

# STATE-BUILDING & INTERNATIONAL ADMINISTRATION

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## *Aims & Objectives*

Is it possible to establish the conditions for legitimate and sustainable national governance through a period of benevolent foreign autocracy? This seminar explores the emergence of international administration of territory from colonial administration and military occupation to more recent efforts to govern post-conflict territories. This new governance practice makes it important to analyse and refine the rules and institutions that channel and constrain the exercise of such powers, and to strengthen the remedies available when it is abused.

Students will develop a critical understanding of modern notions of sovereignty, the nature of modern states, and the possibilities and limitations of external efforts to resolve internal problems. Through emphasizing primary materials, students will also develop the ability to analyse different forms of public documents, ranging from legal reasoning (judgments), political compromises (treaties and resolutions), policy positions (statements), and advocacy (non-governmental organization papers).

State-building through external intervention will be the primary empirical focus, though the seminar will also consider less coercive and extensive engagement in national governance structures through humanitarian relief, development assistance, and electoral supervision.

Key themes to be explored are the sources and content of norms governing activity in this area, the forms of accountability for the actors concerned, and the costs, benefits, and practicality of possible reforms.

## *Prerequisites*

This is a demanding course that requires extensive preparation before class. Above and beyond reading the assigned materials, this means spending time reflecting on their content and preparing responses to the various questions that have been provided. Note in particular the required reading for the first class.

## ***Assessment***

Assessment will be on the basis of a class presentation and a 6,000 word research paper on a topic approved by the instructor.

### **Class presentation**

The class presentation should be a very brief overview of the material assigned for the class and a first attempt to address the questions posed in the reading guide. This is intended to open up discussion. You may distribute printed material but PowerPoint is not to be used. The entire presentation (including all speakers in the case of joint presentations) should last between 15-30 minutes.

### **Research paper**

Approval of paper topics will be on the basis of a title and one paragraph outline emailed to [chesterman@nyu.edu](mailto:chesterman@nyu.edu). This should explain the question you intend to answer or the argument you will make, rather than simply denoting a broad area you will survey. The topic must be approved before the mid-semester recess (18 September 2009).

The model for a good paper is a good journal article. Rather than simply surveying a topic, journal articles – if they are to be worth publishing – have a point to make, an argument to assert, a reason why they should be read. Some of the very best papers submitted for this course have subsequently been published. For information on the publication process, see the link available from [www.SimonChesterman.com](http://www.SimonChesterman.com)

You don't have to produce a publishable paper in order to pass or do well. More basic information on writing law essays is available in Simon Chesterman and Clare Rhoden, *Studying Law at University* (2nd edn; Sydney: Allen & Unwin, 2005), ch 8. This is available in the library and excerpted in the IVLE workbin.

Papers are to be submitted by email to [chesterman@nyu.edu](mailto:chesterman@nyu.edu) on the last day of formal instruction (13 November 2009).

Footnotes are not counted in the word limit but should include citations only (rather than additional text). Ten percent either side of the word limit is acceptable (i.e. your paper should be 5,400 words to 6,600 words). Anything outside that range may be penalized. All papers will be checked for originality using the [www.Turnitin.com](http://www.Turnitin.com) service.

## ***Text & References***

State-Building & Int'l Administration - Materials distributed electronically through IVLE.

**Human Security News (HS News)** - sign-up to this free newsletter at [http://www.hsrgroup.org/index.php?option=com\\_newsletter](http://www.hsrgroup.org/index.php?option=com_newsletter).

(Supplementary material) Simon Chesterman, *You, The People: The United Nations, Transitional Administration, and State-Building* (Oxford: Oxford University Press, 2004). Available in the library and through [Oxford Scholarship Online](#).

