access?”

Hands hovering above the keyboard, the Major -who had been carefully typing my credentials- gave me a sidelong glance, and with the slightest of cynical smiles stood up and motioned me to follow him out of his office. He led me all the way to the end of that long third-floor corridor of the former Paramount Hotel, which had housed the Sierra Leonean Ministry of Defense since 2002, and silently pointed to the last doorway on the right. I dutifully walked past him, into what turned out to be the male restroom. Right next to the urinals, opposite the sinks, there were several dilapidated filing cabinets, literally overflowing with documents: a fragment of the paper trail documenting the recent history of the Republic of Sierra Leone Armed Forces, and of the Ministry tasked with managing and overseeing them. It took me some time, after many visits to post-conflict state organizations, to realize what powerful message this anecdote conveyed about the contradictions of state-building: here was a defense apparatus which formally complied with one of the most basic tenets of a modern, accountable, and transparent bureaucracy, namely keeping a written record of all activity and personnel, but which in practice did not really know or care what to do with an ever-growing amount of documentation, other than to stuff it wherever there was room to spare. As it turned out, once I explored other ministries and agencies in Sierra

Leone and in neighboring Liberia, I actually developed a new-found respect for what I had seen that day at the Ministry of Defense: at least they were keeping a paper trail, even if it led all the way to the toilet.

Security sector reform (SSR) is one of the most recent incarnations of the state-building ethos that is channeling massive flows of foreign aid into post-conflict and transitional countries in search of institutional change. For a long time the purview of military and security actors concerned with professionalism and operational performance, security sector reform today has become a burgeoning agenda comprising the establishment and transformation of the civilian structures and organizations tasked with commanding, managing, overseeing, financing, and supplying security and intelligence forces, in a wide spectrum of tasks that ranges in scale from the training in office software of individual defense auditors, to the legislative overhaul of national security architectures. Going beyond the contours of conventional military assistance (often called “mil-to-mil” cooperation), SSR has come to embody the basic tenets of public sector reform and other good governance agendas and, inasmuch as it is linked to the promotion of sustainable development, to qualify as official development assistance (ODA), thereby involving the aid actors who disburse it. Like all other kinds of state-building assistance, it is a profoundly political process: for Western governments uncertain of the trade-offs of mixing aid harmonization and strategic concerns; for donor bureaucracies unaccustomed to inter-agency cooperation beyond the most abstract of shared objectives; and particularly for collapsed- and weak-state elites, who often rely on the security sector as a reasonably safe source of patronage and clientelistic redistribution.

I begin the chapter by locating SSR within the conceptual field of civil-military relations and subsuming it under the analytical framework developed in chapter 2. Then I move on to the cases of foreign support for security sector reform in post-conflict Sierra Leone and Liberia, discussing in turn the legacy of bloated, undisciplined, and corrupt security sectors; the aims and agendas of donors involved; and finally the process of assisted reform that unfolded in each country. After discussing the general dynamics of each case, I present detailed case narratives of a decade of transformations of the armed forces under the aegis of the international community. In the final section of the chapter, I conclude by venturing some policy implications.

6.1 Administrative Institutions for the Civilian Control of the Security Sector

The transformation of the security sector implies an ambitious transition from private to public institutional compliance across many state organizations, creating a great many “losers” who immediately become potential spoilers. As reflected in a 2004 survey of SSR initiatives by OECD donors, early foreign interventions often came across several key obstacles: politically, buy-in was generally limited to development actors themselves; operationally, most interventions were short-term and of an ad hoc nature, and coordination was absent both between departments and between donors (OECD 2004, 6–12). The results of the regional survey in sub-Saharan Africa, if anything, painted an even grimmer picture. Reforms had tended to focus on practitioner needs (e.g. professional training) rather than institutional oversight priorities, on the military over the police and intelligence services, on formal actors over informal actors, and on

short-term interventions without adequate attention to longer-term implications (e.g. demobilization without follow-up on reintegration) (OECD 2004, 25). SSR interventions had been generally led by donors themselves and by the executive, with a marginal role for legislatures in terms of defense management and oversight (OECD 2004, 26). Finally, and most damning of all, state-building assistance to the security sector was doing little to alter the fundamental balance of power between civilians and security actors; in the analytical terms of this dissertation, what the survey found was that window-dressing public institutional change masked the persistent -and perhaps reinvigorated- private institutions of military dominance:

In particular, little has been put in place to enhance the capacity of civilians to make an input into strategic planning or oversight processes. Moreover, the intent behind some approaches to SSR seems, consistent with the term “reform”, to be a re-engineering of often decrepit and discredited institutions and a re-centering of the state in the security system, rather than a fundamental rethinking of security, strategic concepts and frameworks, and governance institutions. The donor SSR literature is often suffused with technocratic and apolitical conceptions, often derived from previous, and often unsuccessful, exercises in public sector reform. The central priority in most African countries, however, is to alter the relations of power within the security system and society at large (OECD 2004, 30).

A State-Building Problematique

The political challenges of SSR are familiar ones. “The civil-military problematique,” wrote Peter Feaver, “is a simple paradox: because we fear others we create an institution of violence to protect us, but then we fear the very institution we created for protection” (Feaver 1996, 151). Post-conflict states have all become painfully familiar with this basic tension. As I describe below, Sierra Leone and Liberia in particular have had to endure a lengthy process of increasing politicization and capture of security forces, which in some cases became enemies and predators of the same citizens and governments that they were supposed to protect. The “civil-

military problematique” is thus acutely pertinent after conflict and collapse, and it is the policy and political problem that security sector reform aims to remedy, or at least ameliorate. This could mean that the politics of SSR might be better studied through the analytical lens of civil-military relations. But in this chapter I adopt a different interpretation: the dilemmas of security sector reform in fact remind us that military organizations are a constitutive part of the state, and therefore that civil-military relations are but a specific subset of administrative relations between public actors. SSR politics is not military politics: it is state-building politics.

Classical formulations of the civil-military problematique were strongly shaped by the analytical and practical problem of military neutrality in industrialized democracies. Foundational works by Samuel Huntington and Morris Janowitz were devoted to the study of the military as a corps and ethos, as a professional class within the modern nation-state that commanded the authority of expertise and expected the deference of governments. Whether one thought of the military as a distinct social sphere, or as one overlapping and melding with civilian politics, the basic question remained the same: what factors ensured the continued political neutrality of the uniformed class. Huntington saw the possibility of political neutrality predicated on operational autonomy, and called this approach “objective civilian control” (as opposed to total “subjective control” by civilians) (Huntington 1957). Janowitz, in turn, was less inclined to see military and civilian spheres as mutually excluding social arenas, and advocated compulsory military service as a way to create citizen-soldiers who would uphold and not undermine democracy (Janowitz 1960). Regardless of the approach, the logic was similar: professionalism was the central concept in democratic civil-military relations, which meant that

civilian control of the military was forced to rely, ultimately, on a corporate commitment to self-restraint on the part of the armed class.

More recent scholarship of civil-military relations has moved past the founders' focus on internal checks, and into the study of mechanisms for civilian control and the multiple actors -domestic and international- that shape such mechanisms (Burk 2002). The central concept of this approach is not professionalism, but subordination. Thus the question has been what techniques of control affect the military's ability to subvert as well as its disposition to insubordinate (Feaver 1999). Recent studies working within this institutional approach to civil-military relations have documented the kinds of legacies that hinder reform (Gots and Putnam 2004), analyzed the impact of external incentives for institutional change (Bruneau and Trinkunas 2006; Duman and Tsarouhas 2006), studied the role of armed forces in transitions to democracy (Barany 1997; Emizet 2000; Ojo 2006), and expanded the basic theoretical framework to analyze "civilian supremacy" (Fravel 2002), the normative underpinnings of shared civil-military responsibility (Bland 1999, 2001), "informal" civil-military relations (Pion-Berlin 2009), and the "second generation problematique" of effective governance of the defense sector (Cottey, Edmunds, and Forster 2002). Perhaps the most interesting theoretical contribution in recent civil-military relations, however, has been the re-imagining of the problematique as a principal-agent problem, with information asymmetries corrected through oversight mechanisms (such as control over budget, doctrine control, or force structure), and incentive-compatibility enforced through inducements and punishments (like audits, discharge, or courts martial) (Feaver 2003). It is an incentive- and interaction-based approach that in fact brings the civil-military

problematique remarkably close to the analytical framework for state-building that I presented in chapter 2.

Public Institutions and Private Coercion

The struggle to secure the subordination of military agents to civilian principals is at its core an institutional problem: Will the armed forces abide by public institutions? Will civilian leaders be able to enforce administrative controls to ensure that the informal institutions of subversion and praetorianism do not prevail? Security sector reform in particular represents a dedicated attempt to displace competing private institutions by new public institutions. As I argued in chapter two, it is specifically administrative public institutions that matter for the process of state-building, in so far as they seek to ensure that public actors behave according to public rules. In this chapter, I focus on two types of civil-military administrative institutions, which I subsume under the terms “command” and “accountability.”

Command institutions establish the primacy of civilian authority over security organizations, in terms of the definition of policy aims and of the design of the chain of command. At the highest level of aggregation, civilian command is defined by constitutional provisions about political neutrality, operational authority, veto power over budgetary allocations and high-level appointments, or legislative initiative. At the level of the sector itself, of the agencies and whatever overarching bodies coordinating them, civilian command entails questions of policy formulation authority, policy coordination and intelligence sharing structures, distribution of labor among agencies, or conditions for action under emergency situations. At the lowest level of ministries and departments, finally, civilian command is manifest in planning and

budgeting processes, recruitment practices, or policy and operational autonomy. The politics of command therefore involve the institutions that determine the aims, means, and conditions of security-sector performance. The flip side of command is embodied in accountability institutions, which involve monitoring and sanctioning of security sector behavior by civilian authorities. In its most basic expression, civilian accountability of the security sector entails the legislative power to summon and investigate actors within executive agencies and departments. At the sector level, individual agencies are accountable to central planning and coordination bodies, and are subject to various reporting requirements and external audits of their activities. At the lowest level of aggregation, accountability entails detailed and consistent documentation, justification of all expenses, compliance with internal audit units, and subordination to monitoring and sanctioning by the civilian leadership.¹³ The struggle between military subversion and praetorianism and civilian command and accountability is at the heart of post-conflict security sectors, and thereby of SSR politics.

Theoretical Introduction to the Cases

By the start of their civil wars in 1989-1991, the security sectors of Sierra Leone and Liberia were in disarray, almost unrecognizable as public bureaucracies due to the degree of capture that they had been subject to. From an institutional perspective, they were asphyxiated by private institutions: personal loyalty and blood ties determined recruitment and promotion,

¹³ One could propose performance as a third key principle of SSR, in the sense that security actors are to behave according to public sector management standards of transparency; this is related to the ideal of operational effectiveness in the civil-military relations literature (Feaver 1999). However, I find it more interesting to focus on how such performance is determined for a security sector by civilian command institutions, and enforced in turn by accountability institutions. From this institutional perspective, therefore, performance is a subsidiary dimension.

corruption and unfettered extortion defined the interactions of security forces with average citizens, and there was no political -let alone democratic- authority that could manage and coordinate the many security agencies and units in a transparent and effective manner. Command and accountability, understood as civil-military administrative institutions, had never been fully developed to begin with, and with each political turnover, in State House in Freetown as in the Executive Mansion in Monrovia, the prospects of change grew progressively dimmer. Considering the legacy of decades of capture of public security organizations and consolidation of political adventurism and predation, it is fair to say that, by the end of the Mano River conflicts between 2000 and 2003, the Liberian and Sierra Leonean security sectors were at best profoundly failed, at worst utterly collapsed.

In the rest of the chapter, I explore the institutional politics of security sector reform in post-conflict Sierra Leone and Liberia in the 2000s. At the inter-organizational (sector) level, I focus on the institutional effects of assistance by a leading donor -the UK- in Sierra Leone, and by a multiplicity of poorly coordinated donors in Liberia. At the intra-organizational (agency) level, I compare the results of reform interventions in the military and ministries of defense by leading donors in both countries, with the difference that where the UK deployed in Sierra Leone a long-term monitoring presence, the US in Liberia focused on short-term technical support. Under ideal circumstances, British assistance in Sierra Leone had the potential to unfold according to the first explanatory type presented in chapter 2, tension: absent the complications inherent in donor coordination, a clear agency relationship could emerge with the recipient public actors. Should the United Kingdom fail to use its conditionality as an inducement for

enforcement, however, the administrative command and accountability of security actors would have to rely on their own willingness to assume such constraints, and assistance would be defined by the logic of concession. In Liberia, in turn, multiple-donor support for security sector reform should unfold in a pattern reminiscent of the fourth type, diversion, in which all hinges on the inability of external actors to harmonize their contradictory inducements. The detailed narrative of armed forces restructuring in Liberia is of particular interest because it can further illuminate whether the strategic outcome at the sector level could have been avoided if the United States had been the leading donor.

6.2 The Structure of Incentives for Security Sector Reform in Sierra Leone

After a decade of violence and uncertainty, Sierra Leone embarked in a lengthy and comprehensive process of security sector reform in 1999 under the close stewardship of its former colonial power, the United Kingdom. The British intervention, encompassing assistance to institutional and organizational transformations in the armed forces, police, intelligence, and national security architecture, was the first field test of the new concept of SSR that DfID had developed. Perhaps because the challenges were still to fully comprehended, this was also the most ambitious SSR undertaking by a single donor in the early 21st century, outside of the United States' occupation of Iraq and Afghanistan. It was the absolute protagonism of a leading -and often lone- donor that defined the Sierra Leonean post-conflict SSR experience. And while it did not manage to secure full local ownership of reforms, nor seamless inter-organizational

coordination, nor full administrative accountability, the United Kingdom did take control of a disjointed and disaffected coterie of security actors and turned it into a moderately coherent and reliable public sector, able to guarantee national security and reluctant to become involved in politics, and without a doubt the strongest pillar of the Sierra Leonean state after a decade of foreign assistance.

Public Will and Private Incentives

SSR in Sierra Leone began in 1996 with a request by the newly elected government of Ahmad Tejan Kabbah for British assistance in the restructuring of the Sierra Leone Police (SLP). The ensuing coup d'état of March 1997 painfully reminded Kabbah that the armed forces could not simply be ignored or wished into irrelevance: soldiers had been involved in Sierra Leone's power politics for far too long, and they were unlikely to overcome their appetite for primacy and financial autonomy overnight, much less at the hands of a civilian government headed by a technocrat who had spent decades outside of the country. On September 25th, 1998 the Sierra Leonean Minister for Presidential Affairs wrote to Her Majesty's Government: Kabbah's administration was asking the UK's Department for International Development (DfID) to carry out a comprehensive review of the structures for civilian management of its military, comprising the Ministry of Defense and the Defense Headquarters. This request would mark the beginning of the most ambitious security sector reform effort by an aid donor, which would face the daunting challenge of establishing administrative controls on a coercive state apparatus which over the course of decades had become accustomed to establishing its own control over civilians.

When he succeeded his brother in State House, Prime Minister Albert Margai (1964-

1967) had turned to the “Africanization” of the Sierra Leonean civil service and military as a way to install co-ethnics and cronies from his Sierra Leone’s Peoples Party (SLPP) in positions of power. In particular, he carefully groomed the first African officer of the Royal Sierra Leone Military Force (RSLMF), David Lansana, by inserting him via marriage into the “Moyamba group” that dominated Freetown’s Mende elite. On the 1st of January, 1965 Lansana became Force Commander, and at the helm of an ineffective Forces Council he set out to ensure the recruitment of government loyalists. The newly tribalized and politically connected RSLMF became directly involved in internal security for the first time during the March 1967 elections, when soldiers were deployed to protect leading SLPP candidates and civil servants who favored Albert’s reelection against Siaka Stevens’s opposition All Peoples’ Congress (APC); in those days Lansana went so far as to switch his operational headquarters from Murraytown Barracks to his personal residence (Cox 1976, 107–108). Shortly after Stevens was declared winner and sworn in by the Governor General, Lansana arrested the new Prime Minister and took over the country as “custodian of state security” (Cox 1976, 146). He established a military junta, the National Reformation Council, which lasted barely a year before it was deposed in a coup by the disaffected non-commissioned officers of the Anti Corruption Revolutionary Movement. In April 1968 Siaka Stevens was again sworn in as Prime Minister.

Stevens first ensured control of the -since 1971- Republic of Sierra Leone Military Force by weeding out officers loyal to the Margai and Lansana regime, and by increasing military expenditures in order to keep the soldiery content (Cox 1976, 200). At the same time, he neutralized the army physically by capping its ranks at about 2,000 troops and refusing to supply

them with ammunition, and politically by recruiting and promoting individuals who were either close to the APC party or belonged to his Limba ethnic group (Ero 2000, 18). The Sierra Leone Police (SLP) was similarly undermined through political interference and promotion of Limba officers. Both the chief of police and the chief of the army became designated Members of Parliament under the APC regime, and it was routine for politicians to secure appointment of their clients in the RSLMF and SLP (Gbla 2006).¹⁴ An additional strategy that Siaka Stevens pursued was to counterbalance the official state military by establishing new paramilitary organizations directly loyal to him which acted as *de facto* private armies for the APC. Thus, with the help of Cuban and Chinese trainers and advisers, he created the Internal Security Unit in 1972 and the Special Service Division in 1977, both of which had distinctive uniforms and acted as largely internal military forces outside the constitution; Sierra Leoneans eventually took to reading their acronyms as “I Shoot You” and “Special Stevens Dogs” (Ero 2000, 19).

