THE ISSUE

- The Global Fragility Act calls upon the U.S. government to develop a strategy for addressing fragility and stabilizing violent countries. A state of fragility, or a cycle of violence, often points to deficits of legitimacy or capacity among formal security and justice institutions.

- The process of reforming the formal security sector—which may involve a focus on defense or civilian institutions, security policy, or oversight and accountability—can serve an important function in preventing violence but may also introduce destabilizing effects. Security institutions serve political ends, and reform is a political process.

- Policymakers charged with developing both global and country-specific strategies should understand the correspondence between security actors and the nature of fragility and should be thoughtful and deliberate in deciding how best to support reform. Moreover, policymakers should closely examine the compatibility of their reform agenda with other security objectives, such as counterterrorism and military interoperability.

- The U.S. government can draw upon a wealth of its own experience and expertise to apply key lessons—the importance of humility, the benefits of selectivity, and the need to support locally originated processes. The United States can also further innovate, adding emphasis to accountability, and expanding the use of “compacts” in its support relationships.

INTRODUCTION

It is hard to imagine a comprehensive accounting of state fragility or conflict that does not focus on the role of security institutions and armed actors. The origins and nature of “fragility” in any society relate directly to how that society is organized to control and limit violence through formal and informal channels and institutions, including security institutions. A diagnosis of fragility will thus likely point to the need for sector-specific (e.g., defense or civilian) or national reforms to security policy, to security governance and oversight, or to security sector management and administration. As the U.S. government formulates a new strategy for addressing fragility, it stands to reason that it should strongly consider what role it can play in support of security sector reform, both as a means and as an end.

The U.S. government has a stated set of preferences and beliefs on this topic: the state should be organized, through impartial and impersonal institutions, to provide (or enable the provision of) justice and security services, while also protecting individual human rights through meaningful constraints on the government and its agents. In principle, it is toward these ends that the United States (and other states and institutions), supports “reform” of the formal security sector in other states. The belief is that, once reformed, security and justice institutions in other states can better place durable constraints on illegitimate violence.
in their jurisdictions. As such, any country or regional strategy designed to reduce fragility should logically place security sector reform as a central priority.

However, it is also true that reducing fragility is not the only motivating factor for the U.S. government in most states characterized as “fragile.” The United States almost always has competing short-term interests that do not readily align with the prospects of institutional reform of the security sector, which are often long-term projects which face low odds. Moreover, the way the U.S. government is organized reflects this phenomenon: neither bureaucratic incentives, nor the bureaucracy itself, are naturally predisposed to prioritize the reduction of state fragility.

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The topics addressed by this body of work that are most relevant to the development of U.S. government strategies for fragile states largely fall into three broad categories:

1. **Security Sector Reform.** What purpose is served by the reform of security institutions, how does reform come about, and what characteristics do “reformed” institutions reflect?

2. **U.S. Policy.** What policies and practices should be adopted by the United States and other governments and international organizations toward the reform of security institutions in other states?

3. **Program Design and Implementation.** How should technical assistance programs be designed by external actors, including the United States, to support indigenous reform processes?

Although this brief will not attempt to cover any of these topics in depth, it may be useful to identify recurring themes and points of emphasis in order to provide more ample context for the present discussion.

**SECURITY SECTOR REFORM**

The first question that must be answered by policymakers addressing fragility is whether or not security sector reform serves the objective of preventing and limiting violence.