*Outline of classes*

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## Part I: Introduction

### 1. CAN INTERNATIONAL ORGANIZATIONS BUILD STATES?

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*Introductions. Background to the course. Underlying questions.*

*Is it possible to establish the foundation for sustainable national governance through external intervention? What does this assume about the nature of the state? What international and domestic legal and political constraints are there on interventions by international organizations? What norms govern such actions by external actors and to whom are they accountable? What does work in this area tell us about the nature and adequacy of the law applicable to UN operations? What should be different?*

- 1.1. Boutros-Ghali, Boutros, Supplement to An Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations, UN Doc A/50/60-S/1995/1 (3 January 1995).....2
- 1.2. OECD Development Assistance Committee, Shaping the 21st Century: The Contribution of Development Co-operation (Paris: OECD, May 1996) .....4
- 1.3. Report of the Panel on United Nations Peace Operations (Brahimi Report), UN Doc A/55/305-S/2000/809 (21 August 2000) .....24
- 1.4. Gusmão, Jose 'Kay Rala Xanana', 'New Year's Message: The Right to Live in Peace and Harmony' (Dili, East Timor, 31 December 2000).....26

## Part II: Norms

### 2. LAW OF MILITARY OCCUPATION & REGIME CHANGE

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*International humanitarian law provides a legal basis for an occupying power to exercise temporary authority over territory that comes under its control. What rights and obligations go with this authority? What norms govern the aftermath of an intervention? Is military occupation, as provided for in the Hague Regulations and the Fourth Geneva Convention, consistent with "regime change"?*

Primary materials:

- 2.1. Convention (IV) Respecting the Laws and Customs of War on Land and Its Annex: Regulations Concerning the Laws and Customs of War on Land (1907 Hague Regulations), done at The Hague, 18 October 1907, 36 Stat 2277, 1 Bevans 631 .....33
- 2.2. Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), done at Geneva, 12 August 1949 .....40

|      |  |     |
|------|--|-----|
| 2.3. | UN Security Council resolution 1483 (2003).....  | 72  |
| 2.4. | Legal Consequences of the Construction of a Wall in the Occupied<br>Palestinian Territory (Advisory Opinion) (International Court of<br>Justice, 9 July 2004)..... | 77  |
| 2.5. | Beit Sourik v. Israel (Israeli High Court, 30 June 2004) HCJ 2056/04.....  | 133 |

Further reading:

Benvenisti, Eyal, *The International Law of Occupation* (Princeton, NJ: Princeton University Press, 1993).

Nabulsi, Karma, *Traditions of War: Occupation, Resistance and the Law* (Oxford: Oxford University Press, 1999).

Scheffer, David J., "Beyond Occupation Law" (2003) 97 *American Journal of International Law* 842.

Chesterman, Simon, "Occupation as Liberation: International Humanitarian Law and Regime Change" (2004) 18(3) *Ethics & International Affairs* 61.

[Bhuta, Nehal, "The Antinomies of Transformative Occupation" \(2005\) 16 \*European Journal of International Law\* 721.](#)

## VIDEO SCREENING: "THE BATTLE OF ALGIERS"

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*In the 1960s, Gillo Pontecorvo's classic film of urban terrorist insurgency was studied by the campus left for its lessons in revolutionary-cell organization and was obligatory viewing for Black Panthers. In August 2003, a special screening was organized in the Pentagon, with the following included in an internal flier about the movie: "How to win a battle against terrorism and lose the war of ideas. ... Children shoot soldiers at point blank range. Women plant bombs in cafes. Soon the entire Arab population builds to a mad fervor. Sound familiar? The French have a plan. It succeeds tactically, but fails strategically." Is this the lesson of "The Battle of Algiers"?*

[This will be screened out of class hours]

## 3. COLONIALISM, TRUSTEESHIP, & DECOLONIZATION

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*What obligations were assumed by mandatories and the administering powers of trust territories? What powers did the organs of the League of Nations and the United Nations have to supervise the exercise of these obligations? What was the difference between a non-self-governing territory and a trust territory? What is the content of the right to self-determination?*