“By the time the RUF launched its assault, the AFRSL [Armed Forces of the Republic of Sierra Leone] was unprepared to mount an effective counter-attack. It was ill-equipped, poorly trained, highly politicised, and, crucially comprised around 3,000 soldiers—364 of whom were in Liberia as part of the ECOMOG intervention mission” (Ero 2000, 19). After the onset of the RUF rebellion in 1991, the armed forces were swollen to around 15,000 (the exact number was never clear due to the prevalence of “ghost” soldiers); for the most part these troops lacked experience, discipline, operational capacity, and loyalty to the government. They were “sobels”:

¹⁴ As Albrecht explains, “Politicisation of the SLP had resulted in potential recruits and serving officers of all tribal backgrounds approaching politicians to try to influence the IGP and were – for a fee – given a politician’s ‘calling card’ (a similar system existed in the army). On the reverse side of these cards there was an instruction that the officer was to be appointed to such and such a position or that he or she was to be recruited into the SLP” (Albrecht 2010, 44).

soldiers by day, rebel by night. By 1999 the AFRSL were in fact an uneasy alliance of three kinds of soldiers. First of all, there was a minority of troops recruited during to the days of Siaka Stevens's successor, Joseph Momoh (1985-1991); they were in general status quo troops who had stayed loyal through the military regimes in the early phase of the war, and who did not support Maj. Johnny Paul Koroma's coup against the Kabbah government in 1997. Then there were the new soldiers brought in towards the end of the war, about 1,000 recruits with no past affiliation with any fighting group, and who were supposed to be trained by British and other foreign advisers into a new army. Finally, the last group consisted of Armed Forces Revolutionary Council (AFRC) soldiers, a motley crew of formerly disloyal officers, disgruntled RUF troops, and other "tainted" soldiers; they exhibited wildly different degrees military experience, but were united in their dissatisfaction about how much less than the rebels they had received from the July 1999 Lomé Accord ("Moving the mandate" 2000). As to the Sierra Leone Police, by 1999 it was "a spent force." "Its methods of policing were very unprofessional and displayed blatant disregard for human rights; corruption was the order of the day" (Fakondo 2008, 2). It was precisely the ostensible lack of capacity and loyalty of official security forces that at first led the Kabbah government to rely for its security on the irregular militias of the Civil Defense Forces and on Nigerian ECOMOG peacekeepers: the fragile democratic regime simply could not afford to trust official state security actors.

Donor Aims and Agendas

The intervention of the United Kingdom in the Sierra Leonean security sector followed directly from requests by the government of President Kabbah. The first assistance project was a

Commonwealth Police Development Task Force (CPDTF) which arrived in Freetown in July 1998. The mission, fully funded by the UK despite its misleading title, had a mandate to “develop an efficient, effective and accountable police service in order to maintain a politically stable, peaceful and relatively crime-free environment conducive to economic development.” In terms of the restructuring of the armed forces, the UK responded to the Sierra Leonean plea with an inter-departmental intervention, comprising the Department for International Development but also the UK’s Ministry of Defense (UK-MOD) and the Foreign and Commonwealth Office (FCO). DfID’s role would be “ring-fenced” to advisory and implementation assistance within the Sierra Leonean Ministry of Defense, and the other departments would supply the military training and more political support (Albrecht and P. Jackson 2009, 27). In December 1998 a framework for assistance was agreed with local stakeholders: the Sierra Leone Security Sector Program (SILSEP), a governance program focusing on administrative and civil service reforms aimed at making the armed forces a strong and accountable, civilian-led organization. Between SILSEP and an International Military Assistance Training Team (IMATT), the UK set out to fundamentally transform the Sierra Leonean military in order to ensure that, for a change, it would work for the democratically elected government and not against it. Finally, while Kabbah’s request for assistance in 1998 had focused on the armed forces and defense apparatus, the various assessment missions which culminated in the SILSEP project framework had realized that adequate civilian control of the military could not stop at the Ministry. That is why SILSEP would also assist the fledgling National Security Council (created in 1997), and in particular the office of the National Security Advisor, in formulating and overseeing a national defense policy

(DfID 1999a).

In principle, bilateral assistance from the United Kingdom to Sierra Leone was covered by the ten-year Memorandum of Understanding (MoU) signed by Kabbah and Clare Short on behalf of their respective governments on November 13th, 2002 (DfID and Government of Sierra Leone 2002). As a “soft conditionality” mechanism, the MoU was intended to govern bilateral assistance during a 10-year period, during which the UK would disburse each year about £40m, including £5m of conditional budget support tied to compliance with specific agreed-upon benchmarks. In terms of SSR, London committed itself to continue supporting the Sierra Leone Police, armed forces, and Office of National Security in exchange for Sierra Leonean delivery of certain benchmarks: military accountability to Parliament; coordination of the sector under a national security policy defined and implemented by the National Security Council; respect for the apolitical character of the various security organizations; and operational strengthening of the police, ONS, and central intelligence unit. In practice, however, MoU conditionality was never actually deployed (M. White 2008, 3). Its effectiveness was undoubtedly hampered by London’s inability to coordinate its own multi-agency interventions. Most British SSR assistance was funded through the Africa Conflict Prevention Pool, a whole-of-government funding stream which brought together the Foreign and Commonwealth Office, UK Ministry of Defense, and Department for International Development. But once in Freetown there was no inter-agency management authority (Albrecht 2009, 4), and the High Commissioner’s role was limited to providing informal coordination (Ashington-Pickett 2008, 8).

Agency was the key strategic dilemma in the British effort to promote security-sector state-building in Sierra Leone, which would be conditioned by an underlying concern for the sustainability of peace and stability in the country. The United Nations Assistance Mission in Sierra Leone (UNAMSIL) had proved to be a weak enforcer of the peace in its first months of deployment, forcing the UK to deploy its own military forces after the infamous kidnappings of peacekeepers in May of 2000. British assistance to security sector reform could be understood as an attempt to ensure that such an intervention would not be needed again. There was a dual motive for assistance, therefore: the idealistic aspiration of administrative control of the security forces was tempered by the more mundane and pressing concern to ensure stability. Whether the process of assisted SSR unfolded according to the first explanatory type presented in chapter 2, tension, or the second type, concession, would depend on a central strategic question for the British: How far would they be willing to go to challenge the customs of a notoriously corrupt military class without angering them into becoming a threat to peace?

6.3 Tracing the Process of Security Sector Reform in Sierra Leone

In light of the military's prior involvement in coups and juntas, and its -at best- uneasy commitment to democracy, it was only logical for the fledgling civilian administration of Ahmad Tejan Kabbah and his DfID partners to focus initially on the Sierra Leone Police as the main providers of internal security. Project appraisals had begun as early as 1997, but had been disrupted by the Armed Forces Revolutionary Council coup. Eventually a five-officer

Commonwealth Police Development Task Force (CPDTF) managed to deploy in July 1998. Due to mission delays and the January 1999 invasion of Freetown by the combined forces of the RUF/AFRC, the task force was extended beyond its initial completion date, and in October 1999 it was strengthened by Kabbah's appointment of a former British senior police officer, Keith Biddle, as Sierra Leone's Inspector General of Police (IGP). Funded by DfID, the new IGP and his team conducted a needs assessment exercise, as a result of which the provisional Task Force was transformed into a longer-term Commonwealth Community Safety and Security Project (CCSSP), which in October 2000 became the main avenue for police reform in the country with support from the UN Civilian Police department (Albrecht 2010, 21–22).¹⁵ As part of his wide operational and institutional mandate, in which he enjoyed direct access to President Kabbah,¹⁶ Biddle flattened the rank structure, established an Executive Management Board of senior officers for collegiate management of the traditionally personalistic police service, reformed the infamous Operational Support Division (the armed wing of the SLP), and created new departments such as the Complaints, Discipline and Internal Investigations Department, an internal organization for administrative enforcement (Fakondo 2008).

Despite resistance from within the ranks (both high and low), the administrative reforms launched by the Commonwealth project had a strong impact. Between 2000 and 2001 the internal investigation unit registered 410 complaints from the public, of which 239 were

¹⁵ Meanwhile, UNAMSIL supplied for the embryonic SLP a “cocoon within which they could develop their own level of competence” (M. White 2008, 4).

¹⁶ At the time the High Commissioner was under the impression that the IGP was an advisory position, which is why he agreed to fund Biddle's appointment despite DfID complaints. As a precondition for assuming his post, Biddle requested and was granted direct access to Kabbah, deeming intermediary organizations as potential political roadblocks to reform. The combination of external funding and political autonomy made the retired British policeman the most powerful individual in the Sierra Leone Police during his tenure (1999-2003) (Albrecht 2010, 25).

followed by disciplinary action, including several prosecutions. A new set of Police Discipline Regulations was adopted in June 2001 as a professional code of conduct. And a staff review of the tribal make-up of the SLP ensured that the perceived primacy of Limbas (the ethnic group of Siaka Stevens and Joseph Momoh) was not reflected in recruitment and promotion practices; reportedly the custom of political recruitment was severely undermined after Biddle had several politicians escorted out the SLP headquarters by armed officers (Albrecht 2010, 39–40). The transition from the notorious Brit to a Sierra Leonean Inspector General in 2003 coincided with a management gap in CCSSP, which led to a deterioration of coordination between DfID and the SLP (Albrecht and P. Jackson 2009, 92–94; also Howlett-Bolton 2008). Despite the difficult transition, most of the Commonwealth-funded reforms seemed to have had a lasting effect on the SLP, which under local management successfully provided security for the 2007 elections and later sent officers to UN missions in Sudan and Haiti, even if the specter of corruption and violence still marred its day to day activities (Fakondo 2008).

The case of military restructuring under the Sierra Leone Security Sector Program (SILSEP) and the International Military Assistance Training Team (IMATT) is the subject of a more detailed narrative in the next section. Suffice it to say, for the moment, that through these projects the United Kingdom managed to turn the Ministry of Defense from “four or five guys sitting around a mailbox” into a semi-rational defense bureaucracy. From a sector-wide perspective, however, what stands out the most about defense restructuring is the fact that, despite its origins as a DfID initiative, over time it came to be dominated by IMATT, which had a focus on professionalism and operational effectiveness not entirely shared by the aid agency.

That said, despite its gradual loss of relevance in the defense sector, DfID did manage to fully imbue SILSEP with its SSR policy ambitions via its second major aim: the reform of the national security and intelligence architecture.

Support to sector-wide policy oversight and coordination began in 1999 with the deployment of the SILSEP head adviser to State House, where he began to assist the National Security Advisor in developing a new national security act and policy. In 2000 DfID decided to further balance its support to the Ministry of Defense and police by establishing a dedicated Intelligence and Security Services component, and in January 2001 a full-time civilian Intelligence and Security Advisor was seconded to State House. Over the next few years he “shepherded” the development of the National Security and Intelligence Act (Ashington-Pickett 2008, 2), assisted in establishing a new Office of National Security (ONS) as a technical policy analysis body, and contributed to the strengthening of a Central Intelligence and Security Unit that existed purely on paper. The latter task was particularly relevant in a country where intelligence coordination had only ever been practiced within the military (Conteh 2008, 4). Regarding the Office of National Security, at the time there were concerns inside DfID about funding a strong and independent security agency, which could be subject to misuse in a country deprived of adequate civilian oversight mechanisms. But the prospect of a “new start” organization which DfID could staff and monitor according to modern standards, free from the politicization of the Sierra Leonean security sector, tipped the donor agency into assuming the risk (DfID 2002, 21). Eventually, and after much political resistance¹⁷, the new national security

¹⁷ According to the Intelligence and Security Advisor at the time, Robert Ashington-Pickett, “because of perceived threats to vested interests, there was considerable opposition to many aspects of SSR, including national security legislation. As often happens, many stakeholders were supportive of SSR in principle, but opposed many of its

architecture was legally formalized in the National Security and Intelligence Act of 2002, under which a new National Security Coordinator would head the ONS and enjoy primacy -subject to the National Security Council- on matters of intelligence collection and analysis, inter-agency security coordination, and emergency and disaster management (Government of Sierra Leone 2002c).

The Office of National Security, child of SILSEP as it was, became very early on the program's success story, and eventually as much a source of pride for its expatriate backers as of annoyance for its Sierra Leonean interlocutors. In a 2005 DfID review of SILSEP, it was found that the "ONS functions much more effectively compared to almost all other Government departments in Sierra Leone." Its relative success was in fact precipitating it into overstretch as it took on responsibilities which no other government agency was either able or willing to assume (Albrecht 2009, 3). Headed by a retired armed forces Brigadier General with a significant political presence, in 2003 the ambitious ONS launched a comprehensive National Security Sector Review (NSSR). The framework document, endorsed by the National Security Council in August 2003, was the first systematic attempt at a technical threat assessment in post-conflict Sierra Leone, and it formed the basis for a lengthy process of consultation and discussion that resulted in the publication in March 2007 of a NSSR Report (Government of Sierra Leone 2005d). It is a testament to the intellectual honesty and public ethos of the DfID-funded local drafters that they actually found the greatest threats to Sierra Leone's SSR process in the country's own leaders and indeed in its own people. The report decried the prevalence of private

details." Thus the delays in the parliamentary adoption of the new Act, which ranged "from the sophisticated to the banal. These included repeated delays both in finding space on the parliamentary agenda and obtaining executive sign-off. One of the final obstacles was the apparent lack of the right sort of paper on which to print it" (Ashington-Pickett 2008, 7).

institutions in both the state and society, the fact that “public officials cannot distinguish between public and private interest,” and that “public office is but a means of self-enrichment.” Not only were there material and normative incentives for the private capture of public office, but the administrative institutions that could conceivably curb them were also undermined from within (Government of Sierra Leone 2005d, 15). Ultimately the report blamed these self-reinforcing patterns on a generalized lack of political will, at both the elite and popular levels.¹⁸ With most complaints emerging from the consultation process being of a developmental nature, the ONS produced a report which not only connected security and development, but that in fact attempted to integrate them, recommending institutional and organizational changes well beyond its remit, especially regarding the fight against public corruption.

The National Security Sector Review Report was launched by President Kabbah in 2005 as part of the First Pillar of the Poverty Reduction Strategy Paper, but there were three basic problems with this ambitious SSR program. First, there was strong resistance among donors and government agencies to this merging of security and development, as it was generally understood that SSR was a distinct task from poverty reduction, and that in any case it had already been prioritized by the leading donor (M. White 2008, 6–8). Second, the PRSP security sector reform component as drafted was simply unaffordable: the total cost amounted to \$93.1m, equal to 55.6% of the total bill for Pillar One, and to 24.7% of the PRSP as a whole (M. White 2008, 9). And third, Kabbah and his entourage felt that SSR had already been achieved once the war was

¹⁸ “Factors that contribute to this threat include a fundamental fear of change, and indifference, indecisiveness, self-interest and a lack of accountability over failures. Also of concern were poor confidence, ineptitude and a lack of energy. . . . a lack of political awareness and apathy on the part of the population, which in turn fails to stimulate political parties, to be responsive, accountable and capable of representation of needs across tribal/ethnic lines” (Government of Sierra Leone 2005d, 15–16).

over. According to then-National Security Coordinator Kellie Conteh, “by 2003 there was some attention, in 2004 less, in 2005 they were so comfortable that they didn’t listen at all” (Albrecht and P. Jackson 2009, 128). After receiving a meager £1 million for its Implementation Plan from DfID¹⁹, the National Security Sector Review remained an unfulfilled but impressive testament to the ONS’s success. Too much of a good thing, perhaps, as its adoption of DfID’s radical SSR agenda put it at odds with a range of state organizations accustomed to business as usual. For instance, despite attempts to use the NSSR process to establish a sector-wide budgetary ceiling and forum for financial prioritization, the inability to agree on priorities made each agency revert to the old habit of dealing bilaterally with the Ministry of Finance (Middlebrook and S. M. Miller 2006, 19). As of 2009, DfID funds for the NSSR Implementation Plan ran out and the project was not renewed.²⁰

The tension between local and external demands continuously dominated the British SSR undertaking in Sierra Leone. The International Military Assistance Training Team was unable to coordinate productively or agree on monitoring and evaluation standards with DfID, which in turn had the “financial muscle” to resist political leadership from the High Commission. As a result all three British missions reported to London separately (Albrecht 2010, 24). The very fact that individual officials like Clare Short in London and Keith Biddle in Freetown enjoyed strong personal relationships with President Kabbah and direct political access to State House could easily undermine the nominal primacy of the High Commissioner. And so more than a whole-of-

¹⁹ According to the DfID program manager in Freetown at the time, this contribution was intended to prevent a negative and potentially destabilizing reaction by the security sector (M. White 2008, 11).

²⁰ However, the government was able to gain access to the UN Peacebuilding Fund to the tune of \$35m, out of which \$15m were budgeted for SSR (979094 Senior ONS official, Freetown 2010).

government approach, the UK's intervention resembled an uneasy partnership between autonomous actors, which only hindered the chances of exercising financial and political leverage in Freetown towards the common aim of reform. Coordination on the part of the Sierra Leonean government itself fared only marginally better, even if the 2007 elections seemed to ratify the operational success of SSR. The early phase of the process had been marred by certain "hiccups," such as the inability to coordinate civilian and military officials, coupled with the problem that the Sierra Leone Police was a financially self-reporting agency which refused to cede oversight of its resources to outside civilians. The fact that major security responsibilities were split between a British Inspector General of Police, a Nigerian Chief of Defense Staff, and the UNAMSIL Force Commander did not make the situation any easier (979094 Senior ONS official, Freetown 2010).

Despite the NSSR fiasco, the National Security Coordinator was able to energize the National Security Council, which provided some substantial policy orientation to the sector. The 2005 Standard Response Guidelines (Government of Sierra Leone 2005e), for instance, clarified the new national security architecture, confirming the National Security Council Coordinating Group as the main day-to-day security management body in the country.²¹ They also established a clear decision-making hierarchy with strategic, operation, and regional levels, as well as a state security classification level. A Draft National Security Policy was developed in 2006 with British assistance (Government of Sierra Leone 2006d), explicitly relating a national threat assessment to the multiple policy instruments available to the government; however, as of late 2010 the

²¹ Chaired by the NSCoord, the NSCCG brought together the Inspector General of Police, Chief of Defense Staff, Assistant IG for Operations, Joint Force Commander, Head of SSG, and the Director Joint Assessment Team (secretary).

Policy had yet to be adopted (979094 Senior ONS official, Freetown 2010). Finally, and most importantly, the National Security Council adopted a policy on Military Assistance to the Civil Power which clearly defined the specific tasks for which the Republic of Sierra Leone Armed Forces could be deployed internally, always under a mandate from the NSC and safeguarding the primacy of the Sierra Leone Police (Government of Sierra Leone 2006b).²² After the departure of UNAMSIL in 2005, the military assistance policy and the National Security Council architecture were first and successfully put to the test during the 2007 presidential and parliamentary elections, when the SLP and RSLAF coordinated effectively to provide security throughout the electoral process, and the security sector “spoke with one voice to the public and showed common resolve” (Conteh 2008, 6; Albrecht and P. Jackson 2009, 151–153). National Security Coordinator Kellie Conteh later wrote that in the run-up to the election he was meeting with the IGP and Chief of Defense Staff, and head of the National Electoral Commission “every 48 hours” (Conteh 2008, 6). Despite the reported pressures from Kabbah’s government, the SLP managed to remain politically neutral largely due to this support from the other security principals (672429 Expatriate SSR official, Freetown 2010).

