# Statebuilding through Delegation[1]

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Consider a policewoman, perhaps working a Guadalcanal native working on a patrol detail in Honiara in the Solomon Islands, sometime in the late 1990s or early 2000s. Growing up on this island, she had seen an influx of workers from nearby Malaita, and tensions between these groups had flared at times over land ownership, resources, and, ultimately, even criminal violence.[2] Eventually, an indigenous Guadalcanalese militia, the Guadalcanal Revolutionary Army (GRA) that later became the Isatabu Freedom Movement (IFM), initiated an uprising, and a Malaitan militia, eventually the Malaita Eagle Force (MEF), countered it.[3] The MEF established close ties with the Royal Solomon Islands Police Force (RSIPF), especially the paramilitary branches, and, by 1999, approximately 75 percent of the police were Malaitan.[4] In the face of this reality, perhaps this policewoman no longer felt she could contribute to security – including for her co-ethnics – and followed many other non-Malaitan officers in leaving her post and returning to her village. Or, alternatively, a new statebuilder had come in, and a new head of the police was appointed who removed those connected to the militias, reorganized and retrained the police, and, in general, overhauled the force, which allowed this policewoman to maintain her position and contribute to providing security.

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[1] Note to readers: I am still finalizing the cross-national data, including adding different variables that emerged from my book workshop, so I have not added the summary statistics in the end of this paper and the numbers are just noted "XX" (and, of course, the conclusions drawn in that section may change).
[2] More in Matanock 2022@Chapter 5, but see {Kabutaulaka 2001; Moore@104-106, 110; Bennett, 2002@8; Dinnen@287}.
[3] {Bennett, 2002@11}.
[4] {Putt et al. @20-21}.

The new statebuilder in this context could be a domestic force or, as often conceived of in the policy world, an international force. Indeed, statebuilding has been a central foreign policy endeavor in recent decades, but the most notable missions have followed a narrow model and, as they have struggled to achieve successful outcomes, they are falling out of favor. Many statebuilding efforts, and many studies of statebuilding, have focused mainly on cases in which outside actors fight their way into the state and only then seek to reconfigure or reform its institutions. Such statebuilding has occurred in notable cases, such as Germany and Japan after World War II and Afghanistan and Iraq after the September 11th attacks. Most studies focus on a relatively small set of overlapping cases, and yet the assessment of the effectiveness of these costly missions is mixed, at best.[5] There is no clear evidence that the missions consistently improve different dimensions of the state.[6] Moreover, the legacy of recent failures and resource constraints render these large coercive invasions increasingly rare.

In light of this pressing need as the hypothetical case shows, and yet the limitations of how statebuilding has traditionally been enacted, this paper seeks to broaden our conception of statebuilding to include delegation agreements whereby host states invite the intervention of international actors provided authority to reform domestic security structures. This paper first develops the concept of ***invited interventions*** as instances in which host states agree to have other sovereign entities provide foreign personnel, including troops, police, investigators, prosecutors, or judges, to their territories with temporary authority over their citizens. It then develops the concept

[5] See, for example, {Dobbins 2003; Dobbins, 2005 #750; Dobbins 2008; Lake 2016}.
[6] Statebuilding in the aftermath of invasion often focuses on preventing war, changing relations between countries, and increasing democratization and stability, among other indicators related to governance; the missions, however, have mixed results in terms of their effectiveness on changing these dimensions; see, for instance, summaries in {Krasner and Weinstein 2014; Denison 2020; Downes 2021}, and, for examples of studies showing some of these different outcomes {Peceny 1999; Pei 2003; Pickering 2006; Dobbins 2007; Lake 2016}.

of ***delegation agreements***, a specific subset of invited interventions, as instances in which these foreign entities are also allowed to regularize the operating rule for the host state's security institutions. In offering these concepts, this paper argues that there are two fundamental dimensions of intervention that define this type of intervention as distinct from other types: the mission's sovereignty arrangement and its mandate in terms of reform. These dimensions illuminate two defining aspects of delegation agreements: first, all invited interventions are ***shared sovereignty*** arrangements, and second, all delegation agreements have ***reform*** mandates. These dimensions, respectively, separate invited interventions from other types of international missions and, within each type, break statebuilding from statebacking missions.