Primary materials:

|      |  |     |
|------|--|-----|
| 3.1. | President Wilson's Fourteen Points.....  | 172 |
| 3.2. | Covenant of the League of Nations, art 22.....   | 176 |
| 3.3. | United Nations Charter, chh XI-XIII.....   | 177 |
| 3.4. | Declaration on the Granting of Independence to Colonial<br>Countries and Peoples, GA Res 1514 (XV) (1960)..... | 181 |

|       |  |     |
|-------|--|-----|
| 3.5.  | Principles Which Should Guide Members in Determining Whether or not an Obligation Exists to Transmit the Information Called for Under Article 73e of the Charter, GA Res 1541 (XV) (1960)..... | 183 |
| 3.6.  | Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, GA Res 2625 (XXV) (1970)..... | 186 |
| 3.7.  | Trusteeship Council Resolution 2199 (LXI), UN Doc T/RES/2199 (25 May 1994) .....   | 190 |
| 3.8.  | Letter Dated 17 October 1994 from the Permanent Representative of the United States of America to the United Nations Addressed to the Secretary-General, UN Doc T/1985 (21 October 1994) ..... | 192 |
| 3.9.  | UN Security Council resolution 956 (1994).....   | 193 |
| 3.10. | Report of the Secretary-General on the Work of the Organization, UN Doc A/49/1 (2 September 1994), paras 43-46 .....   | 195 |

Further reading:

*International Status of South-West Africa (Advisory Opinion)* [1950] ICJ Rep 128.

*Case Concerning East Timor (Portugal v Australia)* [1995] ICJ Rep 90.

Lugard, F.D., *The Dual Mandate in British Tropical Africa*, 3rd edn (Edinburgh and London: W. Blackwood & Sons, 1926).

Wright, Quincy, *Mandates Under the League of Nations* (Chicago: University of Chicago Press, 1930).

Murray, James N., Jr, *The United Nations Trusteeship System* (Urbana, IL: University of Illinois Press, 1957).

Benton, Lauren, *Law and Colonial Cultures: Legal Regimes in World History, 1400-1900* (Cambridge: Cambridge University Press, 2002).

Chesterman, *You, The People*, ch 1.

#### 4. A RESPONSIBILITY TO PROTECT?

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*When a country is unable or unwilling to protect its own population, is there a right to assist that population? Is there an obligation? Who is trying to make new international law in this area? Why? Is it a good idea? What changes in the notion of “responsibility to protect” in the various documents? (Look in particular at the threshold for action and the institutional role of the UN Security Council.)*

Primary materials:

|      |   |     |
|------|---|-----|
| 4.1. | International Commission on Intervention and State Sovereignty, The Responsibility to Protect (Ottawa: International Development Research Centre, December 2001), Synopsis and chapters 1-2 ..... | 196 |
| 4.2. | A More Secure World: Our Shared Responsibility (Report of the High-Level Panel on Threats, Challenges, and Change), UN Doc A/59/565 (1 December 2004) .....                                       | 213 |
| 4.3. | In Larger Freedom: Towards Development, Security, and Human Rights for All, UN Doc A/59/2005 (21 March 2005).....   | 221 |

- 4.4. World Summit Outcome Document (Follow-up to the Outcome of the Millennium Summit), UN Doc A/60/L.1 (20 September 2005), paras 138-140 .....223

Further reading:

Chesterman, Simon, *Just War or Just Peace? Humanitarian Intervention and International Law* (Oxford: Oxford University Press, 2001).

Holzgrefe, J.L. and Robert O. Keohane (eds), *Humanitarian Intervention: Ethical, Legal and Political Dilemmas* (Cambridge: Cambridge University Press, 2003).