At the level of administrative enforcement, however, the United Kingdom had been much less successful as a donor. Even a decade after the beginning of SILSEP and its determination to improve legislative accountability, the security sector remained firmly in the hands of the President, with no more checks than occasional expressions of consent -or, even less frequently,

²² The five Standing MACP Tasks were: Support to SLP Border Control Patrols, Maritime Control and Surveillance Operations, Explosive Ordnance Disposal/Improvised Explosive Device Disposal, Point Security (to protect key facilities), and FISU and H Troop (support to intelligence activities as defined by the NSC Joint Intelligence Committee). Other Emergency MACP Tasks included Counter Terrorism, Counter Crime, Public Order (supposedly confined to specialist/engineer support to the SLP), and Military Armed Action.

of concern- by other public organizations. Consider the case of the Ministry of Internal Affairs (MIA), which was mandated to oversee the Sierra Leone Police. As a 2007 management and functional review found, “in essence the MIA appears to all intents and purposes to be defunct and unable to provide a fully comprehensive oversight mechanism” (Government of Sierra Leone 2007b, 4).²³ Instead, the only functioning administrative accountability body was the Police Council, a vestige of the 1991 pre-war constitution chaired by the Vice-President. According to a 1999 Commonwealth Task Force report, with its representation of divergent political and financial interests (political officials like the Vice-President, Minister of Internal Affairs, and two presidential appointees; operational officials like the IGP and his deputy; the head of the civil service, and a representative from the Bar Association) the Police Council “itself stands firmly in the way of effective police governance” (quoted in Albrecht 2010, 63). Kabbah had been unwilling to cede power to ministries he could not control, thus his retention of the defense portfolio as well as the ostracism to which he subjected MIA to the benefit of the Inspector General of Police. Combined with a centralized control of intelligence in State House via the National Security Coordinator, the President held personal command over the entire security sector.²⁴

As to Parliament, the committees on Presidential Affairs and Defense and on Internal Affairs and Local Government had neither the capacity nor the willingness to exercise their

²³ The Ministry, with a manpower of 22 (including only 4 professional staff), was supposed to oversee not only the SLP, but the Prisons Department, Immigration, the National Fire Force, and the National Registration Secretariat. When the Koroma administration came into office its responsibilities were further diluted when the Local Government brief was merged into it. MIA had been one of the political intermediaries the avoidance of which Keith Biddle made a precondition for his appointment as IGP.

²⁴ After his election in 2007, Ernest Bai Koroma surrendered the defense portfolio to a dedicated minister. As I discuss below, this decision actually allowed for more direct relations between the MoD/RSLAF and Cabinet.

constitutionally based oversight powers (Gbla 2008).²⁵ In late 2010 there was no documentation whatsoever to be found in the parliamentary library about the respective committees' work on security sector issues: no registry of their composition through the years, no minutes of meetings, no reports from investigations, not even proof that they had actually convened. Like the rest of the Sierra Leone Parliament, the committee on Presidential Affairs and Defense suffered from an acute lack of capacity, with only one administrative secretary that it had to share with another committee. But it had also fallen prey to attempts to redress this limitations: in particular, it had become the norm since the end of the war to appoint Members of Parliament with security sector experience to serve on the committee, in order to facilitate relations with the MoD and the military (006803 Parliament administrative official, Freetown 2010).²⁶ This custom made sense in a context of novice MPs with no technical support, but it also meant that the elected officials tasked with overseeing the sector were more likely to sympathize with aspirations of autonomy, and in fact resulted in scant oversight. As one MP put it, the law may require security sector officials to report, but if they were doing good, why make them do so? Especially after, as he said, the international community had given a positive review of their actions (841259 Senior elected official, Freetown 2010).²⁷

On May 31st, 2008 SILSEP was finally terminated, with some of its elements (including

25 The Sierra Leone Parliament was one of the few blind spots of DfID's SSR projects. In fact, a Sierra Leone Parliamentary Development Support Project had been launched in 1998. But the inability or unwillingness of MPs to promote reform of their own collegiate institutions made DfID give up on any attempt to strengthen the legislature (672429 Expatriate SSR official, Freetown 2010).

26 The three senior MPs in the committee were all former military men, and they usually sat together at the "Defense Table" in the cafeteria.

27 As he told me, the selection of units or issues to investigate was based on cursory readings of the general press, and their main objective was always to ensure that the military and police had what they needed and that they were "cared for."

MoD advisers) turned over to a joint interdepartmental program. The Completion Report stated two reasons for termination: the apt performance of the security forces during the 2007 elections, and a less-than-expected funding allocation to the country office (DfID 2008b). Interestingly, SILSEP's termination actually came as a surprise to some advisers on the ground, especially those working for the UK Foreign and Commonwealth Office and Ministry of Defense, who felt that DfID had acted unilaterally (Albrecht 2009, 12). It was but one last illustration of how the sector-wide SSR process launched by the United Kingdom in Sierra Leone, while free from the confusion of donor collective action, was marred by multiplicity within the leading donor itself, which had severely hindered its ability (or willingness) to deploy conditionality as an inducement against recalcitrant practices. In terms of civilian control of the security sector, the British achieved a remarkable degree of administrative command. Too much, perhaps, as centralization around the ONS and State House in general moved the focus away from administrative accountability: some civilians did enjoy firm control of the security sector, and were able to deploy it in a coordinated and effective fashion. But there were precious few administrative checks on potential misuse, other than an Office of National Security tasked with making sense of a panoply of public actors jealous of their organizational autonomy. Moreover, the dwindling of British funding had not been met with greater budgetary commitments by the government of Sierra Leone (which covered by 2010 about 30% of the financial needs), betraying a general lack of political concern for SSR as the war receded into memory (979094 Senior ONS official, Freetown 2010).

6.4 SILSEP and IMATT: Building a Ministry of Defense for Sierra Leone (1998-2011)

In 1998, after two decades of politicization and one of political adventurism, the Armed Forces of the Republic of Sierra Leone were a clear security liability for Ahmad Tejan Kabbah's embattled government. The cabinet had decided to launch a defense restructuring process, but it had also agreed to avoid the "Costa Rica" option of complete military demobilization and reliance on the Sierra Leone Police.²⁸ Nigerian Brig. Gen. Maxwell Khobe, by then appointed Chief of Defense Staff by Kabbah, was one of the voices of caution, arguing that it was better to keep soldiers "fed and trained" within the armed forces than at large as a potential source of new rebels (Albrecht and P. Jackson 2009, 23).²⁹ Hence the letter of request for assistance to the government of the United Kingdom in which Kabbah asked the Department for International Development (DfID) to carry out a comprehensive review of the structures for civilian management of his military. After two assessment missions, in December 1998 the two sides agreed on the outline and aims of the Sierra Leone Security Sector Program (SILSEP): a governance program concerned with administrative and civil service reforms of the kind that fell well within the purview of DfID,³⁰ and assisted by the UK-MoD's "Defense Diplomacy" as well

²⁸ Demilitarization made perfect sense: widely discredited among the population, the military was unprofessional, ill-equipped, undisciplined, averse to change, and bloated with political recruits (Nelson-Williams 2008, 3), and since the beginning of the RUF rebellion its most significant contribution had come in the form of further instability through military coups. As a result of these deliberations, in 1999 the AFRSL were in fact disbanded for a short period of time, and a plan was put forward to build a brand new 6,000-strong army with 5,000 new recruits and 1,000 troops re-recruited from the AFRSL (Gbla 2006, 83). This decision was met with only "grudging and partial acceptance" by the military, and it was in fact reversed at a critical cabinet meeting after the realization that releasing into the general population over 10,000 disgruntled military men, many of them still loyal to Maj. Koroma, could potentially destabilize the country.

²⁹ "The phrase 'better to be inside the tent pissing out than outside the tent pissing in' was often used to describe this process" (M. White 2008, 4).

³⁰ Conventional "development" activities under SILSEP included: building civilian controls over the military and

as by the FCO's "in-service training" program.

The major component of the project would be "institutional capacity building" within the Sierra Leone Ministry of Defense, which in fact amounted to building it from scratch, as at the time it consisted of "four people sitting in a hut acting as a post box (and being almost totally ignored)" (113629 Expatriate SSR official, online 2011) Overseeing this ambitious program would be a Military Adviser (a British officer of Lt. Col. rank or higher) and a Civilian Adviser (an Uk-MoD civil servant) seconded to the Ministry and working closely with the Chief of Defense Staff and Defense Headquarters. Together, this MoD Advisory Team (MODAT) would render expert advice to the new SL-MoD, as well as assist in the wholesale institutional and organizational transformation of the defense apparatus.³¹ MODAT was officially deployed in June 1999, and by October it had conducted a "mini-Strategic Defense Review" with recommendations including an outline Defense Policy, new defense structures, and a new organizational blueprint for the SL-MoD. To help them implement this wholesale reform MODAT requested the deployment of a British Military Advisory Training Team for a period no longer than three years (in order to avoid dependency) as a logical extension of SILSEP.³² Work

over military expenditure, contribution to the costs of demobilization and resettlement of ex-combatants, legal and constitutional advice, assistance in the establishment of civilian control of intelligence services, and civic and state-society training for the armed forces. These elements were now encompassed in DfID's brief under a new "Poverty and the Security Sector" policy paper. In 2000 the role of security in development was further consolidated by the UK Government's 2000 White Paper on International Development, *Eliminating World Poverty* (Albrecht and P. Jackson 2009, 29).

31 Inter alia: subordinating the AFRSL to a new Ministry able to develop a defense program, bid for its funding, oversee all stages of the budget process, and discuss defense policy not just internally but also with Parliament and the people; providing an updated legal framework that enshrined civilian protections and subordinated the AFRSL to civilian authority; developing fair and transparent terms and conditions for the armed forces workforce; drafting a national defense policy enjoying broad consensus; and creating a civilian-military establishment that conformed to the needs of Sierra Leone (DfID 1999b).

32 At the time MODAT was aware of reluctance back in London to longer-term commitments, and was advised by UK-MoD and FCO to limit its proposal to 3 years to avoid "flutters" in London (Albrecht and P. Jackson 2009, 46-47). As an interesting anecdote, it was discussed but then discarded to appoint a British officer as Chief of

began with a proposed institutional design borrowed from a simplified British MoD template, with little opportunity for consultation, validation, or review due to operational constraints (Government of Sierra Leone 2003d, 16). In March 2000 President Kabbah formally adopted the proposals to restructure the SL-MoD headquarters and the armed forces, and the head of the civil service was asked to post “suitable civilian candidates” to senior administrative and management positions. By May 2000 the total number of MoD civilian staff had risen to 35 civilians and 14 military officers: a Director General, two Deputy Secretaries, six Directors, and four Deputy Directors, assisted by 22 ancillary and support staff; they were joined by the Chief of Defense Staff and his team of 13 officers (Government of Sierra Leone 2003b). Together, these 49 people were supposed to run the 18 specialized directorates and 8 defense committees that composed the new Ministry’s executive and oversight architecture.

In December 2001 a “Management Plan” was produced with buy-in from senior officials which encapsulated the structure of the new Ministry (Government of Sierra Leone 2001b, i). This document was in fact the first attempt to hold the SL-MoD to modern public administration standards, and as of my visit in late 2010 it reportedly remained the main reference for internal organization and regulation of the Ministry, especially in terms of objectives and performance monitoring (482060 MoD civilian official, Freetown 2010). Two outside bodies, the Defense Council and National Security Council, would help define defense policy, while expenditures and general management issues could be reviewed by the Parliamentary Committee on Defense and Presidential Affairs. The Minister of Defense himself and the Director General, as principal

Defense Staff; tellingly, the idea had come from within the President’s environment, fueled by his mistrust of the military.

accounting officer, would be the main conduits of accountability to Parliament. Internally, a “robust and effective financial and managerial audit” unit was to be established, and a Defense Management Board was supposed to oversee the Ministry’s functioning. The ambitious Management Plan was, in every sense, a child of SILSEP’s early days, when the promises of reform seemed greater than its challenges. On the surface, the political leadership of Sierra Leone seemed very much invested in defense restructuring through administrative transformations. On January 21st, 2002 the new Ministry of Defense was formally inaugurated at its new HQ in the former Paramount Hotel in Tower Hill, a multiple-floor, Y-shaped building located 100 yards up the street from State House. The war was declared officially over, and the Armed Forces of the Republic of Sierra Leone were christened by President Kabbah as the new Republic of Sierra Leone Armed Forces (RSLAF).

As part of the preparations for the eventual formulation of a comprehensive defense review, and despite the absence of a national security policy, the Ministry launched consultations towards the drafting of a Defense White Paper. The Paper would clearly explain, not just to Sierra Leonean citizens but also RSLAF troops themselves (Kondeh 2008, 2), the reforms that were sweeping the new MoD and armed forces; it would also provide clear definitions of roles and responsibilities in the new civilian-military bureaucracy. Despite reservations by DfID and IMATT about the pertinence and accuracy of its findings, in July 2003 President Kabbah presented the Defense White Paper in front of paramount chiefs and other national authorities, calling for “Armed Forces that function and operate within the law, that are loyal, accountable and subject to the control and oversight of the democratically elected and appointed

Government” (Government of Sierra Leone 2003b foreword). The Paper publicized the MoD organizational chart based on the MODAT blueprint, by then populated by 165 staff, as well as the recent restructuring of the RSLAF. From a defense policy perspective, it included a cursory assessment of threats (small arms, ex-combatants, corruption) and security priorities. Absent a national security or defense policy, it provided some strategic guidance in the form of Defense Missions and their subordinate Military Tasks. Above all, it signaled -both to the population and to donors- a fundamental thing: ownership, a commitment to continue down the difficult but necessary path of reform towards more effective and accountable armed forces. Administrative civil-military institutions were ostensibly on the march.

It was not at all clear, however, that the leading donor would be able to ensure the enforcement, and not just the design, of such novel constraints. A mere year after the first SILSEP advisers set foot in Freetown, the UK had found itself more militarily involved in Sierra Leone than it had expected, after deploying in May 2000 a reinforced paratrooper battalion to evacuate foreign nationals and provide support to the embattled UN peacekeepers. Within a few months, after the sudden repatriation of SILSEP’s Civilian Adviser due to illness, the Sierra Leone Ministry of Defense and armed forces were left in the hands of a British-led International Military Assistance Training Team (IMATT), which by early 2001 had placed some of its 65 foreign officers at different rungs of the military hierarchy. IMATT was supposed to pursue reform of the SL-MoD according to the MODAT blueprint, but its interference with the formal chain of command actually served to undermine SILSEP’s aims (DfID 2002, 9). By the time the second MODAT Civilian Adviser arrived in Freetown in July 2001 as part of SILSEP phase two,

a civilian-led MoD reform effort had morphed into a military-led troop training and restructuring program under IMATT. This led some MoD civil servants to lament a return to the old ways of the 1980s and 1990s, when the military had recurrently prevailed over their civilian overseers (Albrecht and P. Jackson 2009, 60).

Despite very visible displays of political commitment on Kabbah's part, a SILSEP progress report written in mid-2002 was dominated by a decidedly somber tone: political commitment to reform seemed "fragile"; there was a sense within civil society that ex-combatants had somehow been rewarded for their atrocities; the Government of Sierra Leone was unable to financially support security sector reform efforts without generous British assistance; and program management from a distance had demonstrated inability to fully apprehend local complexities and respond to changing conditions (DfID 2002, 2–3). Most MoD personnel were "unaware of the nature and scope of the SILSEP Programme and none were involved in its day to day management and co-ordination" (DfID 2002, 5). Complicating this picture, there was a widespread perception among the armed forces that civil servants had "taken their jobs from them," despite lacking the kind of military and security experience that would be necessary to oversee and manage them. Some officers were still being promoted for reasons of political expediency, while others continued to reject the idea of civilian control (International Crisis Group 2003b, 6–7). As to the civilians themselves, they saw the top military as barriers to reform (Kondeh 2008, 6). In the meantime, IMATT officers had become the source of some friction with local staff, owing mainly to different managerial cultures, impatience with corrupt practices, and a tendency to bypass the chain of command. There was a perception among local

civilian and military personnel that IMATT was exercising too much political power (DfID 2002, 10–12). Finally, at the political level things did not look any brighter. There was no reform of the armed forces act in sight, and Parliament had yet to examine the MoD, placing a large question mark on the effectiveness of legislative oversight. President Kabbah held the post of Minister of Defense and thus had complete authority over the new and ostensibly apolitical RSLAF.³³ All these factors combined added to the troubling realization that, three years in, SILSEP was not delivering all that it had hoped to.

The first complete snapshot of the progress of reforms came in late 2003 when, as part of a systematic effort to diagnose the status and needs of ministries, departments, and agencies, the DfID-funded Governance Reform Secretariat conducted a management and functional review (MFR) of the Ministry of Defense, which found an organization seriously afflicted by institutional dysfunction (Government of Sierra Leone 2003d). Ministry personnel conducted their affairs with vague or simply nonexistent job descriptions, and grading and salary scales presented anomalies, such as military officers reporting to civilians of inferior grade or enjoying significantly higher salaries (as much as 400%) than civilian counterparts of the same grade. The directorate structure borrowed from the British template was in place, after a fashion, but it worked in a fairly inconsistent and incoherent manner. Directorate plans were often too vague to be of any use in actual management and monitoring, and those that were detailed -mainly on the military side- were not being properly followed due to personnel limitations and shortages (some directorates had a grand total of one or two staff). Individual directorates did not have a separate

³³ This also meant that there was no additional representative at cabinet or National Security Council meetings, leaving the Ministry cut off from top decision-making and senior MoD administrators without clear political and strategic guidance.

budget line, and the Director General's approval was required for every expenditure; in fact, the MFR team found that it had become customary to seek authorization from the Deputy Minister himself for every expense. On the military side, official lines of reporting had often been bypassed, with commanders dealing directly with the Ministry on administrative matters. Information sharing was also deficient, with most directorates keeping their own separate file systems and a central registry utterly unable to manage records and documentation. There was no effective ministry-wide coordination and monitoring mechanism. As to what senior management were doing with their time instead of directing policy and monitoring its implementation, it was found that they spent most of their time in committee meetings.