On this score, the record seems clear: a broad consensus now recognizes the relationship between pervasive violence and illegitimate security institutions. State security institutions are like any others in that once they are “reformed,” the societies in which they exist are likely more stable and free from wanton violence; that said, the processes of reform can themselves have either stabilizing or destabilizing effects. On the one hand, well-designed reform processes can temper conflict dynamics by providing channels of communication between security service providers and the public, enhancing inclusivity and improving responsiveness. On the other, reorienting, repurposing, and possibly right
sizing security institutions that were once designed to serve a rent-seeking elite—and transforming them into representative, accountable, impersonal, and impartial service providers—creates “winners” and “losers,” oftentimes heavily armed ones. This phenomenon is why it is so important to recognize the political character of security institutions. Meanwhile, there are few guarantees that institutions undergoing reform will be better able to ensure security, especially in the short run; and attempts to “project” a state security presence into new areas without appropriate due diligence can have disastrous consequences. Ultimately, neither of these conclusions should suffice to deter policymakers from supporting efforts to reform. After all, the redistribution of security dividends from a dominant coalition to the public is very much the point of reform.

Importantly, while reforms may introduce some risk of violence, the failure to reform can often introduce even greater risks. Moreover, short-term security solutions that capitalize on the absence of proper controls in order to subdue a specific threat very often carry their own destabilizing consequences. As such, identifying and remedying pervasive gaps in accountability, oversight, and even proper administration within the security sector serves a critical preventative function. Nonetheless, being aware of the reasonably predictable consequences of reform can lead to taking concrete actions that may improve security outcomes. Among others, these include reinforcing political resilience to security-related setbacks and disruptions, protecting those at greatest risk of harm from change, correctly sequencing reform efforts relative to other political processes, and undertaking the bargains necessary to eliminate spoilers.

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U.S. POLICY

The report card on U.S. policy toward security sector reform in other states is mixed, in large part because U.S. policy and practice have been uneven. Examples of successful interventions led or supported by the United States that led to meaningful reforms do exist, such as the oft-cited case of defense sector reform in Liberia. And to its credit, certain characteristics of the U.S. government’s contemporary security assistance and cooperation programs comport nicely with the objectives of security sector reform, even when reform is not the principal objective. The State and Defense Departments both limit eligibility for most forms of support to units and individuals with no recorded history of human rights violations. The U.S. military tradition sets a strong (if imperfect) example of democratic control and civilian oversight, and it nominally emphasizes the value of these controls through its partnerships and programs. The training provided by Defense and State Departments aligns with international norms and standards. The State Department and the U.S. Agency for International Development (USAID) also promote inclusive processes through support for civil society’s role in public policy matters—including, at times, those related to justice and security. Finally, the State and Defense Departments both provide technical assistance in certain areas of security governance and military justice.
Meanwhile, the most common critiques of U.S. policy that should be carefully considered fall into one of four general categories:

1. The United States prioritizes its relationships with, but not the legitimacy of, security institutions in the conduct of its foreign and national security policy;
2. The United States does not pay sufficient attention to second-order effects and unintended consequences when providing technical, operational, and material support to partner security forces;
3. The United States understates the political role served by security institutions and engages on overly technical and transactional terms;
4. The United States overstates its technical ability to transform security institutions but understates the totality of its political influence in promoting positive (or negative) change.

At a more fundamental level, the more that abuse and impunity are allowed to fester within U.S. security institutions domestically, the more doubt that is cast on the appropriateness of “exporting” the U.S. model abroad.

**PROGRAM DESIGN AND IMPLEMENTATION**

Like any other form of development intervention, programs in the security sector can “work.” The effectiveness of external interventions depends on how realistic and well-defined the objectives of a program are, how well the program is designed (including pre-programmatic assessments and sustainment), the degree to which the targeted stakeholders demand and “own” the intended outcomes of the processes supported by the intervention. The principal authorities on best practices for external support to security sector reform (including the Organization for Economic Cooperation and Development [OECD], DCAF – Geneva Center for Security Sector Governance, and others) tend to focus on similar themes and principles, including:

- Timing an intervention at the right moment;
- Adopting realistic goals and timelines;
- Customizing and designing programs based on local needs and perspectives;
- Investing in locally originated initiatives and processes;
- Supporting local and international civil society;
- Adopting both “ground-up” and “top-down” approaches;
- Considering the entire security sector as an “ecosystem”;
- Ensuring that programs are adaptable;
- Blending programs that support long-term reforms with those that support short-term service delivery;
- Ensuring processes are inclusive;
- Coordinating among all external actors and donors.\(^{12}\)
Fortunately, the U.S. government has no shortage of expertise on effective program design. The 2020 interagency Guidelines for Effective Justice and Security Sector Assistance in Conflict-Affected Areas clearly reflects contemporary international best practices, and USAID has developed a number of additional resources besides, available to program managers for effective and conflict-sensitive program design and implementation. Making these principles more binding could improve the likelihood that programs can achieve their desired purpose. In the meantime, it is important not to overstate the transformative power of programs or how independently significant they can be in the internal reform processes of another country.\(^\text{13}\)

### THE UTILITY OF “CONDITIONALITY,” “SELECTIVITY,” AND “COMPACTS” IN EXTERNAL SUPPORT FOR REFORM

The notion of introducing conditionality (via positive or negative inducements) to U.S. security sector assistance and cooperation has recently gained traction, specifically as a means of promoting reform. Borrowing from economic development, experts have suggested combining elements of conditionality with the premise of “selectivity” by which the United States would invest the bulk of its resources into the best prospects for reform, as well as to limit the provision of larger or more lethal forms of assistance to those most deserving (or least most risky). Both the Security Governance Initiative and “compact” proposals, such as those from Dr. Rachel Kleinfeld, involve the use of formal bilateral arrangements between the United States and the partner government, which would establish the parameters and explicit goals for the support relationship at its outset.\(^\text{14}\)

The benefits of a compact-based approach seem clear. In principle, the application of selectivity and the use of compacts would reflect a number of leading donor practices in the development field, e.g., selectivity, predictability, transparency, and local ownership.\(^\text{15}\) Moreover, a compact can provide greater confidence in the return on investment for the donor (i.e., an expectation of greater aid effectiveness), as well as an escape hatch, should the partner violate the terms of the agreement.

Before committing to the compact-based approach, however, policymakers should keep a few things in mind. First, neither positive inducements nor negative sanctions are independently sufficient to overcome the internal incentives that shape the status quo, especially in the security sector. The technical assistance that is provided to support a reform process should not be mistaken for an alluring reward that can be offered for reform (e.g., “change your use of force policy and we will give you training on the use of force”). Next, policymakers should be acutely aware of “donor vulnerability,” i.e. the extent to which the United States currently uses security cooperation and assistance as a transactional currency in the pursuit of other security-related objectives.\(^\text{16}\) It may be more difficult to abide by, or to press on, compact commitments in situations where the United States is diplomatically overleveraged as a result of its dependency on security assistance as a means of currying political favor with a partner. Finally, policymakers should be sensitive to the dilemma created by selectivity as a concept, in both development and security assistance: the most deserving and promising targets of assistance are not necessarily those with the most pressing need for reform, and are even more rarely the countries where the United States has an abiding strategic interest.

Even so, compacts that establish common terms of reference and shared objectives, clarify mutual commitments, and determine the timeline for implementation provide a sound basis for supporting reform.

### GUIDING PRINCIPLES

Policymakers may find it valuable to develop a set of principles to guide their approach to supporting security sector reform in fragile states. Among those that may be worthy of consideration:

1. **Prioritize human rights and accountability as a form of prevention.** Security forces, as agents of the state, are the most likely violators of political and civil rights—in particular, violations of the security of the person, intrusions into privacy, and deprivations of liberty and due process. Not only do violations themselves constitute a form of acute violence perpetrated against the public, but the persistence of human rights abuses without accountability can lead to a vicious cycle of violent responses and counter-responses. In countries where the United States prioritizes “prevention,” it should look for steps to support the meaningful reform of security forces specifically designed to counter human rights violations. These measures can include restraint in the use of force, humane detentions practices, legitimate forms of due process, conduct-related accountability, and stronger public oversight of security actors. In stabilization environments, intrusions into privacy, forfeiture of accountability, or restrictions on the press or civil society can masquerade as necessary steps to peace, but these measures may actually foment division and undermine stability. In these environments, the U.S. government...
should carefully interrogate any claim that human rights violations are necessary for the transition from war to peace, and it should evaluate any illiberal steps in order to ensure that they are exceptional, subject to independent oversight, appropriately limited, and time-bound.  