## 5. IMMUNITIES & RESPONSIBILITY OF INTERNATIONAL ORGANIZATIONS

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*To whom are UN officials accountable for their conduct? What mechanisms are available to challenge the abuse of power by UN staff? What more should be done?*

Primary materials:

- 5.1. Convention on the Privileges and Immunities of the United Nations, 13 February 1946.....224
- 5.2. International Law Commission, Draft Articles on Responsibility of International Organizations .....229
- 5.3. The Management of the United Nations Oil-for-Food Programme: Volume 1 - The Report of the Committee (New York: Independent Inquiry into the Oil-for-Food Programme, 7 September 2005), Preface (pages 1-5).....262
- 5.4. We Are United Nations Peacekeepers (UN DPKO Training Unit, undated), available at [http://ww.un.org/Depts/dpko/training/tes\\_publications/books/peacekeeping\\_training/pocket\\_cards/un\\_in.pdf](http://ww.un.org/Depts/dpko/training/tes_publications/books/peacekeeping_training/pocket_cards/un_in.pdf) .....268
- 5.5. A Comprehensive Strategy to Eliminate Future Sexual Exploitation and Abuse in United Nations Peacekeeping Operations (Report of Prince Zeid to the Secretary-General), UN Doc A/59/710, 24 March 2005.....272

Further reading:

Wellens, Karel, *Remedies Against International Organisations* (Cambridge: Cambridge University Press, 2002).

## Part III: Assistance

### 6. REFUGEES & INTERNALLY-DISPLACED PERSONS

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*What are the operational obligations of international organizations in relation to refugees and other displaced persons? Are they sufficiently accountable? What rights does a refugee have? Which, if any, of the following persons are refugees under the 1951 Convention: (a) someone crossing a border to flee a war; (b) someone crossing a border to flee famine; (c) someone who has not crossed a border; (d) someone on the high seas?*

*How should displaced populations be managed when they settle in an area for months or years? Do human rights norms bind the United Nations or its agencies?*

Primary materials:

- 6.1. Convention Relating to the Status of Refugees, 28 July 1951 .....313
- 6.2. UNHCR, *Lessons Learned from the Rwanda and Burundi Emergencies* (1 December 1996) .....369
- 6.3. Fitzpatrick, Daniel, *Land Policy in Post-Conflict Circumstances: Some Lessons from East Timor* (Geneva: Evaluation and Policy Analysis Unit, United Nations High Commissioner for Refugees, Working Paper No. 58, February 2002) .....402

Further reading:

Goodwin-Gill, Guy, *The Refugee in International Law*, 2nd edn (Oxford: Clarendon Press, 1996)

Wilde, Ralph, "Quis Custodiet Ipsos Custodes? Why and How UNCHR Governance of 'Development' Refugee Camps Should be Subject to International Human Rights Law" (1998) 1 *Yale Human Rights & Development Law Journal* 107.

Newman, Edward and Joanne van Selm (eds), *Refugees and Forced Displacement: International Security, Human Vulnerability, and the State* (Tokyo: United Nations University Press, 2003).

Ogata, Sadako N., *The Turbulent Decade: Confronting the Refugee Crises of the 1990s* (New York: W.W. Norton, 2005).

Pallis, Mark, *The Operation of UNHCR's Accountability Mechanisms*, IILJ Working Paper 2005/12, available at <http://www.iilj.org/papers>.

### 7. RELIEF & NON-GOVERNMENTAL ORGANIZATIONS

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*What norms govern the behaviour of NGOs? To whom are they accountable?*

*What governance responsibilities (if any) are assumed when an external actor undertakes to provide humanitarian relief to a population? What accountability structures (if any) are available to an aggrieved national in the event of negligence or abuse? How can the perverse effects of a sudden inflow of foreign money be minimized? Do current approaches properly include women?*