Prevailing deficiencies in the enforcement of the newly-designed administrative institutions had in fact not been met with much resistance from the United Kingdom as a donor. If anything, the combination of IMATT's presence and the lagging pace of institutional development within the MoD had led to a shift of focus in the defense restructuring process: a program born out of a desire to subordinate a restive military to civilian authority and modern public management practices was gradually morphing into a technical effort for the right-sizing and training of the RSLAF.³⁴ With IMATT at the helm of the restructuring process, the Ministry's main function had been reduced to ensuring some semblance of financial survival for itself and for the troops.

An April 2007 review found that UK advisers were still working, eight years on, to develop basic systems and processes within the Ministry of Defense, and in general many of the

³⁴ The 14,500-strong RSLAF of 2002 would eventually be reduced, after much lobbying from IMATT, to a target size of 8,500 troops by 2010. IMATT's "Plan 2010" was also to contribute to the eventual drawdown of the mission, which was committed until 2012.

MFR recommendations were yet to be implemented (DfID 2007b). Key civilian staff had been transferred to other ministries and agencies, taking with them their much needed institutional memory. The MoD/RSLAF lacked an overall strategy, with an engaged deputy minister who wielded no political authority and a cabinet with political authority but no engagement (Le Grys 2008; Albrecht and P. Jackson 2009, 144). Their own lack of progress did not deter local staff from developing a “clear and well-coordinated” line of criticism towards British advisers for lack of audits, poor communication, and failure to learn. In a display of unwarranted optimism, the review drafters saw such criticisms, while unjustified, as a manifestation of local ownership of the principles of democratic control, accountability, and sound management (DfID 2007b, 12). The 2008 SILSEP Completion Report celebrated that “While there are a number of areas in which the MOD could improve, particularly in the area of civilian and military interaction, it is recognised as one of the best developed Government Ministries in Sierra Leone” (DfID 2008b, 4). Such an assessment clearly understated the lack of institutional enforcement at the MoD, though probably not the even worse situation of the rest of the public sector. But the impact of a state-building agenda cannot be measured by a counter-factual: there had been clear aims from the beginning, clear conditions for assistance, and readily identifiable problems. A closer look revealed a pattern of prevailing subversion underneath the veneer of modern bureaucracy.

By the end of the 2000s several things had changed in the defense apparatus of Sierra Leone. In terms of civilian command, a dedicated Minister of Defense was appointed by President Ernest Bai Koroma. In terms of civilian accountability, the internal audit unit actually started to do its job, producing the first comprehensive systems review of the MoD. But while, in

principle, the appointment of a proper minister could mean greater strategic and policy leadership for civilian and military directorates, in practice what the audit documents reveal is a public organization that had all the trappings of modern bureaucracy but little of its content.

For a ministry that was celebrated as a triumph of new civil-military relations, these had remained the major point of contention. According to a civilian official, although relations were “cordial,” the aim of subordinating military structures to civilian oversight had not been welcomed by the military, and there was still some resistance (482060 MoD civilian official, Freetown 2010). Friction was manifest in procurement and budgeting decisions, with uniformed personnel prone to interpret cuts to their proposals as personal attacks, and accusing civilians of not caring for the military (169417 Senior MoD civilian official, Freetown 2010). A foreign adviser characterized this cleavage within the MoD in both material and ideational terms:

The RSLAF (with some justification) view the civil servants as lazy, greedy and corrupt and overrule/ignore them constantly. They resent the vesting of the financial power with the DG and the Minister and wish a system more akin to that enjoyed by the police – who control their own budget and have no strong links with the Ministry of Interior. . . .

The civil servants feel intellectually superior and view the RSLAF as poorly educated thugs. They find it hard to stand up to their military colleagues and never talk up during meetings, even to defend themselves. The civil servants have no knowledge of how the military works and are disinclined to learn. They don’t understand the military ethos (113629 Expatriate SSR official, online 2011).

Trained and competent staff were sorely needed in many of the Ministry directorates, there were no job descriptions, no documents outlining the duties of departments, and no system for transferring knowledge to their successors: there was simply no institutional memory (Government of Sierra Leone 2010d, 15). By late 2010 senior civilian staff consisted of two deputy secretaries, two senior assistant secretaries, and two assistant secretaries, all of them

overseeing the directorates for finance and budget, staff and administration, procurement, and policy (482060 MoD civilian official, Freetown 2010). Private gain was the main motivation within the civilian side of the Ministry. As a foreign adviser put it: “the civil servants appear only to be interested in activities that incur *mas mas* (their share of the profits of corruption) – they concentrate solely on procurement, pay, manpower and finance – all of which are lucrative” (113629 Expatriate SSR official, online 2011). Auditors regularly found that expenditure tracking forms got stuck in key offices, with too many signatories for the approval of purchases and officials continuously bypassing the control measures. When transactions were actually recorded, it was done only in a very vague fashion; in a particularly comedic example, the auditor wondered whether all RSLAF soldiers had the same foot size, seeing as there were no details on a purchase order which simply read “boots” (Government of Sierra Leone 2008c, 3).

With financially succulent directorates concentrating civilian attention, the MoD had been left without the capacity to determine its own policy. According to a foreign adviser, there was “an almost universal inability to plan ahead for more than a few weeks at a time” (113629 Expatriate SSR official, online 2011). In fact there was no one in charge of the directorate of policy, which had become “very ineffective for an extended period” and for all practical purposes was by late 2010 non-existent (Government of Sierra Leone 2010d, 15). The previous Director of Policy had been moved to procurement after the incumbent had been caught on video soliciting bribes and charged by the Anti-Corruption Commission. Despite outside efforts to re-establish the policy directorate, the Director General resisted all efforts to do so (113629 Expatriate SSR official, online 2011). In the meantime, the 2003 Defense White Paper remained the main policy

guideline, and the 2001 Management Plan the principal administrative reference (482060 MoD civilian official, Freetown 2010). Whenever IMATT stood back to function as facilitator instead of driver, strategic efforts amounted to little more than “facsimiles of the current state, with no view of the future shape and direction of the RSLAF” (113629 Expatriate SSR official, online 2011). There was a Defense Policy Committee, gradually becoming more effective in terms of adopting policies, but without a policy directorate there was never a chance of implementation. “The concept of a defense strategy implies accountability,” said an adviser, “and they would rather work to a woolly concept -against which they cannot be held accountable- than against a strategy” (113629 Expatriate SSR official, online 2011). The absence of a defense policy, combined with military officials’ reluctance to bring these concerns up to their political principals, resulted in a disjuncture between the threat environment and an imperfectly-implemented restructuring process (882175 Senior MoD military official, Freetown 2010). The Defense Policy Assumptions had become the main guidance for the RSLAF, even when their considerations reflected a greater concern with financial expediency than strategic imperatives.³⁵

Administrative institutions were in place at the Ministry, but not the will to enforce them. Internally, the performance agreement signed by Minister of Defense Paolo Conteh with President Koroma (as part of the latter’s agenda of running Sierra Leone like a “business concern”) was never fully monitored within the MoD, with the Defense Policy Committee reluctant to include the topic on its agenda. Even when the Minister himself was the one

³⁵ The DPA 2011-2013, for instance, suggested couching requests for aircraft and vessels in the language of stopping transnational organized crime in order to attract donor funding; they also painted the benefits of participating in UN peacekeeping missions in terms of the income they generated through the reimbursement process (Government of Sierra Leone 2010b).

requesting procurement and expenditure information, these were seldom forthcoming. When an accountant had attempted to establish more transparent processes he was reportedly moved away at the insistence of the Director General (113629 Expatriate SSR official, online 2011). Cooperation with the audit unit was a constant source of concern: there was reportedly greater reluctance to share information with internal auditors than with external ones, and in general a “control mentality” was lacking (121912 MoD civilian officials, Freetown 2010). Perhaps this was partly the fault of auditors, who tended to focus on monitoring store deliveries as they presented the most lucrative opportunity to exact bribes from contractors in exchange for signature of receipts (113629 Expatriate SSR official, online 2011). When submitted to the audit committee, its very composition worked to undermine the reports: the very directorate chiefs who may have had conflicts of interests were in charge of endorsing the recommendations, and the Civil Adviser and legal director had by late 2010 only recently been added as members (121912 MoD civilian officials, Freetown 2010). When some “proper” audits were done at the behest of the Ministry of Finance, either the Director General or the Minister himself sat on the report, and their findings were not implemented (113629 Expatriate SSR official, online 2011).

Externally, the parliamentary committee tasked with overseeing the MoD and RSLAF worked based on cursory readings of the general press, and its main objective was always to ensure that the military had what they needed and that they were “cared for.” The reason why there was no new defense act was that issues of well-being (housing, healthcare, infrastructure) took priority. Regardless, as an MP sitting in the committee told me, democratic ideals could not be preached in the military: one could not bring the army to its knees just to satisfy civil society

(841259 Senior elected official, Freetown 2010).³⁶ In light of the inability and unwillingness of Parliament to exercise oversight, the Office of National Security and National Security Council Coordinating Group had become the de facto civilian overseers of the security sector, but their effectiveness was heavily affected by the personality of the individual occupying the office of National Security Adviser (113629 Expatriate SSR official, online 2011). Ultimately, the executive had been left with all but absolute control of the security sector, unencumbered by neither comprehensive legislation nor institutional administrative checks of the sort that SILSEP was hoping to establish back in 1999. The British intervention had thus succeeded in securing civilian command of a historically subversive military, but the administrative institutions of civilian accountability existed in paper only.

6.5 The Structure of Incentives for Security Sector Reform in Liberia

In contrast to Sierra Leone, security sector reform in Liberia did not enjoy the dedicated attention of a major bilateral partner. The combination of a reluctant leading donor, an uncoordinated array of UN missions, and a plethora of bilateral donors, resulted in an SSR process that failed to deliver on all key aid principles. Local ownership was segmented at best, and reliant until late in the process on foreign planning and institutional design. Donor interventions were piecemeal and ad hoc, with no external actor adopting a whole-of-government approach, and all but the UN unwilling to state the kind of long-term commitment required for

³⁶ Here is another example of the interviewee's understanding of civil-military relations: "One cannot say that you cannot do a coup—you can if you have a purpose that is supported by the nation; if you don't have a purpose you should stay in the barracks."

successful SSR. Finally, donor coordination was defective from the beginning, and was only coalescing around informal consultations six or seven years after the end of the conflict.

Public Will and Private Incentives

The restructuring of the Liberian security sector had been on the political agenda since the very beginning of the civil war. Already in 1991 the Interim Government of National Unity presided by Amos Sawyer had tasked a cabinet committee with recommending modalities for military restructuring, such as demobilizing only the personnel that had been irregularly recruited outside of the normal vetting process. After assuming power in 1997, Taylor had also constituted a committee with a similar mandate, whose recommendations for restructuring and the creation of a new officer corps he simply ignored (Samukai 2004). On August 18th, 2003 the Comprehensive Peace Agreement became the supreme source of SSR policy in Liberia. However, it would not be until the summer of 2005 that the Minister of Justice convened a national dialogue, in which delegates agreed that SSR should have proceeded from a comprehensive national security and defense review which had yet to be carried out (DCAF 2005). In 2007 the new President, Ellen Johnson Sirleaf, mandated the Governance Commission to provide intellectual leadership for the SSR process, and it seemed that finally the Liberian government would seize control of the transformation of its own security apparatus. A National Security Statement was adopted in February 2007, followed by a National Security Strategy in January 2008. The 2008 Poverty Reduction Strategy Paper, under its first pillar devoted to Peace and Security, soon became the main clearinghouse for implementation of the National Security Strategy and Matrix together with the specific individual agency strategies, as well as for donor-

stakeholder discussion of issues affecting security reform. It is hard to say whether the challenges of implementing these new institutional frameworks were any greater than in Sierra Leone. They were certainly no smaller.

With the assassination of President William Tolbert on April 12th, 1980 and the establishment of the People's Redemption Council, the Armed Forces of Liberia (AFL) achieved a gigantic leap from obscurity and derision into political control of the country. As President of Liberia, Samuel Doe increased substantially the size of the AFL, complementing a 6,000-strong brigade with a new National Coast Guard. He assured the political affinity of the armed forces by shifting the demographic make-up of the AFL away from Americo-Liberians (a vestige of the Tubman and Tolbert regimes) and swelling the officer corps with natives of the South Eastern regions of Liberia, mostly belonging to his Krahn ethnic group. The Liberian National Police followed a similar path, and the constant instrumentalization of the Liberian security sector in support of regime interests became a major source of dysfunctionality, which would become apparent during the conflict and post-conflict years (Ebo 2005, 14). When warlord Prince Johnson and his fighters killed Samuel Doe in August 1990, the AFL all but collapsed, to the extent that in 1992 the president of the interim government, Amos Sawyer, had to rely on a parallel 1,000-strong paramilitary group for his protection (International Crisis Group 2009, 4).

By the time he was democratically elected President in 1997, Charles Taylor was faced with a weakened but still deeply hostile, Krahn-dominated armed forces who held him personally responsible for Doe's death. Rather than attempt to restructure the army across ethnic lines, however, Taylor set out to disband part of the AFL and neglect the rest into near dissolution. In

November 1997 he retired 2,400 soldiers, most of them Krahns, and by late 2001 two additional rounds of retirement, totaling 4,000 men, led to the virtual disappearance of the AFL (International Crisis Group 2002a, 13). Taylor then merged part of his National Patriotic Front of Liberia (NPFL) into the army, although the Deputy Defense Minister at the time said that these troops were “on the orders but not the payroll of the government” (“Taylorland under siege: The victorious warlord hasn’t made the transition to civilian politics” 1999).

While he starved the AFL troops, whose salaries were often many months in arrears, Taylor rewarded handsomely certain elite units closer to him. These infamous groups included his personal protection force, the 300- to 800-strong Special Security Service; the elite Anti-Terrorist Unit led by Taylor’s son Chuckie, numbering up to 6,000 fighters, 2,500 of whom were in Monrovia; and a 215-strong paramilitary Special Operations Divisions within the Liberia National Police (LNP). The police itself was heavily politicized, with most of the 4,000 officers recruited from the NPFL; like other groups, “the police were never used in the defense of the public but as personal instruments to secure Charles Taylor’s political agenda” (International Crisis Group 2004, 19). Other NPFL-related forces included the 1,500 “Jungle Lions” militia in Monrovia, as well as a Special Strike Force in the provinces (International Crisis Group 2003b, 7–8). Though dedicated to basically the same tasks, all these units were organizationally distinct and mutually independent, answerable to Taylor alone; it was his way of preventing the kind of cooperation that may lead to a coup. By the time the conflict ended in 2003, the security sector was bloated, corrupt, and populated by “ad hoc” creations with overlapping functions (DCAF 2005; Government of Liberia 2006a; Gompert et al. 2007). It had become “the dumping ground

for political cronies and loyalists, many of whom were highly incompetent” (Government of Liberia 2006a, 12). Civilian command and accountability were absent.

Donor Aims and Agendas

The Comprehensive Peace Agreement embodied the first set of international aims for security sector reform in Liberia. Article VII mandated that the Armed Forces of Liberia be disbanded and restructured with assistance from ECOWAS, the United Nations, the African Union, and the International Contact group for Liberia. More specifically, the parties requested “that the United States of America play a lead role in organizing this restructuring program.” Article VIII, in turn, requested the United Nations Civilian Police to “assist in the development and implementation of training programs for the LNP [Liberia National Police].” A division of labor was thus established whereby the Americans would lead SSR for the military, while the United Nations mission would take charge of SSR for the police. And that was it. The first comprehensive review of this distribution of labor and its effects was not actually carried out until late 2006, when a report by the RAND Corporation provided a cursory threat assessment, a set of guiding principles and criteria, as well as a security concept and core functions from which it proposed a governance architecture and several force structure scenarios (Gompert et al. 2007). The agenda of foreign support for SSR in Liberia was simple: there was no agenda.

Much as the United States could have played the role of leading donor given its close historical links to Liberia, by all accounts Washington had been extremely reluctant to become engaged in the troubles of its long-time African client. By the time the second civil war ended with the ouster of Charles Taylor, in 2003, the United States was already engaged in Afghanistan

and Iraq, and the tribulations of a small West African country, regardless of past connections, seemed an unnecessary distraction. Even the crucial American role in creating the remarkably strong United Nations Mission in Liberia (UNMIL) was interpreted at the time as an attempt to facilitate quick disengagement for the limited United States presence under cover of a solid multilateral mission (International Crisis Group 2003a, 13). In any event, during the CPA negotiations the United States had demonstrated a willingness to carry out the restructuring of the Armed Forces of Liberia, which were modeled after the American military and had traditionally relied on the expertise of Americo-Liberian officers with experience there. Hence the “lead role” in military restructuring as mandated by Article VII of the Accra Agreement. The US pledged \$35 million after signing a Memorandum of Understanding with the NTGL (Malan 2008, 28), and it hired for the task two private security contractors, Pacific Architects and Engineers (PAE) and DynCorp. Throughout the entire process of military restructuring the United States would exhibit as a donor a clear preference for administrative design and little real concern for the politics of enforcement.

Donor Coordination

With no clear shared agenda and the leading role divided between the notoriously byzantine United Nations and the politically uninterested United States, SSR in Liberia remained a disjointed and haphazard effort. Beyond the defense restructuring process, which was an American fiefdom, the security sector was the subject of a myriad assistance and training projects that not always related to each other in a meaningful way. The US was not providing any leadership beyond the restructuring of the army, while the cautiously apolitical UNMIL felt that

its Security Council mandate should have made it the natural leader of the SSR process (Malan 2008, 24), a perspective that wasn't shared by bilateral donors. Coordination through the Security Pillar of the Liberia Reconstruction and Development Committee overseeing the PRSP was generally limited to information sharing. This led Sweden to launch a parallel Security and Justice Donor Coordination Group, and to create the first inventory ever of donor support for justice and security sectors reform. A March 24th, 2011 draft of the document included 45 separate projects, of which 20 targeted the Liberia National Police (US Embassy, Monrovia 2011). The United Nations Police division, tasked with training and supporting the LNP, was itself composed in the spring of 2011 of officers from 39 nationalities; a frequent complaint heard around the security community in Monrovia was that recruits did not even know what hand to salute with anymore.

Security sector reform in Liberia closely follows the fourth explanatory type outlined in chapter 2, diversion, a clear case of "too many cooks" in which contradictory donor objectives left the entire administrative process of SSR in the hands of the very agencies that it was supposed to reform. Given the powerful legacies of private capture resulting from decades of politicization, it would be extremely difficult for even the most committed government to secure the adoption, let alone implementation of the new -and much needed- command and accountability institutions.