2. **Embed support for security sector reform as a part of the policy agenda.** The U.S. government should ensure that its role in supporting security sector reform is properly elevated to a policy objective and that it is not merely a technical activity or a role delegated to U.S. security agencies. The Chief of Mission, not the security cooperation officer, should lead bilateral engagement on U.S. support for reform.

3. **Exercise Humility and Influence.** Policymakers should be aware of the limitations of external interventions, including both political coercion and technical programs, and they should set realistic goals and highly targeted interventions that assume uneven progress. At the same time, the U.S. government should be aware of its own influence. It should encourage reforms by appealing to the sensibilities and incentives latent in counterpart institutions and leaders, as well as by using the resources at its disposal to support processes when opportunities allow. The U.S. government should also recognize that promoting reform at the political level may compromise its ability to secure more transactional forms of cooperation at the tactical level.

4. **Use selectivity to your advantage.** Prospects for security sector reform should figure heavily into the U.S. government’s selection criteria for identifying Global Fragility Act (GFA) “priority” countries. The basis of selection for priority countries should include indications of nascent or ongoing reform processes that can be supported, the availability of reform champions within security institutions, and the existence of a civil society that can serve as a feedback channel and source of public oversight. While the resulting shortlist of countries may not correspond completely with U.S. strategic priorities, focusing on the best prospects will likely yield the greatest political and financial return on investment over time.

5. **Interpret “support” as broader than assistance.** External support for the reform of the security sector can and should take other forms than just security assistance. The U.S. government, both by itself and through other credible institutions, can support an enabling environment for civil society, foster relationships with reform agents, and lead efforts to renew international attention to security governance and accountability.

6. **Make no assumptions about the relationship between resources and reforms.** While in some cases greater financial resources may be needed to sustain the progress of technical support, or to match partner investments, no assumptions should be made about the correlation between large financial investments and the scale or ambition of reform. In some cases, limited and targeted investments in reform processes that are otherwise owned entirely by the partner can yield greater impact than large programs. Moreover, large financial investments can actually undermine reform objectives when they are presented without corresponding financial commitment, public transparency, and an exit plan.

7. **Compensate for gaps in transparency, oversight, and accountability.** The U.S. government should recognize the way major restrictions on civil society or free expression inhibit the accountability and oversight of security forces. Policymakers should carefully scrutinize any plans to provide security assistance in these environments. The U.S. government should compensate for less significant gaps in public oversight by ensuring that its own support activities are transparent—as well as by involving the public and civil society in a dialogue about the nature and intentions of its support, to the extent that it is safe and appropriate to do so.

8. **Account for the totality of U.S. activities.** U.S. policymakers and leaders must ensure that their strategy for prevention and stabilization accounts for all U.S. security cooperation and assistance activities, including clandestine support to “elite” special operations forces and other forms of counterterrorism cooperation.

9. **Institute accountability for abiding by the principles.** The U.S. government should institute a framework of guiding principles and internal monitoring mechanisms that ensure both discipline and accountability for its policies toward fragile states.

10. **Good policy and practice should not be limited to a subset of fragile states.** The U.S. government should avoid the situation in which good practice is narrowly limited to a subset of fragile states, rather than being broadly applied to all of them. A lack in discipline and accountability for political convenience in strategically important states will diminish the efficiency of U.S. policies and programs in those countries, as well as impair the legitimacy of U.S. policy toward reducing fragility more generally.
RECOMMENDATIONS
In addition to adopting a set of guiding principles for supporting security sector reform in fragile states, policymakers can adopt a number of more technical measures:

POLICY
1. Make security sector reform prospects—as identified through analysis and assessments and on the basis of pre-established metrics—a primary criterion for selecting GFA priority countries (rather than exclusively basing selection on the acuteness of fragility).