Primary materials:



|      |   |     |
|------|---|-----|
| 7.1. | Code of Conduct for The International Red Cross and Red Crescent Movement and NGOs in Disaster Relief .....   | 430 |
| 7.2. | Humanitarian Accountability Partnership – HAP 2007 Standard in Humanitarian Accountability and Quality Management.....  | 434 |
| 7.3. | The Accountability and Governance of NGOs in the 21st Century (Global Compact and Sustainability, 2003), available at <a href="http://www.unglobalcompact.org/irj/servlet/prt/portal/prtroot/com.sapportals.km.docs/ungc_html_content/NewsDocs/issues_030403.pdf">http://www.unglobalcompact.org/irj/servlet/prt/portal/prtroot/com.sapportals.km.docs/ungc_html_content/NewsDocs/issues_030403.pdf</a> ..... | 451 |
| 7.4. | UN Security Council resolution 1325 (2000).....   | 454 |
| 7.5. | Report of the Secretary-General on Women, Peace and Security, UN Doc S/2002/1154 (16 October 2002).....   | 458 |
| 7.6. | Hilary Charlesworth and Mary Wood, ““Mainstreaming Gender” in International Peace and Security: The Case of East Timor,” (2001) 26 <i>Yale Journal of International Law</i> .....   | 470 |
| 7.7. | UN Security Council resolution 1820 (2008).....   | 475 |

Further reading:

NGO Watch, available at <http://www.ngowatch.org>.

Macdonald, Terry, “Boundaries Beyond Borders: Delineating Democratic ‘Peoples’ in a Globalizing World” (2003) 10(3) *Democratization* 173.

Chesterman, *You, The People*, ch 6.

## ***Part IV: Coercion***

### **8. LAW APPLICABLE TO TROOPS PARTICIPATING IN UN PEACE OPERATIONS**

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*What norms govern the practical use of force under UN auspices? When troops enter a conflict environment, what obligation is there to protect civilians? What mechanisms should be available to hold peacekeepers or civilian police to account? What mechanisms will sending states accept?*

Primary materials:

|      |  |     |
|------|--|-----|
| 8.1. | Bivens, William J., et al., “Report of Committee on the Study of the Legal Problems of the United Nations, Should the Laws of War Apply to United Nations Enforcement Action?” (1952) 46 <i>American Society of International Law Proceedings</i> 216-220..... | 480 |
| 8.2. | Institut de Droit international, Conditions of Application of Humanitarian Rules of Armed Conflict to Hostilities in Which United Nations Forces May Be Engaged (1971 Zagreb Resolution) .....   | 485 |
| 8.3. | Secretary-General’s Bulletin: Observance by United Nations Forces of International Humanitarian Law, ST/SGB/1999/13 (1999), 38 ILM 1656.....   | 489 |

|      |  |     |
|------|--|-----|
| 8.4. | Report of the Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict, UN Doc S/2004/431 (28 May 2004).....                             | 492 |
| 8.5. | A More Secure World: Our Shared Responsibility (Report of the High-Level Panel on Threats, Challenges, and Change), UN Doc A/59/565 (1 December 2004) , paras 231-238..... | 510 |
| 8.6. | <i>Special Reference by the Morobe Provincial Executive</i> (Supreme Court of Papua New Guinea, SCR No 2 of 2004, decision of 13 May 2005) .....                           | 512 |

Further reading:

Shraga, Daphna, “UN Peacekeeping Operations: Applicability of International Humanitarian Law and Responsibility for Operations-Related Damage” (2000) 94 *American Journal of International Law* 406.

Bialke, Major Joseph P. “Dutch”, “United Nations Peace Operations: Applicable Norms and the Application of the Law of Armed Conflict” (2001) 50 *Air Force Law Review* 1.

Chesterman, *You, The People*, ch 3.