6.6 Tracing the Process of Security Sector Reform in Liberia

There was a fundamental problem with the way in which the 2003 Comprehensive Peace Agreement had approached security sector reform, an “original sin” which reverberated throughout the following decade. Even though Article VIII of the Agreement was entitled “Restructuring of the Liberian National Police (LNP) and *Other Security Services*” (my emphasis), with the arrangement that emerged at the CPA thirteen of the fifteen security agencies that the NTGL had inherited in fact remained “orphans” of SSR assistance.³⁷ The basic political and conceptual challenge for the transitional and -from 2006 onwards- elected governments of Liberia would be how to simplify and re-arrange a bloated and corrupt security sector in order to ensure civilian control and financial sustainability, while enjoying only piecemeal and disjointed support from about a dozen bilateral donors and a multifaceted UN system.

Discussions of SSR in the Accra peace negotiations had focused on technical aspects, such as training, restructuring, and professionalization of the security forces. Therefore at the beginning of the process there had been no road map for the administrative transformations that should accompany technical reforms. The transitional government simply inherited the CPA framework and, for the first few years of reform, strategy constantly followed a few steps behind action. The political track of SSR planning began with the involvement of foreign non-state actors: the Geneva Center for the Democratic Control of Armed Forces, the African Security Sector Network, and the Conflict, Security and Development Group at King’s College, London.

³⁷ National Bureau of Investigation, Bureau of Immigration and Naturalization, Drug Enforcement Agency, Special Security Service, Customs – Financial Security Division, Ministry of National Security, Forest Development Authority Police, National Security Agency, Liberia Petroleum Refining Company Security Force, Liberia Seaport Police, Liberia Telecommunications Corporation Plant Protection Force, Monrovia City Police, and Roberts International Airport Base Safety (Gompert et al. 2007, 41ff).

In July 2004 they began researching Liberia's fledgling SSR process, and in their consultations they found that UNMIL was acting in isolation from the American intervention in the armed forces, and that key agencies like the National Security Agency, the National Bureau of Investigation, or the Bureau of Immigration and Naturalization were being completely neglected. There was no wider governance framework for SSR, and the general consensus among Liberians was that they did not fully own the process (Ebo 2005, 53–55). Absent a coherent SSR framework “each component of the security system is undergoing changes in the expectation (assumption?) that pieces of the puzzle would all fit together once reform had been accomplished” (Ebo 2005, 19).

The Governance Reform Commission (GRC), established in April 2004 through executive order of the NTGL Chairman as the main domestic policy planning agency, had yet to become involved. After the RAND report had been conducted, but before it was published, the GRC had actually taken the first step towards proper Liberian ownership by commissioning a local SSR expert to conduct an assessment of the security sector. The exercise found a conflicting legal framework dominated by the 1986 constitution, the 2003 CPA, and the 2003 UN Security Council Resolution 1509, which had enabled the continued supremacy of the president over the legislature. It analyzed the overlapping functions of every security agency and recommended the abolition of four of them which had redundant investigative and policing mandates (Government of Liberia 2006a). But by that time the RAND report had become the de facto national SSR strategy, and its main recommendations -reinvigorating the National Security Council and supplementing the police with a small quick-response unit capable of low-scale

combat- were added to the existing plans for training the police and overhauling the armed forces (Malan 2008, 25). There was a feeling at the time within the Governance Reform Commission that the American SSR team was “muscling out everybody else” (Malan 2008, 23).

When in 2007 the new President, Ellen Johnson Sirleaf, transformed the GRC into a new Governance Commission (GC) and mandated it to provide intellectual leadership for the SSR process, its consultations were criticized by the US security assistance team and by Liberian “securocrats” who felt that an open process would be too time consuming and could compromise national security (Jaye 2008, 8). According to the GC Chairman, former Interim President of Liberia Amos Sawyer, the Minister of Defense, Inspector General of Police, American SSR team, and National Security Advisor all shared a certain preference for secrecy and “opaqueness” (Malan 2008, 34). Disagreements notwithstanding, a National Security Statement was signed in February 2007 as a result of the Governance Commission-led process, calling for a “comprehensive, integrated and coordinated” SSR strategy in order to streamline and rationalize a more accountable and professional security sector (Government of Liberia 2007d). The Statement also called for a reform of the relevant national security and defense acts, as well as for the participative drafting of a National Security Strategy, which was launched soon thereafter. The new Strategy was adopted by the National Security Council in January 2008, after what one key participant describes as a “very long and very heated” process of consultations (739520 SSR expert, Monrovia 2011).

It was the impending completion of Liberia’s Poverty Reduction Strategy Paper that pushed all actors to finalize the Strategy (Government of Liberia 2008d; Jaye 2008, 8). In fact,

the Strategy did not contain a policy plan for security sector reform as such, but a historical overview of security challenges, a detailed assessment of external and internal threats, a series of overarching security objectives, and a blueprint for a more coherent national security architecture. An Implementation Matrix was appended to it in order to integrate the Strategy in the PRSP framework, but it ultimately relied on the development of individual plans for each agency. In terms of legislation, discussion began on the need to rewrite the National Defense Act (which I discuss in the next section) and to draft a comprehensive National Security and Intelligence Act which could address some of the duplication and overlap that the GRC report had found. The adoption of the PRSP also brought with it a new centralized forum for coordinating SSR efforts between donors and Liberian authorities through the regular meetings of the Liberian Reconstruction and Development Committee (LRDC), a deliberative body tasked with coordinating the national reconstruction agenda of Liberia. In addition, a new position of SSR Coordinator was created with DfID assistance inside the office of the National Security Advisor (334277 Senior SSR official, Monrovia 2011).

However, as a Liberian SSR expert told me, there simply was no synergy of effort: donors were not coordinated among themselves, and Liberians weren't either (739520 SSR expert, Monrovia 2011). All ministries and agencies were underfunded, so that agreeing on strategic priorities was nearly impossible; with every security agency focused on its own survival, "everything [was] a shopping list of priorities" (160802 Bilateral donor official, Monrovia 2011). The presence of many small donors was a blessing in disguise, as according to a bilateral SSR official the LNP "will ask money from anyone who's willing to give," but was

not capable of coordinating itself the support it was receiving. Moreover, despite informal efforts (like the inventory compiled by the Swedish mission) to develop an increasingly coordinated donor voice, it was not clear how strong the resulting message could ever be, given that the Minister of Justice and the President knew “what everyone is ready to pay and not pay” and would be ready to circumvent official fora and call directly upon the US Secretary of State or the Special Representative for the Secretary General (231865 Bilateral donor official, Monrovia 2011). There is an even more fundamental question: Did all these separate interventions succeed in promoting strong command and accountability institutions?

In terms of civilian command, the achievements were more formal than substantial. For instance, it had been envisaged in the National Security Policy Statement to conduct subsequent reforms of the National Security Strategy. However, at the time of my visit in early 2011 not only had it not been reviewed since 2008, it had not really been implemented; and it was unclear whether the young SSR Coordinator had the political gravitas necessary for influencing the National Security Advisor (739520 SSR expert, Monrovia 2011). Following the Implementation Matrix, specific agency strategies had been developed for the Liberian National Police, Bureau of Immigration and Naturalization, National Fire Service, and the corrections department; but the Drug Enforcement Agency, National Bureau of Investigation, and Ministry of National Security, all of which the Governance Commission had marked for dissolution, were held in stasis pending legislative reform through a new National Security Reform and Intelligence Act (334277 Senior SSR official, Monrovia 2011). The draft Act had been stuck in the Senate for years, facing strong resistance from the security bureaucrats whose livelihoods were threatened by it (Government of

Liberia 2011; 160802 Bilateral donor official, Monrovia 2011; 334277 Senior SSR official, Monrovia 2011). Which meant that at least the legislature was playing some role in defining security sector legislation, after being marginalized from the SSR process since the beginning (Ebo 2005; Government of Liberia 2006a; Jaye 2008). Still, according to a central SSR participant, the overlapping responsibilities between legislative committees had caused a “competition for primacy, undermining the emergence of an effective parliament”; he had found “no evidence to suggest that they have been involved in other important decision-making processes concerning the shape of Liberia’s SSR programme” (Jaye 2008, 19). As a bilateral donor official remarked, it is difficult to foster accountability when the legislature is “just a popularity contest” (160802 Bilateral donor official, Monrovia 2011). Liberia, after all, had a very presidential government -“Ellen Johnson Sirleaf with her star pupils as ministers”- which was not particularly keen on legislative reform; and such was the government that donors were forced to deal with. On top of that, donors themselves had tended to neglect oversight with their focus on technical changes and material capacity (467906 Multilateral donor official, Monrovia 2011). Accountability institutions, therefore, were also weak.

By mid-2011, eight years to the signing of the CPA, it was unclear whether the institutional reforms to the Liberian security sector would be sustainable at all. Was there true local commitment to change? Donor officials in Monrovia were generally pessimistic. “You can’t own something you can’t control, and you can’t control anything if you don’t pay for it,” a multilateral official told me. “Proper local ownership would mean no external proposals. But this is a problem when all that is requested is equipment, vehicles, or salaries, with no rationale”

(467906 Multilateral donor official, Monrovia 2011). For instance, the United States had created a Professional Standards Division within the LNP, but this had not really had an impact in actual behavior: “Because they didn’t invent it, they do not believe in it” (231865 Bilateral donor official, Monrovia 2011). Or, as a senior UNPOL officer complained, “There is an LNP Strategic Plan, but whose plan is it?” (632098 Senior UNPOL officer, Monrovia 2011) New systems had been put in place, but it all still depended too much on personalities, not on institutions (160802 Bilateral donor official, Monrovia 2011). The top eight people within the LNP were political appointees, all of them accountable to a ninth political appointee, the Minister of Justice. These individuals, more than any regulation, defined the LNP, and they were prone to challenging foreign imposition. “‘You are importing ideas,’ they will say. ‘You don’t understand our country, our culture, where we come from,’ even if some local officials are not even sure what crimes are codified under Liberian law, while foreign officials study it and refer to it constantly” (632098 Senior UNPOL officer, Monrovia 2011). A 2011 study of the LNP found an incapable police force in which “corruption and petty bribe seeking [was] still pervasive” (Search for Common Ground/SIPRI 2011). And yet according to an International Crisis Group report, the most troubling issue was the widespread suspicion in Monrovia that the upper hierarchy of the LNP was unwilling to deal with such problems, and that the higher levels of government were not inclined to demanding a change of behavior (International Crisis Group 2009, 19). As one bilateral donor official said, the only reason that the government of Liberia had great strategic plans for the AFL, LNP, etc., was because donors themselves had to have strategies. But the only way to have local officials implement these strategies was to work side by side with them, and to

have penalties for noncompliance. In the end, she believed, the limitations of the SSR process were caused as much by Liberian politics as usual as by donor acquiescence with it: “Shame on us,” she ruefully said (231865 Bilateral donor official, Monrovia 2011).

There was one aspect of security sector reform, however, which was not afflicted by the confusion of multiple donor voices. The Armed Forces of Liberia had been assigned to the United States under the CPA and the surrounding tacit agreements among international actors. Could the US achieve meaningful administrative change when free from the competing agendas and standards of other donors?

6.7 The United States, DynCorp, and the Restructuring of the Armed Forces of Liberia (2003-2011)

In 2003 the solution to the problem of what to do with the splintered and demoralized AFL once Charles Taylor was gone was anybody’s guess. After arriving in Liberia, the head of UNMIL, Special Representative for the Security General (SRSG) Jacques Paul Klein, had questioned the need to retain the AFL altogether, claiming that soldiers “only play cards and plot coups” (International Crisis Group 2004, 18). The idea of a demilitarization of Liberia, relying instead on a stronger police and a border security force, seemed attractive at the time, especially after the CPA had left the disarmed AFL and Ministry of National Defense (MoND) in the hands of Taylor’s former Defense Minister (International Crisis Group 2003a, 7). A Military Advisory Committee comprising the chiefs of staff of AFL and rebel groups LURD and MODEL, as well as representatives from Ghana, Nigeria, US, and ECOWAS, was set up with UNMIL assistance

to ponder the various alternative approaches. After reviewing the 1998 restructuring plan, it proposed in March 2004 the creation from scratch of a 6,500-strong Liberian National Defense Force (Ebo 2005, 17–18). However, the Committee was later dissolved “on the reasoning that it was an interim arrangement” (Ikpe 2007, 19), and by that time the US government was already pursuing its own approach to fulfilling its CPA commitment.

In January 2004 the US Department of State dispatched an assessment team to Liberia, which was followed in May by a joint “subject matter expert assessment” by personnel from the Department of Defense and two private security companies, DynCorp International and Pacific Architects and Engineers (PA&E). These early missions were guided by a purely technical mentality, and their plans included no mention of institutional capacity at the Ministry and AFL (McFate 2008, 652). Despite the expectations of Marine units deployed in Chad and Niger with the Pan-Sahel Initiative that they would be responsible for training the new AFL (International Crisis Group 2009, 9), the Department of Defense concluded that it did not have the capacity to carry out SSR itself. Instead, it requested bids from DynCorp and PA&E, with which it had a preexisting Indefinite Delivery/Indefinite Quantity contract for security support in Africa. A division of labor was reached: DynCorp would demobilize the Armed Forces and Liberia and the Ministry, and organize the recruitment and training of the new personnel, whereas PA&E would provide organizational and mentoring support for the new units (McFate 2008, 646). With no specific guidelines in the CPA as to “how” to restructure the AFL, the US had contracted the task out to two private firms without consultation with local stakeholders (334277 Senior SSR official, Monrovia 2011). The resulting strategy would fully demobilize and rebuild the army

from the ground up, to the dismay of some AFL members, who expressed their frustration in a letter to the Minister which decried the new plan as a violation of the Comprehensive Peace Agreement (Jaye 2008, 6).

DynCorp submitted its proposal for the initial Force Structure and Table of Organization and Equipment to the Department of State in July 2005, calling for a completely new AFL with about 2,000 troops.³⁸ How this specific number was reached was the subject of much speculation in Monrovia at the time. The official explanation was financial: 2,000 soldiers was all that the Liberian government could afford to pay. An International Crisis Group report questioned this reasoning, through, estimating that 500 regular salaries was all that the current budget would allow; it even wondered whether it was the Americans themselves who perhaps were unwilling to pay for anything beyond 2,000 troops (International Crisis Group 2006, 6). The obscurity of the whole process led to some creative speculation: “The (possibly apocryphal) story circulates in Monrovia that in 2005 U.S. Ambassador John Blaney, at lunch with the Transitional Government Chairman Gyude Bryant, came up with the number of soldiers Liberia could afford to pay regularly by making a quick calculation on a napkin” (International Crisis Group 2009, 5). In any case, there were no doubts that 2,000 was a number defined by monetary considerations and not by any kind of serious threat assessment (Ikpe 2007, 16), and it was acknowledged by the US that it would not be a large enough army in case of another rebellion (McFate 2008, 647). It is not surprising, thus, that the decision to contract DynCorp became a strong source of resentment

³⁸ The actual number was 1,928, including “a brigade headquarters company (103 personnel), two light infantry battalions (663 personnel each), an engineer company (162 personnel), a military police company (114 personnel), a training company (180 personnel), a military band (40 personnel), and three military personnel at the Ministry of Defense, which was overwhelmingly civilian in composition. Although this blueprint has changed over time, the original concept for the AFL remains consistent” (McFate 2008, 647).

among Liberian security actors, especially the legislative committees on defense and security, which felt marginalized from the process (Government of Liberia 2006a, 13). Some even argued that the use of a private company was a strategy for “plausible deniability” on the part of the US government should the process fail (DCAF 2005). More importantly, the complaint was raised that the American plan had a very narrow focus on technical military restructuring, with little attention to civilian management (Ebo 2005, 53). This was cause for concern in a country where the Ministry of National Defense had historically enjoyed little authority and the armed forces had been controlled by the president without any legislative check (Gompert et al. 2007, 47).

According to Sean McFate, who was Program Manager for DynCorp and led the restructuring program in Liberia, the reform of the AFL consisted of five phases: political consultation with key stakeholders, safe demobilization of the legacy force, recruiting and vetting, equipping and training, and finally fielding of the new force. Virtually every element of this program was “*sui generis*,” as there were “no textbooks on comprehensive SSR” (McFate 2008, 647–648). Although DynCorp’s contract had been awarded by the Department of State in the summer of 2004, it was not officially initiated and funded until May 2005, when NTGL Chairman Bryant approved, after months of consultations, the demobilization plan. Between July and January a total of 13,770 legacy soldiers were discharged with severance packages ranging from \$285 to \$4,300 (Malan 2008, 29). In October 2005 a two-year recruitment and vetting process began that processed more than 12,000 applications for the new AFL, while on the civilian side restructuring of the Ministry of National Defense began in April 2006 with the retirement of some 400 civilian personnel. A month later the new Defense Minister, Brownie

Samukai, flew to the US in order to participate in the joint drafting of a National Defense Strategy for Liberia, the adoption of which was later hindered by the ongoing political wrangling around the National Security Strategy. The first class of AFL recruits graduated in November of that year, and in March 2007 they were followed by 119 civilian MoND personnel who had undergone a 17-week training course (McFate 2008, 649–650).

The US SSR Program was funding every aspect of the restructuring, except for salaries themselves, which were covered by the government of Liberia. But the restructuring was not “a US closed shop,” as the Governance Reform Commission had criticized: there was a Defense Support Group for Liberia composed of donors contributing equipment or training to the AFL, such as the United Kingdom, Ghana, Nigeria, China, or Sierra Leone (433809 Senior MoD civilian officials, Monrovia 2011). Still, as the main donor the United States had a defining impact on the restructuring of the AFL, and when its funding fell short, as it often did, it slowed down DynCorp’s program and thereby the whole process of reform. These kinds of delay only increased the overall costs of the SSR effort, as DynCorp operated under a “cost plus overhead” basis that charged the US government for the every hour its employees (82 expatriates and 239 Liberians in late 2007) were deployed on the ground, even if they were sitting idle (Malan 2008, 42; McFate 2008, 651).³⁹ Funding shortages had a clear impact on training, too, like in the case of the elimination of the human rights, humanitarian law, and civics modules after DynCorp was forced to shorten the basic training period for recruits (McFate 2008, 653).