2. Ensure that the Chief of Mission leads the development of country strategies in order to capture all aspects of U.S. security cooperation, as well as to reinforce the reform agenda through each member of the country team.

3. When entering into “compacts,” include security sector reform within the broader terms of political and economic support, rather than as a separate feature. Whether through compacts or other less-visible forms of conditionality, consider “asymmetrical” inducements (those not specific to the security sector, such as economic support or political recognition) that may appeal to the partner. Be realistic and specific about the desired outcomes of conditionality and remain credible by following through on promises and threats.18

4. Work with outside experts (e.g., those at USIP) and multilateral institutions to develop common standards or international certification measures for security governance that can be used in both policy benchmarking and in the design of technical assistance. Within this, consider the merits of developing a U.S. Center for Accountable Security Institutions to serve as a standards-setting body with relevance to the U.S. domestic context as well as other countries.

INTERNAL CAPACITY
1. Ensure that the Chief of Mission and policymakers most responsible for priority states are fully sensitized to the limitations and possibilities of technical assistance programs.

2. Reconceptualize the “whole of government” approach (defined as having several security agencies involved by virtue of their subsector, e.g., Defense, Justice, CIA), and adopt a posture that recognizes that U.S. security and justice agencies may not have the appropriate technical skill or background to support reforms, and that the best entry points may fall outside of the security sector altogether.

3. Conduct periodic internal reviews and independent evaluations to assess how well U.S. government practice is in accord with stated policy and how closely it abides by established principles.

4. Subordinate all security assistance and cooperation activities to a political strategy of preventing violence.

PROGRAMMING
1. Develop an inventory of existing programmatic interventions in aspects of security governance that relate to accountability and oversight, including both those that have been led by the United States and those successfully led by others.

2. Establish and institute a framework for identifying objectives and setting realistic goals, as well as for measuring the impact of programs independently and cumulatively.

3. Ensure the availability of flexible contract mechanisms and use cooperative agreements that encourage innovation and enable rapid response to emerging opportunities.

4. Build capacity and cultivate common standards among partner organizations and implementers related to security governance (with emphasis on oversight, accountability, and human rights).

5. Ensure that program design reinforces feedback loops between governments and the public by including support for civil society or community engagement.

6. Limit military assistance with corrupt or autocratic regimes to exchanges and military education, and suspend arms sales to most, if not all, fragile states.19

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3. These categories are not exhaustive, but they align with the major categories identified by the Stimson Center, Madeline England and Alix Boucher, Security Sector Reform: Thematic Literature Review on Best Practices and Lessons Learned (Washington, DC: The Stimson Center, 2010), https://www.stimson.org/wp-content/files/file-attachments/Stimson_SSR_practcenotes_complete_set_dec09_1_1.pdf.

4. According to USAID, “The security sector includes both military and civilian-led organizations, and personnel operating at the international, regional, national and/or sub-national level. Relevant actors in the broader security sector apparatus may include state security providers, governmental security management and oversight bodies, civil society organizations (CSOs), and nonstate security providers.” USAID, Inventory of USAID Security Sector Governance and Institution Building Programs (Washington, DC: USAID, 2019), https://www.usaid.gov/sites/default/files/documents/1866/SSG_Inventory_of_USAID-SSR-Projects_1.19ab.pdf.


12. E.g. DCAF, The Contribution and Role of SSR; Danish Institution for International Studies (DIIS), Security Sector Reform in Fragile States (Copenhagen: DIIS, 2006); OECD, Security System Reform: What Have We Learned (Paris: OECD, 2009).


17. I again strongly recommend Dr. Kleinfeld’s A Savage Order for its comparative analysis of the unsavory measures that have been taken to curb violence: where they have been effective, and where they have been weaponized by autocrats.

18. Dalton, Smart Conditions.