## 9. PRIVATE MILITARY COMPANIES

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*What structures of accountability govern private military companies? How effective are codes of conduct? What are the prospects for regulation through international mechanisms such as the International Convention Against the Recruitment, Use, Financing and Training of Mercenaries or the Convention for the Elimination of Mercenaries in Africa? What are the prospects for regulation through domestic legal mechanisms, such as those adopted in France, South Africa, and the United States? What are the prospects for self-regulation?*

Primary materials:

|      |   |     |
|------|---|-----|
| 9.1. | OAU Convention for the Elimination of Mercenaries in Africa, O.A.U. Doc. CM/433/Rev.L, Annex 1(1972).....   | 529 |
| 9.2. | Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Additional Protocol I), 8 June 1977 .....    | 531 |
| 9.3. | International Convention against the Recruitment, Use, Financing, and Training of Mercenaries, 4 December 1989 .....  | 532 |
| 9.4. | International Peace Operations Association Code of Conduct v.12, 2009 .....   | 537 |
| 9.5. | Republic of South Africa, Foreign Military Assistance Act 1998 .....  | 541 |
| 9.6. | Republic of South Africa, Prohibition of Mercenary Activities and Regulation of Certain Activities in Country of Armed Conflict Act 2006 .....  | 546 |
| 9.7. | Coalition Provisional Authority Memorandum Number 17, Registration Requirements for Private Security Companies (PSC), CPA/MEM/26 June 2004/17 .....                                       | 554 |
| 9.8. | Coalition Provisional Authority Order Number 17 (Revised), Status of the Coalition Provisional Authority, MNF-Iraq, Certain Missions and Personnel in Iraq, CPA/ORD/27 June 2004/17 ..... | 567 |

Further reading:

Singer, P.W., *Corporate Warriors: The Rise of the Privatized Military Industry* (Ithaca, NY: Cornell University Press, 2003).

Chesterman, Simon and Chia Lehnardt (eds), *From Mercenaries to Market: The Rise and Regulation of Private Military Companies* (Oxford: Oxford University Press, 2007).

Chesterman, Simon and Angelina Fisher (eds), *Private Security, Public Order: The Outsourcing of Public Services and Its Limits* (Oxford: Oxford University Press, 2009).

## 10. GOVERNANCE & ACCOUNTABILITY IN INTERNATIONAL ADMINISTRATION OF TERRITORY

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*Is the United Nations (or any other international actor) well-suited to governing post-conflict territory? To whom are such actors accountable?*

Primary materials:

- |  |     |
|--|-----|
| 10.1. UN Security Council resolution 1244 (1999).....  | 583 |
| 10.2. UNMIK Regulation 1999/1 (25 July 1999), On the Authority of the Interim Administration in Kosovo.....  | 591 |
| 10.3. UNMIK Regulation 1999/24 (12 December 1999), On the Law Applicable in Kosovo.....  | 594 |
| 10.4. Ombudsperson Institution in Kosovo, Special Report No 3: On the Conformity of Deprivations of Liberty Under “Executive Orders” with Recognized International Standards (29 June 2001)..... | 597 |
| 10.5. Ombudsperson Institution in Kosovo, Fifth Annual Report, 2004-2005 (11 July 2005).....   | 605 |

Further reading:

Mégret, Frédéric and Florian Hoffman, “The UN as a Human Rights Violator? Some Reflections on the United Nations Changing Human Rights Responsibilities” (2002) 25(2) *Human Rights Quarterly* 314.

Chesterman, *You, The People*, ch 4.

Mégret, Frédéric and Florian Hoffmann, “Fostering Accountability: An Ombudsman for the United Nations?” (2005) 11 *Global Governance* 43.

## *Part V: Institution-Building*

### 11. CONSTITUTIONS, ELECTIONS & EXIT STRATEGIES

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*What international standards, if any, should apply to constitutional structures put in place by external actors? How should a constitution be drafted? By whom? What role should political parties play? Is democracy a requirement? What structures will best minimize the likelihood of a return to conflict?*

*Are first elections the appropriate point for an international presence to depart? What obligations, if any, remain upon the United Nations after the conclusion of a mission?*

Primary materials:

- 11.1. No Exit Without Strategy: Security Council Decision-Making and the Closure or Transition of United Nations Peacekeeping Operations (Report of the Secretary-General), UN Doc S/2001/394 (20 April 2001) .....636
- 11.2. Kosovo, Constitutional Framework for Provisional Self-Government, UNMIK/REG/2001/9 (15 May 2001) .....649
- 11.3. Christopher J. Borgen, "Kosovo's Declaration of Independence: Self-Determination, Secession and Recognition" (2008) 12(2) *ASIL Insight*, available at <http://www.asil.org/insights/2008/02/insights080229.html> .....666
- 11.4. Constitution of the Republic of Kosovo (2008), available at <http://www.kushtetutakosoves.info> .....673

Further reading:

Linz, Juan J. and Alfred C. Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe* (Baltimore: Johns Hopkins University Press, 1996).

Horowitz, Donald L., *Ethnic Groups in Conflict*, 2nd edn (Berkeley: University of California Press, 2000).

Marks, Susan, "International Law, Democracy, and the End of History", in Gregory H. Fox and Brad R. Roth (eds), *Democratic Governance and International Law* (Cambridge: Cambridge University Press, 2000), 532.

Reilly, Benjamin, *Democracy in Divided Societies: Electoral Engineering for Conflict Management* (Cambridge: Cambridge University Press, 2001).

Wimmer, Andreas, Richard J. Goldstone, Donald L. Horowitz, Ulrike Joras, and Conrad Schetter, *Facing Ethnic Conflicts: Toward a New Realism* (New York: Rowman & Littlefield, 2004).

Chesterman, *You, The People*, ch 7.

Diamond, Larry, "Building Democracy After Conflict: Lessons from Iraq" (2005) 16(1) *Journal of Democracy* 9.

International IDEA, *Electoral System Design: the New International IDEA Handbook* (2006), available at <http://www.idea.int/publications/esd>

International IDEA, *Constitution Building Processes and Democratization* (2006), available at [http://www.idea.int/publications/cbp\\_democratization](http://www.idea.int/publications/cbp_democratization)

## 12. THE FUTURE OF STATE-BUILDING

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Materials to be provided.

## ADDITIONAL READINGS

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### Further general reading:

Sands, Philippe and Pierre Klein, *Bowett's Law of International Institutions* (London: Sweet & Maxwell, 2001).

Klabbers, Jan, *An Introduction to International Institutional Law* (Cambridge: Cambridge University Press, 2002).

Barnett, Michael and Martha Finnemore, *Rules for the World: International Organizations in Global Politics* (Ithaca, NY: Cornell University Press, 2004).

Fukuyama, Francis, *State-Building: Governance and World Order in the 21st Century* (Ithaca, NY: Cornell University Press, 2004).

Paris, Roland, *At War's End: Building Peace After Civil Conflict* (Cambridge: Cambridge University Press, 2004).

Caplan, Richard, *International Governance of War-Torn Territories: Rule and Reconstruction* (Oxford: Oxford University Press, 2005).

Chesterman, Simon, Michael Ignatieff, and Ramesh Thakur (eds), *Making States Work: State Failure and the Crisis of Governance* (Tokyo: United Nations University Press, 2005), Introduction and Conclusion, available at <http://ssrn.com/abstract=989281>.

Alvarez, José, *International Organizations as Law-makers* (Oxford: Oxford University Press, 2005).

Sarooshi, Dan, *International Organizations and their Exercise of Sovereign Powers* (Oxford: Oxford University Press, 2005)

Wilde, Ralph, *International Territorial Administration: How Trusteeship and the Civilizing Mission Never Went Away* (Oxford: Oxford University Press, 2008).

Stahn, Carsten, *The Law and Practice of International Territorial Administration: Versailles to Iraq and Beyond* (Cambridge: Cambridge University Press, 2008).

De Brabandere, Eric, *Post-conflict Administrations in International Law. International Territorial Administration, Transitional Authority and Foreign Occupation in Theory and Practice* (Leiden: Martinus Nijhoff, 2009).