Oversight remained a problem throughout the whole process. The US military official monitoring DynCorp’s contract, a seaman with no experience in military restructuring or contract

³⁹ In the first half of 2007 the combined costs of DynCorp and PA&E totaled \$18 million (Malan 2008, 42).

oversight, was forced to rely on the private company for virtually every policy decision, even when these were suppose to emanate from the US government. The American Embassy staff -overstretched and overburdened as it was- often relied for its coordination with local stakeholders on DynCorp, which itself had no vote in the consultation process but wielded de facto agenda-setting power. McFate actually saw more benefits than drawbacks in this informal arrangement, as a “dispassionate” actor like DynCorp was able to promote ideas and attain consensus without falling hostage to political imperatives in Monrovia or Washington (McFate 2008, 651–652). This optimistic assessment was not shared by some of his Liberian interlocutors. For the Governance Commission Chairman, the prospect of an apolitical, short-term commitment from the United States was a cause for concern, given the role that the US-trained AFL had played in Liberia’s recent history. According to him, “The image of DynCorp creating an armed elite [was] disconcerting to many Liberians” (Malan 2008, 46). The main problem was that, from the very beginning, the American involvement had tended to neglect the accountability dimension of security sector reform. For instance, the initial assessments that Pentagon officials conducted in 2004 contained no mention of the need to establish institutional capacity within the Ministry of National Defense (McFate 2008, 652). The demobilization plan itself was adopted with some support from the NTGL and the Ministry, but the process had completely sidelined the transitional legislative assembly; since the legislature was the only body with the constitutional power to disband the army, some elected officials would later argue that the dissolution had no legal basis (Ikpe 2007, 19).

When the time came to reform the legislation governing the AFL, which dated back to

1956, the United States yet again mishandled the political side of reform, both in terms of the drafting process and of the bill itself. The initial bill proposed by President Johnson Sirleaf was controversial to the point of being later withdrawn by her government. The reviewed draft was written by MoND staff and the American SSR Team, with guidance from the Minister of Defense and a counselor from the Ministry of Justice, in a closed process that was criticized from within the American team itself (Malan 2008, 82). Unsurprisingly, the revised National Defense Act of 2008 largely neglected the legislature; it focused too narrowly on the army instead of civil-military relations (739520 SSR expert, Monrovia 2011; Government of Liberia 2008a). While the Senate's consent was necessary for the Chief of Staff's appointment by the President (Section 3.2.b) and the legislature had to approve any military deployment outside Liberia (Section 3.6.a), the Act only required the President to "expeditiously" communicate to the legislature the operational deployment of the AFL inside the country (Section 3.5), and the President retained autonomous authority over the appointment of all officers over the rank of lieutenant (Section 7.10). There was a provision for legislative oversight of accountability and auditing (Section 9.7), but it somewhat cryptically called on the Legislature to "remain cognizant of the national security interest of the country." Besides occasional consent on appointments and the constitutional clause on auditing, then, the legislature was left by the Act outside of the defense planning, budgeting, and review process, relegating it to the familiar role of rubber-stamping the president's decisions. In terms of intra-organizational administrative institutions, the National Defense Act of 2008 reaffirmed the civilian control of the military (Section 3.1), and stipulated a joint military-civilian strategic planning process between the Chief of Staff and Minister of

National Defense (Section 3.2.e). Accountability requirements were reflected in specific provisions for the acquisition and accounting of equipment, property, and funds, including a mention of a “recognized and credible system of auditing and accountability for all public property” that was to be established within the Ministry (Section 9.5).

Despite the efforts of the American SSR Team, however, by mid-2011 the NDA provisions regarding the Ministry and AFL were essentially moot, due to the simple fact that the army was yet to become operational. A Nigerian still occupied the office of Chief of Staff, a lasting ramification of the decision to disband the whole officer corps and thus dispel whatever institutional memory remained in the AFL; without a link to the past, some cautioned, a future administration may very well claim that the AFL was “an Ellen Johnson-Sirleaf army” (739520 SSR expert, Monrovia 2011). The Liberian government, for its part, remained unable to assume the cost of the armed forces, and it was understood that unless the US continued to provide much-needed financial and technical support, the AFL would not be operational any time soon (334277 Senior SSR official, Monrovia 2011). At the time of my visit it was reportedly an army without weapons, as it was said that they were kept under lock at the American embassy in Monrovia (467906 Multilateral donor official, Monrovia 2011). As a result, UNMIL was still de facto Liberia’s military. DynCorp’s contract had ended in 2009, and a handful of foreign advisers had been seconded to the MoND for continued training. In 2010 the US Marine Force Africa began mentoring and advising the AFL, seven years later than expected. In a survey of Liberian perceptions of American support to SSR conducted by the US Africa Command, AFL soldiers complained that they had “not been adequately prepared to function as a competent army.” As

one private first class put it, “The Americans should not teach us things halfway” (AFRICOM 2010, 16). A prevalent fear was that if the Americans did not stay to enforce the reforms, everything would collapse. “Someone must be here to monitor our system because it is spoiled,” an AFL officer commented.

We built a system based on corruption, and it cannot change overnight. We need time to develop the rule of law, and we need a mindset change... If the system that the Americans have built is not maintained, I will retire from the army. I pray that people will help us maintain the system (AFRICOM 2010, 17).

A complaint frequently heard around Monrovia’s policy and diplomatic circles was that Liberia would have benefited greatly from the kind of strong support that the United Kingdom had been providing for neighboring Sierra Leone.

6.8 Implications

The fact that UNAMSIL withdrew in 2005, whereas by 2012 UNMIL remained fully deployed and with no solid timetable for withdrawal, is a direct consequence of the differential success of security sector reforms in Sierra Leone and Liberia during the first decade of the 21st century. It is also a powerful reminder that a donor’s best ideas by themselves are powerless to secure institutional change in a setting as adverse as a post-conflict state dominated by private norms and incentives. Ideas require enforcement, and enforcement entails a political commitment which not all donors can be relied upon to supply.

Despite its many shortcomings and continued reliance on external financial support, the Republic of Sierra Leone Armed Forces and Sierra Leone Police had become under British

guidance moderately effective security organizations, able to coordinate under a functioning national security architecture, subordinated to civilian command, and increasingly -if painstakingly- accustomed to civilian accountability. The Sierra Leone Parliament may have remained a weak link in the security sector, but still the basic administrative institutions of a modern security sector were taking root in Sierra Leone a decade after collapse. A major factor behind these transformations had been a long-term commitment by a leading donor willing to adopt a whole-of-government approach -however imperfect- in search of institutional reform. And while Britain had fallen short of enforcing conditionality out of a fear of destabilization, its continued presence on the ground and attention to administrative institutions was responsible for a fledgling system of civilian command and, to a lesser extent, accountability.

Across the border, meanwhile, Liberia's donors had sought in superficial and flawed coordination attempts what the patent lack of local ownership could not generate by itself: a coherent strategy of reform. The unwillingness by both the United States and the United Nations mission to exercise political leadership of the process enabled local private institutions to subsist underneath a plethora of ad hoc, window-dressing institutional changes, leaving the security sector open to control by a network of affiliates of the President who continued to sideline an ineffective legislature. Instead of "boots of the ground" the US had relied on private contractors, as if the challenges before the Armed Forces of Liberia after five decades of mismanagement and corruption were simply technical. It took seven years since the end of the conflict for the Pentagon to begin to assume direct responsibility over what had historically been a willing American client state. As a result civilian command in Liberia was best defined, instead, as

presidential command, whereas civilian accountability had yet to make the leap from the pages of a forgotten National Security Strategy and a couple of flawed legislative acts into the political reality of a corrupt and opaque security sector.

These case narratives generate three clear and straightforward policy implications. First, given the political nature of security sector reform and the likelihood that security forces and agencies will be captured by private institutions in situations of state collapse, donors should devote greater attention to the challenge of securing compliance with institutional reforms by emphasizing administrative command and accountability mechanisms. Second, given a situation of donor proliferation in security sector reform efforts, attaining effective coordination without “donor shopping” and free-riding may be simply too difficult. Instead, and assuming shared interests, donors may be better off by fully delegating SSR program assistance and enforcement to a leading donor able and willing to engage with the recipient government in what is, at heart, a fundamentally political dialogue. And third, the restructuring of entire security organizations according to modern administrative principles is better carried out by public actors whose own personal and professional approaches have been shaped by those same institutions. The delegation of certain SSR tasks to private contractors of the sort that the United States hired in Liberia can only aspire to promote technical alterations over political transformation, and institutional design over administrative change. Privatized state-building assistance might turn out to be as good as no state-building assistance.

7. Analytical Principles for State-Building Assistance

It is the tragedy of modern post-conflict Africa that compared to the wasteful decades since independence the tragic days of foreign domination can come to be seen as a desirable alternative. This is not an uncommon sentiment in Sierra Leone, where the old still remember a time when streetlights were lit all night, buses ran on time, and schools and hospitals basically functioned. In what is perhaps the most extreme instance of “grass-is-greener” bias, my usual Freetown driver once said to me that he wished that “white people” (by which he meant the British) would once again take over his country. However outrageous such an idea might be in Western academic circles, and however troubling it actually is from an ethical standpoint, he was just tired of corrupt politicians incapable of delivering safety, certainty, and welfare for him and his family. How can a foreign state-builder reply to this unexpected plea in light of the obvious political causes of persistent underdevelopment?

The quick answer is that it is not that easy to make things better when they have gotten so bad. Even “white people” have spent most of their history killing and stealing from each other. “The history of the modern state,” wrote Robert Jackson, “is in no small part a history of rulers who are illegitimate, governments that are disorganized or incompetent, and subjects who are indifferent, isolated, alienated, cowed, or in rebellion” (R. H. Jackson 1990, 21–22). Beyond the

commonly held image of an anarchic and brutish cauldron in which warring states eventually congealed and moved on to absorb other political units, the lesson to take from Jackson is that early modern and modern Western history (and for that purpose, history since the first states were created in Antiquity) is basically a long sequence of failed and collapsed states: in the *longue durée* failure may not be the exception but the norm. That being said, in this concluding chapter I argue that the reasonable expectation of failure should not deter from supporting state-building efforts in post-conflict environments around the world. Although most recent policy discourse has tended to alternate between the extreme prescriptions of complete immersion and complete abandonment, the fact is that there is a middle way, an aid-based approach, which can contribute to the reconstruction of failed and collapsed states. However, some of the principles espoused by current aid doctrine may hinder more than help the pursuit of this challenging task, and some of them need to be rethought analytically in order to ensure that state-building assistance can lay down the foundations of sustainable institutional change.

7.1 Charting the Middle Ground between Abandonment and Occupation

Many states around the world are barely worthy of that definition: their effective reach rarely goes beyond the capital, and they often have to rely on the perpetuation of private institutions and patrimonial deals in order to maintain a semblance of authority. However, these same states are granted full diplomatic rights, seats in every international organization, and formal sovereign control over people and resources. They are artifacts of the politically

convenient but analytically misleading identification between empirical and juridical statehood. According to Robert Jackson and Carl Rosberg, the empirical state consists of “a centralized government with the capacity to exercise control over a state’s territory and the people residing in it,” by which they mean “the ability to pronounce, implement, and enforce commands, laws, policies, and regulations”; the juridical state, in contrast, is a legal construct, “both a creature and a component of the international society of states, and its properties can only be defined in international terms” (R. H. Jackson and Rosberg 1982, 6, 12). Jackson and Rosberg argued that juridical statehood, as upheld particularly by the Organization for African Unity, was responsible for the persistence of weak empirical states in Africa, what Jackson would later call “quasi-states,” in which the “juridical cart” was placed before the “empirical horse” (R. H. Jackson 1990, 23). The history of a shared interest in immunizing African political units in fact can be traced all the way back to the era of colonization (Herbst 2000). In effect this artificial protection from external pressures meant that African states were rarely subject to any external incentives to develop their empirical statehood. Hence the endemic weakness and eventual collapse of a number of states. Given this historical pattern, one may wonder whether donors and other foreign actors can do anything to alter this pattern. More importantly: Should they?

“The question is no longer whether to bring the state back in,” wrote Afghanistan state-builders Ashraf Ghani and Clare Lockhart, “but how to do so” (Ghani and Lockhart 2008, 28). The issue of different modalities of intervention seems indeed to be a central issue of contention among practitioners and analysts, even if the spectrum of the how belongs to the even broader spectrum of the whether. On the one end, there are those who think that state-building is an

eminently internal process, for whom intervention serves above all to perpetuate the dysfunctional features of the collapsed state. On the other end, some scholars question the viability of collapsed states as political units in the first place, and advocate for the revision of their sovereign privileges coupled with an intrusive involvement by external actors. Finally, somewhere in the middle we find the approach embodying the bulk of actual state-building initiatives by the international community, in which foreign aid serves as the main channel between external and internal factors. These ideal types are important insofar as the different assumptions about state formation that they embody lead to conflicting diagnoses and prescriptions for reconstruction.

Let Them Fail!

The persistence of weak states due to the sovereign immunity accorded to them by the international community has led some scholars to formulate a radical notion. I call this approach “Let Them Fail.” From this perspective the problem is not so much one of how to build effective states from the ones we have, but how to let new ones rise from the ashes of the old ones. “By enforcing juridical statehood,” wrote Jackson and Rosberg, “international society is in some cases also sustaining and perpetuating incompetent and corrupt governments” (R. H. Jackson and Rosberg 1982, 22). Under the guise of neutrality, “international recognition may no longer serve as a protective umbrella for weak regimes, but may become a potential stumbling block to fresh starts and rejuvenation by insisting on holding on to old territorial boundaries and political entities” (Doornbos 2003, 57). But what would an alternative policy actually look like? Jeffrey Herbst has two prescriptions for dealing with the empirical-juridical mismatch. The first one is to

“decertify” old states: “to formally recognize that some states are simply not exercising physical control over parts of their country and should no longer be considered sovereign” (Herbst 2000, 264, 2004, 312). The second is to allow the formation of new states, “provid[ing] international recognition to the governmental units that are actually providing order to their citizens as opposed to relying on the fictions of the past” (Herbst 2000, 268, 2004, 314). In essence, Herbst and others are arguing against an international legal order which has artificially frozen the process of state formation, hindering any further attempts at the development of feasible political units.

Donors’ fixation with transplanting external institutional models onto recognized borders, according to this strand of thought, is part of a larger “outsider bias” which “tends to neglect local agency and indigenous capacities for institution building” (Englebert and Tull 2008, 134–135). The autonomous Somali regions of Somaliland and Puntland, or Uganda after Yoweri Museveni’s takeover, are some of the cases invoked by scholars arguing for unhindered internal state-building (Englebert and Tull 2008; Ottaway 2003; Weinstein 2005). The problem is that there are few “blueprints” for this approach, due to the fact that “military men and politicians more prone to act than to write, and scholars have devoted little attention to the issue” (Ottaway 2003, 256). However, there are at least some theoretical foundations within the “Let Them Fail!” approach on which to erect a model of internal state-building. Building on the work of Jackson and Rosberg, Herbst, and especially Charles Tilly, Jeremy Weinstein argues for “autonomous recovery”: “a process through which countries achieve a lasting peace, a systematic reduction in violence, and postwar political and economic development in the absence of international

intervention” (Weinstein 2005, 9). State reconstruction, from this perspective, is an eminently internal process that develops domestic sources of legitimacy and capacity. An eminently violent one, too, insofar as “force is what made state reconstruction from the inside possible” in such cases as Uganda, Eritrea, or Ethiopia (Ottaway 2003, 257). In a way, this internal process can only be assisted from the outside when it is already in motion, but not artificially manufactured. To do so would just perpetuate the dynamics of failure that brought about collapse in the first place.

The problem with this approach is that the international community may not be ready to tolerate decades of chaos and killing before strongmen decide to become state-builders. Moreover, it is not entirely clear, as I argue in chapter 2, that the material and ideational incentives of state failure and collapse can by themselves evolve into administrative state-building. For all intended purposes we could say that Charles Taylor won his war for Liberia in 1997, and yet such victory did not translate into a consolidation of state authority and legitimacy. If anything, it further eroded them, sparking a renewed insurgency against the official victor of the first civil war. Therefore, letting them fight seems to be a genuinely interesting and provocative prescription when uttered within the comfortable halls of academia, but not so much outside of it.

Let's Build Them!

The disjunction between empirical and juridical statehood has also inspired a radically different agenda to state-building policy. Scholars within this approach demonstrate a concern for the repercussions of collapsed states in international security, and maintain that they can only be

truly reconstructed from the outside, even if that requires temporarily stripping them of their “sacred” juridical statehood. “Left to their own devices, collapsed and badly governed states will not fix themselves because they have limited administrative capacity, not least with regard to maintaining internal security” (Krasner 2004, 86). Beginning from the seemingly evident assumption that a collapsed state cannot rebuild itself, Stephen Krasner advocates intervention as a means towards “shared sovereignty,” which involves “the engagement of external actors in some of the domestic authority structures of the target state for an indefinite period of time.” These partnerships can only be effective by instituting “self-enforcing equilibria involving either domestic players alone or some combination of domestic and international actors. Political elites in the target state would have to believe that they would be worse off if the shared sovereignty arrangement were violated” (Krasner 2004, 108). A similar approach is proposed by James Fearon and David Laitin, whose prescription for overcoming the vicious circle of collapse is formulated in much less politically correct terms than Krasner’s: “neotrusteeship” or “postmodern imperialism,” which is similar to classical imperialism in that it would entail “a remarkable degree of control over domestic political authority and basic economic functions,” but different from it in that domination would be exercised by “a complex hodgepodge of foreign powers, international and nongovernmental organizations (NGOs), and domestic institutions” (Fearon and Laitin 2004, 4). Thus for Fearon and Laitin as for Krasner, the way to deal with the negative incentives of collapse is to -forcibly- impose a new set of incentives such that it will be in the interest of local actors to build an effective state.

Simon Chesterman studies precisely that kind of intrusive intervention, as exemplified by

episodes of “transitional administration” by the United Nations in Kosovo or East Timor (Chesterman 2004). By definition, this mission type is geared towards “state-building,” that is, towards “constructing or reconstructing institutions of governance capable of providing citizens with physical and economic security,” an umbrella objective encompassing “electoral assistance, human rights and rule of law technical assistance, security sector reform, and certain forms of development assistance” (Chesterman 2004, 5). The core issue at stake is whether the UN -or any external actor, for that matter- can actually build the institutions of an effective state, and what it takes to do so. But there is a further practical and ethical dilemma inherent to transitional foreign administration: “Is it possible to establish the conditions for legitimate and sustainable national governance through a period of benevolent foreign autocracy?” Chesterman believes that there is a fundamental flaw in transitional administration—the fact that its highly idealistic ends can only be achieved through profoundly anti-idealistic means. This creates a paradoxical combination: on the one hand, “the idealist project that a people can be saved from themselves through education, economic incentives, and the space to develop mature political institutions”; on the other hand, “the realist basis for that project in what is ultimately military occupation” (Chesterman 2004, 1). At the end of the day, the outcome of idealism guiding action is the same outsider bias that Englebert and Tull, Ottaway, and others speak of. “Political structures created for foreign control (benevolent or not) tend to be unsuited to local rule. The reason for this, in part, is that the ‘limited goals’ of foreign control (benevolent or not) are generally determined with limited regard to local circumstances” (Chesterman 2004, 237).

Let's Assist Them!

In this dissertation I have explored the use of foreign aid as an inducement for state-building in contexts of prevalent informal institutions like patrimonial administration, abuse of public office for private gain, and military autonomy from civilian control. The central analytical approach to each of these areas of reforms has been that of incentives. This is not a new idea, and in fact it represents the middle ground between the extremes of abandonment and occupation which some theorists and commentators remain fixated on. The same middle ground that the transnational aid community has been working on for a while. “Ultimately, change comes when the incentives to throw out the old policies and old institutional arrangements become stronger than the incentives to keep them” (World Bank 1997, 13). This does not mean that incentives can alter institutional paths overnight. But the use of aid as an inducement can plant the seeds for behavioral adaptation and the eventual emergence of new norms, new habits, and new cultures, which are the true buttresses of state strength. In designing programs of state-building assistance in weak or collapsed states, donors should be mindful of one key analytical challenge: how to create longer time horizons for local public actors.

Robert Jackson characterizes state-building as a process “occurring over a long period of time” (R. H. Jackson 1990, 10). A “well-functioning state is difficult to construct,” concurs Dietrich Rueschemeyer, because of the fact that modern administration depends on “complex social norms and values that involve much more than the specific legal regulations of a bureaucracy.” State-building, therefore, is not just about putting the right institutions in place, but about a “restructuring of the actors’ interests” (Rueschemeyer 2005, 146–147). This is intrinsically a slow process, which can only gain momentum “once the major underlying factors

of an old order have vanished or been severely weakened, while those supportive of new developments have come to predominate” (Rueschemeyer 2005, 156). Historical precedent casts a long shadow that we forget at our own peril, like many seem to have done at the dawn of the post-colonial era: “In retrospect, the vision that the new states were to build legitimate nations, provide wealth, and guarantee security within the span of a few decades of achieving formal independence was, to be kind, somewhat naïve” (Milliken and Krause 2003, 10). A commitment to promoting institutional change from the outside entails altering the expectations of those choosing to enforce or ignore administrative institutions, which is not a transformation that can be achieved within a year or two. “A more capable state can be built,” the World Development Report 1997 reads, “but the process will be slow and will require immense political commitment” (World Bank 1997, 13). In light of the experience of state-building assistance in Liberia and Sierra Leone, however, it is worth asking whether current development doctrine allows for this sort of “political commitment.”

7.2 The Political Paradoxes of Current Aid Doctrine

Aid actors are acutely aware of the challenges of state-building and have been working for some time now on strategies guiding how best to promote it from the outside. The World Development Report 1997, titled “The State in a Changing World,” represented a crucial turning point in development thinking, a true achievement in the struggle by policy-makers and analysts to “bring the state back in.” It highlighted the need to “raise state capability by reinvigorating public institutions,” which entailed “designing effective rules and restraints, to check arbitrary

state actions and combat entrenched corruption,” and ultimately “providing incentives for public officials to perform better while keeping arbitrary action in check” (World Bank 1997, 3, 7). Counting Douglass North among the “distinguished experts” who assisted the drafting team, the report drew from the same institutionalist assumptions and models that I have in this dissertation. However, the drafters were far more skeptic about the ability of foreign assistance to promote reform. International agencies could indeed “encourage and help sustain reform” by supplying technical advice and expertise, by providing financial assistance to ameliorate the pains of adjustment, and by providing leaders of recalcitrant societies a mechanism for external commitment. None of these forms of assistance would be any good, however, given the prevailing lesson from the history of foreign aid, which teaches us that “external support can achieve little where the domestic will to reform is lacking” (World Bank 1997, 14–15).

Later strategic formulations have sought to problematize the issue of political will. Expanding on the 1997 World Development Report, a World Bank strategy on public sector reform acknowledged that “To be effective, we need to work with our partners to understand and address the broad range of incentives and pressures – both inside and outside of government – that affect public sector performance” (World Bank 2000, para. 11). A policy guideline on state-building developed a decade later by the OECD illustrates the degree of sophistication that development actors have reached in their policy analysis. It begins with premises not dissimilar from the ones in this dissertation: state-building “needs to be understood in the context of state-society relations” insofar as it “is a deeply political process” (OECD 2011c, 11). Despite the continuous improvement of the concepts and prescriptions guiding institutional assistance,

however, donors are still handicapped by their own aid doctrine, which forces them to somehow promote state-building by working through failed state organizations.

Donors Will Always Have Paris

The most prominent set of strategic principles guiding current aid policy is without a doubt the Paris Declaration on Aid Effectiveness (OECD 2005). Born out of a concern with aid effectiveness, the Paris Declaration was an laudable effort to define guidelines for the improved design, implementation, monitoring, and evaluation of official development assistance. It was organized around five principles (see box 7.1 below). The first one, ownership, translates into an exercise of “leadership” by the aid recipient (“partner country”) on the formulation of development strategies and programs as well as on aid coordination at all levels. The second one, alignment, calls on aid providers to base their strategies and programs on the ones developed by the recipient, and to use recipient country systems for such tasks as public finance management, accounting and auditing, procurement, or monitoring. The third principle, harmonization, invokes “common arrangements at country level” for every stage of the aid process, from planning through disbursement and all the way to evaluating and reporting, emphasizing the need for improved complementarity of donor efforts. The fourth one, managing for results, suggests a better use of measurable indicators for results-oriented evaluation and performance management by both aid recipients and providers. The final principle, mutual accountability, calls on recipients to increase the oversight role of parliament and participatory schemes, and on donors to supply their partners with more transparent and timely information on their aid flows; through these policies mutual accountability is supposed to strengthen the predictability and accuracy of

the recipient’s budget process as well as to increase the popular legitimacy of aid programs.

Box 7.1: Current Aid and State-Building Doctrine	
<p><i>Paris Declaration on Aid Effectiveness</i> (OECD 2005)</p> <p>(1) Ownership: Partner countries exercise effective leadership over their development policies and strategies, and coordinate development actions.</p> <p>(2) Alignment: Donors base their overall support on partner countries’ national development strategies, institutions, and procedures.</p> <p>(3) Harmonization: Donors’ actions are more harmonized, transparent, and collectively effective.</p> <p>(4) Managing for Results: Managing resources and improving decision-making for results.</p> <p>(5) Mutual Accountability: Donors and partners are accountable for development results.</p>	<p><i>Principles for Good International Engagement in Fragile States and Situations</i> (OECD 2007)</p> <p>(1) Take context as the starting point.</p> <p>(2) Do no harm.</p> <p>(3) Focus on state-building as the central objective</p> <p>(4) Prioritize prevention.</p> <p>(5) Recognize the links between political, security, and development objectives.</p> <p>(6) Promote non-discrimination as a basis for inclusive and stable societies.</p> <p>(7) Align with local priorities in different ways in different contexts.</p> <p>(8) Agree on practical coordination mechanisms between international actors.</p> <p>(9) Act fast... but stay engaged long enough to give success a chance.</p> <p>(10) Avoid pockets of exclusion.</p>

The moment one looks at the Paris Declaration as a set of institutional templates instead of policy aspirations, it becomes evident how much of it relies on the problematic assumption of identity of interests between donor and recipient, as is generally the case in modern aid discourse (Englebert and Tull 2008). In fact, the principles map rather clearly onto the strategic dilemmas of state-building assistance that I outlined in chapter 2. Harmonization will only be realized if the problem of donor collective action (the second dilemma) is somehow solved. Alignment, management for results, and mutual accountability, are all dimensions of the principal-agent relationship governing foreign aid (the first dilemma), and as such they are all subject to the incentive-compatibility constraint of dissimilar principal and agent utilities. Finally, ownership is bound to be shaped by the interaction between public and private institutions in the everyday dynamics of local state-building (the conceptual premise). The Paris Declaration assumes that the

problem of aid effectiveness is one of transaction costs, which can be reduced to a marginal level through the development of a shared normative commitment to its principles. The problem with this agenda for action is that it actually embodies a destination more than a journey. And the countries that need foreign aid the most, which usually have the weakest states, are the furthest from said destination, and consequently face a much more difficult journey. This brings to the fore the practical and ethical problems of alignment, conditionality, and ownership in contexts of acute institutional subversion.

The Paradox of Alignment and Institutional Weakness

Under the Paris Declaration donors are supposed to disburse their aid through the very country systems that are most prone to capture or subversion by patrimonial elites: budgeting, procurement, accounting, and auditing. That is, foreign aid is to be channeled through weak administrative mechanisms which in the process of channeling it will somehow become more capable, mainly due to the use of “diagnostic reviews,” “performance assessment frameworks,” and “an associated set of reform measures” (OECD 2005, para. 18). In all fairness, the Declaration suggests that state-building is a core component of alignment. But in this process donors are told to play a “supporting role” to the leadership of the recipient government, and to measure such leadership by a set of mutually agreed standards guiding the design, implementation, and monitoring of reforms. The principle of alignment, in practical terms, subsumes aid effectiveness under the politics of ownership.

What about those recipients whose country systems are simply too weak to channel aid effectively? In general terms, Paris permits donors to “establish additional safeguards and

measures” for such cases, but only “in ways that strengthen rather than undermine country systems and procedures” (OECD 2005, para. 21). More specifically, the Declaration includes a set of prescriptions for aid towards fragile states, where state-building becomes the paramount task in “environments of weak ownership and capacity.” However, the actual prescriptions for donors in such cases are simply heightened versions of the overarching principles for aid effectiveness. On the one hand, harmonization is imbued with an added sense of urgency “in the absence of strong government leadership.” On the other hand, alignment has to be pursued “to the maximum extent possible,” avoiding the kinds of “activities that undermine national institution building” such as bypassing country systems (OECD 2005, para. 39).

The Paris Declaration’s consideration of recipients with weak institutions was expanded through the OECD Principles for Good International Engagement in Fragile States and Situations (OECD 2007). In many ways the Principles represent the best practices and lessons of decades of state-building interventions, and they generate politically nuanced and analytically sound prescriptions. For instance, the first principle asks donors to “Take context as the starting point,” which involves recognizing “the different constraints of capacity, political will and legitimacy” (OECD 2007, para. 1). And the Principles do emphasize the need for longer aid engagement in weak states “given low capacity and the extent of the challenges,” envisioning that the development of “core institutions” will take “at least ten years” (OECD 2007, para. 9). But above all the Principles outline a bare-bones strategy for state-building assistance, and in that respect they simply restate some of the ideas enunciated in Paris: coordination and alignment. Regarding the latter, whenever political will or state structures are just too weak the Principles suggests that

donors stay away from it and instead “consult with a range of national stakeholders in the partner country, and seek opportunities for partial alignment at the sectoral or regional level” (OECD 2007, para. 7). This is what has been later called “shadow alignment” (OECD 2011c, 82). In any event, the foundational prescription against confrontation is pervasive across the Principles, and is in fact explicitly stated at the very beginning of the document: “A durable exit from poverty and insecurity for the world’s most fragile states will need to be driven by their own leadership and people” (OECD 2007, preamble).

Ultimately, the Paris Declaration and the Principles expect donors to perform a delicate balancing act: building local institutions and organizations by using them as long as they “provide assurance that aid will be used for agreed purposes” (OECD 2005, para. 17). But what happens when such assurances are not feasible? What should donors do when local leaders are manifestly stalling or sabotaging the reform of country systems? Should they simply ignore state organizations and focus instead on regional and non-state actors, as the Principles say?

The Paradox of Ownership and State Failure

The Paris Declaration did not really condemn aid conditionality, but it did subsume it under the principle of alignment of donor strategies and programs with recipient ones. The text of the Declaration calls on donors to “Draw conditions, whenever possible, from a partner’s national development strategy or its annual review of progress in implementing this strategy.” Likewise, it suggests that aid actors “Link funding to a single framework of conditions and/or a manageable set of indicators derived from the national development strategy.” The following sentence in the Declaration was surely aimed at appeasing some of the more idiosyncratic

donors, as it told them that “This does not mean that all donors have identical conditions, but that each donor’s conditions should be derived from a common streamlined framework aimed at achieving lasting results.” Finally, Paris allowed for exceptional circumstances in which conditions not included in the recipient’s strategies and programs could be legitimate, but only “when a sound justification exists and would be undertaken transparently and in close consultation with other donors and stake holders” (OECD 2005, para. 16). In other words, conditionality under the Paris terms is for the most part a mechanism for foreign aid donors to hold a recipient accountable to whatever reforms and policies it has “owned.”

Ownership is as popular a buzzword as it is a difficult idea to observe and measure, much less implement in practice (Chesterman 2007). The entire post-Paris zeitgeist of the aid community has turned ownership into the keystone of “good” international assistance, including support for state-building. The 2000 World Bank strategy on public sector reform, for instance, began with the basic premise that “Reform will proceed only when a country’s leaders are committed and in the driver’s seat” (World Bank 2000, 11). And yet when the seemingly commonsensical aspiration is picked apart into its conceptual components, it becomes evident that by itself it is less of a miracle cure and more of a recipe for disaster. After all, “The effectiveness of governance assistance will always be limited,” as Stephen Krasner writes. “Some leaders will find the exploitation of their own population more advantageous than the introduction of reforms” (Krasner 2004, 98). This is just a restatement of the lesson that “conventional technical assistance is rarely effective in settings where even minimal rules and restraints on arbitrary action are lacking” (World Bank 1997, 158–159). So what does ownership

really mean as a guiding principle when recipient elites have no incentive to promote change?

First of all, we need to distinguish ownership of aims from ownership of means. Everyone but the most obtuse actors in a failed or collapsed state would happily agree to the idea of a German-like state providing bountiful services efficiently, effectively, and in an accountable manner. Not everyone, however, would agree to cease collecting the rents of public office while everyone else seems to keep doing so. As chapter 2 has argued and chapters 4 through 6 have illustrated, being a reformer in a weak state is a sorry proposition, the source of ideational isolation and material vulnerability. Aims are not the problem in state-building; means are. Thus a government can display 100% ownership of long-term strategy without really sharing the same desire for the short-term sacrifices inherent to the pursuit of said strategy. That is why a Poverty Reduction Strategy Paper is an unreliable guide to a recipient government's ownership of reform. Besides the fact that it is often written with the assistance of foreign experts, it merely reflects local endorsement of a series of strategic aims, which are nothing without the assumption of the costly means that they require.

We can further disaggregate ownership of means into design and enforcement. Like all institutions, those that enable state-building have to be devised before they are actually implemented. And even a government unwilling to sacrifice patrimonial recruitment may agree in principle to the idea of a rationalized human resource policy. It may even go so far as to enact such policy as law. And still that does not guarantee that it will actually be ready to incur the political costs of enforcing the kind of administrative changes which threaten entire clientelistic networks. It would be political suicide. And so in post-conflict Sierra Leone and Liberia one

finds multiple instances in which legislation is adopted with standards that even OECD countries would envy, only to remain unenforced and unenforceable, mere paper testimonials to the willingness of an aid-starved government to agree on a certain institutional design, but with no true concern for the challenges of enforcing it.

An aid-based approach to state-building has to begin with the recognition that ownership will almost always be contested. As I have repeated time and again throughout this dissertation, state-building is a political process, and as such it demands political approaches and strategies. Securing ownership of aims should not be too hard. Even ownership of design will be feasible, considering the reliance of weak governments on foreign templates and expertise for legal and administrative reform. However, donors should prepare for contested ownership of enforcement, and formulate their interventions accordingly. In other words, prepare for a fight.

7.3 Analytical Prescriptions for State-Building Assistance

In the chapters above I have shown the political struggles for state-building between local actors in donors in post-conflict Sierra Leone and Liberia. The entire analytical framework for studying these narratives of continuity and change is built atop a very simple but powerful notion: the self-restraining state. Understood as a set of organizations tasked with enforcing rules on citizens but also on themselves, the state becomes an arena for the competition between the public institutions of administrative control and the private institutions of capture and subversion. The balance of power between these two sets of institutions at any given point configures the macro-structure of incentives within which local public actors operate, and which

they themselves help sustain with everyday decisions to uphold or violate the administrative rules of public office. This is the core of state-building as an institutional process, as it has been throughout history. Everything else is auxiliary. A benign international system may allow a state to survive without an army. A plentiful source of natural wealth may release it from the need to extract taxes from its population. And the vagaries of cultural and political history may endow it with as many or as few regulatory functions as its citizens or leaders feel necessary. But no matter what a modern state ultimately does, it is supposed to do it in accordance with the law. Everything else, as Weber put it, is dilettantism.

Box 7.2: Analytical Prescriptions for State-Building Assistance

- (1) Focus on administrative organizations as state-building multipliers
- (2) Promote administrative enforcement before regulatory reform
- (3) Commit to longer and open-ended programs of assistance
- (4) Design an incremental and flexible schedule of priorities and disbursements
- (5) Attach clear, credible, and substantial aid conditionality to disbursement phases
- (6) Share monitoring and evaluation information with citizens
- (7) Pursue donor harmonization before engagement with the recipient government
- (8) Disburse funds through a donor leader capable of political confrontation

Met with a situation of self-enforcing state failure or collapse, external actors face an almost endless list of reforms which their foreign assistance could target. But if they are interested in any outcome which relies on the honesty and professionalism of public actors, then administrative change becomes an evident priority. It can be matched with palliative assistance of the kind that ensures hospitals, schools, and even the security forces are up and running from the beginning. But the seeds of sustainable public good provision can only be planted via state-building, which entails ensuring the enforcement of administrative institutions. And this requires

us to begin thinking about the analytical prescriptions which should guide an aid program of this particular nature. I outline below eight such prescriptions, derived from each of the strategic dilemmas that articulate the theoretical framework of the dissertation: the conflict between public and private institutions (prescriptions 1 and 2), the agency relationship between recipient and donor (prescriptions 3, 4, 5, and 6), and the collective action problem between multiple donors (prescriptions 7 and 8). Some of these ideas I have already touched upon in discussing the implications of the empirical cases, but I reformulate them here as general principles.

(1) Focus on administrative organizations as state-building multipliers

The first evident prescription of state-building assistance is focusing on those organizations whose job it is to make sure that public officials comply with administrative rules and regulations. These are the public bodies tasked with overseeing, auditing, and sanctioning. Often these organizations will be small and have their jurisdiction circumscribed to a single ministry or department. The internal audit unit at the Sierra Leonean Ministry of Defense is a great example. It only began to conduct audits in 2008, and its reports did not come close to international standards until 2010, eleven years after the security sector reform program was launched by the United Kingdom. If the unit had been a priority already in 1999 or 2000, in a few years there could have been an established internal mechanism for performance assessment within the Ministry, providing DfID and the government with a steady flow of information on the pace of reform. Had comprehensive reports been produced at that early stage, they would have served as the basis for a different dynamic between DfID, IMATT, the Ministry, and the RSLAF, built atop tangible problem analysis and observable benchmarks. At the level of sectoral

administrative organizations this potential was realized, albeit with varying success, with the Anti-Corruption Commission in Sierra Leone and the General Auditing Commission in Liberia. By producing highly detailed information on the misuse and abuse of public office, these two organizations generated public outcry at the illicit behavior of senior politicians and civil servants, and provided donors with reliable indicators of compliance and noncompliance with their conditions and recommendations. There is an even higher administrative organization which was neglected to a large extent both in Liberia and Sierra Leone, however: the legislature. The prioritization by democracy-promotion programs of constituency service, then lawmaking, and only then oversight resulted in legislative committees unable or unwilling to exercise their administrative duties. As a result, the executive was virtually unchecked in both countries during the first decade after the end of war.

It is crucial to realize the full potential of administrative organizations as state-building multipliers. It follows from the concept of the state that I have used throughout this dissertation that the true measure of statehood or state strength is not the number of areas of social life that public actors regulate, but whether they comply with administrative law and norms. In a context of private subversion of public institutions, an enlargement of the state's regulation of society will not lead to greater institutional effectiveness, but to broader incentives for private capture. If, on the other hand, administrative organizations are strengthened to the point of effectively monitoring and sanctioning the compliance of public actors with the law, then state strength increases across the board, insofar as all public actors under scrutiny, no matter what function they perform, will have a greater incentive to behave according to the template of professional

bureaucracy, to uphold the key principles of formalism, impersonality, and documentation in the discharge of their obligations as public officials.

(2) Promote administrative enforcement before regulatory reform

The second prescription follows logically from the first one: focus on enforcing whatever rules there are before introducing new ones. The fundamental problem of failed states is not that they do too little, but that they do too little according to the law. There is an understandable urge to promote new legislation and regulations for public organizations which do not work properly. And in some instances of glaring legal lacunae, improved rules are in fact very much needed. But this should not distract state-builders from the more fundamental problem of administrative noncompliance. Consider the “dark ages” of the Sierra Leone Anti-Corruption Commission under Henry Joko-Smart in 2005-2007: the same law was in force as when Valentine Collier was promoting the prosecution of sitting ministers, and yet the ACC had come to a virtual halt in its administrative actions. Or consider the organizational blueprint that the first British MODAT team imported for the Sierra Leonean Ministry of Defense, which utterly failed to reformulate civil-military relations or to ensure mutual accountability between different units and departments. At the most basic level, the legislatures of both countries rarely fulfilled their constitutional mandates to control the executive’s behavior.

The Weberian state is an agnostic concept when it comes to the specifics of regulative and even administrative orders: the only necessary condition is that both are upheld by public actors, whether out of instrumental rationality, value rationality, or mere habit. Western state-builders, in contrast, are enamored of “best practices” and other ideal-typical institutional

templates which are seldom based on any actual public organization on Earth, but are more often amalgams of abstract rules and blueprints. It is tempting to conclude that the major obstacle to state-building in places like Liberia and Sierra Leone is the lack of proper institutions. This approach stems from an intrinsically optimistic view of people, which assumes that “bad” public officials are the result of “bad” public institutions and organizations. In this dissertation I have shown that the truth is often more complicated than that: “bad” public officials are the result of private institutions overpowering public ones. And those private institutions are unlikely to vanish solely by adopting new public laws and regulations. A failed state with few and outdated laws is therefore likely to remain failed no matter how many up-to-date bills are formally signed into law. Institutional design can never be a reliable indicator of state-building success; institutional enforcement can be.

(3) Commit to longer and open-ended programs of assistance

Institutional transformations affecting the political economy of the state can only be sustainable when they alter the structure of incentives faced by public officials, and as such they are likely to take a long time. Usually, however, donors are either politically unwilling or legally unable to devise projects and programs projecting further than three to five years into the future. This was one of the several Achilles’ heels of GEMAP in Liberia: designed by mandate to last 36 months (even if it was latter expanded to four years), the agreement could not have possibly been construed as a signal that its changes would be permanent. It was evident to all corrupt public officials at the time that they would simply have to “wait it out” and appear to comply with foreign controllers and conditions for a few years. Three or five years are nothing compared to

four or five decades of state capture and failure. In contrast, the ten-year Memorandum of Understanding which Secretary for International Development Clare Short signed with President Kabbah sent a much clearer signal of British commitment to institutional change in Sierra Leone. Even if the conditionality built into it was never fully utilized, the agreement generated a widespread popular and elite expectation that the United Kingdom would be a central player in Sierra Leonean reconstruction. In this particular regard the Paris Declaration and the Principles for Engagement in Fragile States are absolutely right.

State failure and collapse generate considerable insecurity and uncertainty, and as such they drastically shorten the time horizons of local elites. When tomorrow can bring renewed violence or political upheavals, it is imperative to make the most of today. And the choice between the diffuse and delayed benefits of public goods and the concrete and immediate rents of private capture is not really a choice. It is only when the possibility of misuse or abuse is curtailed, and when it will be so in the foreseeable future, that public goods become more attractive. Absent radical transformations coming from within the local political economy, it is up to donors to lengthen the time horizons of public actors by throwing the wrench of foreign aid into the gears of the structure of incentives for state capture. The shadow of the future has to loom large over the present in state-building, imbuing every administrative reform with the specter of permanence and even inevitability. This can only be ensured by providing long-term external support to the lonely and besieged local reformers who would otherwise fail to promote the public rationality of uncertain administrative enforcement.

(4) Design an incremental and flexible schedule of priorities and disbursements

A long-term aid commitment has to be articulated through small, observable interventions that allow for a sustained political dialogue. This is nothing new, as most donors attach detailed logframes and implementation schedules to their projects. The difference is that narrow reform benchmarks need to be more incremental, and broad program triggers more flexible, than they both usually are. One of the failures of the 2002 United Kingdom-Sierra Leone MoU was its coarseness. For instance, the government was required to develop and publish within a certain time frame a defense white paper, or a national anti-corruption strategy. But these two program objectives were neither reliable indicators of reform enforcement at such an early phase, nor justified benchmarks for the suspension of British assistance, insofar as their development could be afflicted by a bevy of technical complications and delays. Now consider this hypothetical program of escalated reform: first, professional auditors are recruited; second, the auditors request information from ministries and agencies; third, ministries and agencies comply with the request; fourth, auditing reports are produced; fifth, the reports are submitted to the legislature for consideration; sixth, the legislature forwards recommendations; seventh, ministries and agencies apply the recommendations; eighth, auditors request information on compliance with recommendations; ninth, compliance reports are produced; tenth, the legislature responds to compliance reports. Every one of the ten steps of this series is likely to require foreign assistance for its implementation, but each of them also entails a conflict between private and public institutions, and thus an observable political choice. By fusing the two together, an aid program can be designed which retains an open-ended commitment while disbursing according to

concrete achievements.

Post-conflict state-building assistance needs to start reasonably small and be reasonably nimble. While commitment has to project far into the mists of the future, disbursements have to deal concretely with the fog of the present. Incremental program design would rely on gradually more significant reforms and indicators, while allowing for delays in their attainment and implementation. In that way delayed or imperfect compliance with the terms of assistance need not lead to a withdrawal or suspension of the donor program, which would negate my third prescription concerning long-term commitments. By focusing on observable political choices as disbursement benchmarks, which serve as screening devices for compliant and noncompliant public officials, such a program would reduce the uncertainty of imperfect information inherent to state-building. An incremental approach would also allow for the establishment and consolidation early on of organizational and personal relationships between donors and individual public officials and departments with core administrative responsibilities.

(5) Attach clear, credible, and substantial aid conditionality to disbursement phases

Conditionality is intrinsic to an incremental and flexible approach to state-building assistance. But I am thinking here of conditionality which is clearly delineated, highly credible, and substantial enough to have an impact in the survival of public organizations and officials. Most aid conditionality for institutional reform, in contrast, usually falls short on all three counts. Of all the case narratives included in this dissertation, assistance to civil service reform in both countries proceeded without any predetermined conditions, as did support to security sector and

anti-corruption reform in Liberia. In Sierra Leone the MoU did attach some benchmarks to the latter areas of reform, but these were generally ignored by civil servants involved in their attainment, and time after time London made the political choice not to suspend the £5 million yearly tranche of conditional assistance. The only case of effective conditionality that I have analyzed is the freeze of budget support by the UK and the European Commission to the government of Sierra Leone in early 2007, following the failure to disclose audit reports on the use of foreign aid. However, this was at the time an unpredictable choice subject to the politics and personalities of the time. In any event, the structure of conditionality established by Britain in its long-term agreement with the government sent at best a mixed signal: even if the Kabbah administration defaulted on its commitments all the time, it would still receive £35 million a year in unconditional assistance. In contrast, following the model of open-ended commitment with incremental and discrete benchmarks outlined above, conditional disbursements would be ubiquitous and -at least until mid-way through the program- potentially more substantial than the already disbursed aid.

This approach would directly contradict the Paris call for more predictable aid, and it could indeed have deleterious consequences for budgeting and planning, but above all it has the potential to generate a powerful incentive for incremental reform, and so to act as a counterweight to private institutions of official abuse and capture. This approach to conditional aid disbursement would also strengthen the incentive-shattering potential of an open-ended commitment, as noncompliance with even the most minor administrative reforms would freeze the continued access to a significant source of present and prospective aid inflows. Current

doctrine does not allow for this type of assistance, insofar as it considers that stagnation is partially caused by the vices and externalities of aid dependence, which the Paris Declaration seeks to correct. However, aid dependence can instead be seen as leverage in the challenging political task of supporting administrative state-building: without aid to the public sector, it is local elites who really suffer. For donors who are reluctant to suspend assistance targeting basic public services, conditionality can simply entail a shift in aid modalities and recipients, away from the state and toward decentralized non-state providers, who can continue tending to the population with foreign resources while political leaders and their clients are starved of budgetary support. Incremental conditionality would drastically change the dynamic of assisted state-building. Perhaps it would not do away altogether with the “ritual dances of reform,” but it would certainly change the tune.

(6) Share monitoring and evaluation information with citizens

One of the remarkable yet often overlooked features of weak states -post-conflict or otherwise- is the acute scarcity of information on government performance. With only fledgling or highly partisan newspapers with small circulation, a state-owned TV channel or two, and many small and politicized radio stations, rumor and prejudice roam free. For the most part citizens lack any objective assessments of what politicians do and say, as even the most capable public organizations rarely have the human and technical capacity to produce and print reports or newsletters, much less maintain working websites. Into this information-starved social context enter donors, who not only release much information of their own, but can also assist administrative organizations in sharing their findings with the public. This dynamic is evident in

the cases of anti-corruption reform in Sierra Leone and Liberia, where zealous public officials like Valentine Collier and John Morlu managed to generate public outcry towards their respective governments by fearlessly (or tactlessly, depending on whom one speaks to) disseminating information collected by their organizations. Donors themselves can very easily use information to generate political pressure, as did the biting review of support for the ACC in 2007 when it somehow made it to an internet forum in Sierra Leone and subsequently to the press. Without Collier, and without the DfID report, it is unlikely that Sierra Leoneans would have had any reliable information on which to substantiate their suspicions of corruption in the Kabbah administration, and consequently there would not have been enough public outrage for Ernest Bai Koroma to seize -and to commit himself to- as a presidential candidate.

State-building donors should be constantly aware of their leverage on a recalcitrant government due to this informational asymmetry. Public institutional change is a political process which for the most part takes place behind closed doors inside official buildings. Even in advanced industrialized democracies citizens are seldom aware of every bit of regulation or legislation which their representatives enact and their civil servants are supposed to uphold. But everyone understands corruption. In a political struggle of the scale of post-conflict state-building, donors should not be afraid to turn state capture against itself by disseminating reports of dishonest behavior and noncompliance with administrative principles. That way even if external actors do not have the necessary political weight to impose their conditionality on reluctant elites, they can give citizens the chance to hold their public officials to account. For state-building assistance, information is power.

(7) Pursue donor harmonization before engagement with the recipient government

In this dissertation I have repeatedly invoked the analytical expectation that the promotion of administrative enforcement is likely to be more effective under a leading donor than under a donor coordination mechanism. All the case narratives that I have presented confirm this expectation empirically. The presence of a main foreign interlocutor is not a sufficient condition for effective reform, but it does seem to be necessary. When they relied on coordinated donor support, both Sierra Leonean and Liberian civil service reforms were easily stalled and subverted at the hand of powerful private incentives. Security sector reform under multiple donors in Liberia, likewise, was an unmitigated disaster. And even GEMAP, that much-touted triumph of donor coordination, failed once it became evident that it was nothing of the kind, but instead a disjointed collection of vaguely aligned programs. That said, there was real genius in the way GEMAP was born. Before they even engaged the transitional government, the European Commission, United States, and international financial institutions met separately and agreed on the terms of the potential program. When they finally took the idea to the government and other donors, they were able to present a united front against Chairman Bryant's attempts to turn them on each other. It was this combined action, this combined pressure, which ultimately cajoled a transitional government of warlords and thieves into signing one of the most intrusive aid interventions ever.

The Paris Declaration is entirely correct in its demand of greater harmonization between donors, but only as long as it takes place before alignment with the recipient government. Local elites in aid-dependent states are perfectly aware of the idiosyncratic features that pull donors

apart, and have adroitly exploited such fault lines for decades in their attempt to exact greater aid commitments without complying with politically suicidal conditions. An effective program of coordinated state-building assistance, therefore, cannot be designed without a prior political strategy. And success depends on all or most donors agreeing on a common strategy before they negotiate it with the government. The only way to preempt the collective action problem inherent in multiple-donor support for state-building is to reach a consensus before any aid is committed. Donor harmonization is not a technical prescription for aid effectiveness, but a political strategy for effective aid conditionality. Coordination between major external actors has to be resolved before the government comes to the negotiating table, not afterward.

(8) Disburse funds through a donor leader capable of political confrontation

Finally, harmonization of donor strategies is useless without the effective disbursement of foreign aid along the lines of incremental administrative conditionality outlined above. This requires a donor leader able and willing to establish a persistent and honest political dialogue with local elites about compliance and noncompliance. The United Kingdom played such a role -after a fashion- in anti-corruption reform in Sierra Leone, but it was not capable of doing so in civil service reform due to the presence of other donors, and it was not ready to do so in security sector reform due to the imperative of ensuring sustainable peace. In Liberia, the United States failed to act as a leader entirely, circumscribing its assistance to discrete and largely apolitical programs which were unlikely to give rise to political confrontations. Even the deployment of USAID financial controllers in state-owned enterprises under the terms of GEMAP was

understood as a peculiar form of technical assistance, and expatriate controllers who made political waves were simply moved or replaced. One lesson emerges clearly from all the cases: not all donors are created equal, and while bilateral donors may not always be willing to act politically, multilateral donors are almost surely unable to do so.

Endangered patrimonial elites are quick to accuse politically engaged donors of neocolonialism or Western imperialism. It is logical that they do so: their political and economic sustenance depends on a certain perception of privatized reciprocity and fair redistribution of the spoils of state capture. But patrimonial elites should not be the true local stakeholders of foreign assistance. Citizens should. And citizens in weak states crave public goods of the sorts that can only be provided effectively by public organizations functioning in accordance with administrative institutions. When local incentives prevent the enforcement of such rules and regulations, it is up to donors to make sure that they use aid as a clear political inducement against state capture by unfettered public officials. Given the strategic dilemmas introduced in chapter 2 and illustrated in chapters 4 through 6, it is only natural to prescribe a donor leader and not donor coordination as the best possible agent for such political confrontation.

7.4 Conclusion

Most of the prescriptions in this chapter fly directly in the face of current development discourse: they are impolitic, adversarial, distrusting, political. But taken as a whole they are also the logical implication of six detailed narratives of post-conflict state-building assistance and of a solid analytical framework based on fundamental social scientific ideas. In many ways this

dissertation could be characterized as a theory of failure. From that perspective one could further claim that among my cases there is only a single instance of successful state-building assistance in these pages, the one targeting the Sierra Leone Anti-Corruption Commission. But it is by explaining the logic behind failed interventions that we can begin to imagine alternative uses of foreign aid as an catalyst for institutional change. Therefore I consider all six cases to be positive ones in a purposeful sense: they all illustrate the strategic logic inherent to state-building assistance, the powerful underlying incentives which can undermine even the best laid plans. It is not gratuitously that I have chosen the term “tension” to describe the kind of confrontational dynamic which that “success story” embodies: effective state-building assistance in weak states is bound to be a source of enormous political tension. But “tension” is far more desirable than “concession,” and it would appear to me that it is certainly better than “subversion” and “diversion.”

Armed solely with two simple strategic dilemmas and one conceptual premise, I have attempted to chart the anatomy of state-building assistance: the complex set of interactions and processes linking administrative organizations and aid donors in a dynamic of institutional continuity and change. In so doing my aim has to reclaim the conceptual relevance of bureaucratic politics for the political economy of development, but also to provide the analytical foundations for a revitalized and more hopeful praxis of state-building assistance: better concepts for better policy. Aid is not dead; it is merely broken, shackled by the very principles and ideals that sought to liberate it from unrelenting criticism and endless self-examination. Simply put, foreign aid has become too timid for its own good. And if this dissertation proves anything, it is

that the agents of state weakness and failure are extremely adept at defeating timid opponents. Donors have to realize that fulfilling their aid promises necessitates coming to terms with their own politics; they have to recognize that the future of external support for institutional change lies not in caution but in boldness. All I have provided here are some analytical foundations for such boldness. It is up to them to turn them into effective state-building assistance.

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