This paper builds these concepts and also uses new cross-national data collected for this project to show descriptively how common these types of invited interventions are, as well as some patterns in their occurrence, which help identify these defining dimensions of delegation agreements and what makes them different from other types of statebuilding.

Together these dimensions also identify typical characteristics of invited interventions, especially delegation agreements that entail statebuilding, which potentially impose a cost on the actors involved. The puzzle of why these actors would adopt this type of statebuilding then motivates the broader research agenda that I propose.

## I. Intervening in the Security Domain

Before turning to the concept at the center of this book, I focus on cases when host states invite outside actors to intervene in the domain of the security sector because it presents an especially stark puzzle.

The security sector is composed of the institutions that "have authority to use, or order the use of, force, or the threat of force, to protect the state and its citizens."[7] The security sector consists of domestically deployed troops, police, investigators, prosecutors, and even judges. Some also call the security sector in this sense the "justice chain," focusing on the judiciary and police, although at times they also emphasize prisons, as well as how these all fit together.[8] These concepts are close to many used in practice in statebuilding. For example, United Kingdom's Department for International Development (DFID), which has invested significantly in the past decades in security sector reform, defines security institutions as: "state institutions and authorities that have a responsibility to protect both the state and the communities within it."[9] And, a significant amount of the assistance from the United Nations, especially for reform, flows to these "justice chain institutions (e.g., the judiciary, law enforcement and detention and correction institution)."[10]

The security sector is an especially puzzling domain in which to see invited interventions that share sovereignty of host states with outside actors, and so it is the focus of this book, although invited intervention also occurs in other domains. Controlling the security sector is a central

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[7] {Chalmers 2000}; cited in {Jackson 2011@1804, 1811}.

[8] For example, Sannerholm, 2012 #4720@2. Some also even integrate the link from these institutions to human rights or even legal reform, broadly; see, respectively, {(HIPPO), 2015 #4754@xi; Blair, 2020 #4390@2; Blair, 2020 #4569@18, 21}.

[9] {DFID, 2002@7}; cited in {Jean 2005@249}. There are more restrictive definitions that only include the military, not the police, for example {Jackson 2011@1811}: security sector activities have broadened over time to include not just the "hard" side of military force, but also the "soft" side of policing to protect the population from all security threats. {See \Jackson 2011@1811}.

There are also broader definitions that include "institutions that monitor and manage the sector" even as broad as the entire executive and legislative branches or civil society, alongside these "groups with the authority and instruments to use force" ({Anderlini@31; Jean 2005@249}). There is even debate about whether all democratic institutions are useful to include in a definition of the security sector {See \Ball et. al. 2003@268; Jackson 2011@1806}.

Conceptually, these alternative definitions include institutions that are also central to creating the laws and policies that the security institutions enforce – and for ensuring they enforce them. But they do not serve the "executive" functions of implementation of interest, while the security institutions defined as the domestically-deployed military, police, investigators and prosecutors do.

[10] {Sannerholm, 2012 #4582@365}.

function under any conception of the state.[11] Holding this authority, and not allowing other sovereign entities "the monopoly of the legitimate use of physical force within a given territory,"[12] is fundamental to any leaders' power. Most therefore expect these positions to be jealously guarded, making the cases when leaders turn them over to outsiders out-of-the-ordinary. Invited interventions, however, often occur in the security sector. Similar interventions may also be employed in other sectors, including financial management, economics, and potentially even social progress.[13] This book develops and tests theory in the context of security institutions, but future extensions should explore whether its insights apply to similar mechanisms in other sectors.

## II. Invited Intervention

*Invited interventions* are instances in which host states allow other sovereign entities – foreign states or intergovernmental organizations – to have temporary authority to implement policies or laws in the host state's own territory and over its citizens.

What does invited intervention look like? The idea underpinning this concept is that the leader of the host state formally agrees to have a foreign sovereign entity investigate, police, prosecute, and/or judge cases in host state territory that involve host state citizens. Most commonly, these include cases in which host states ask peacekeepers or other security personnel from other states to enter to help police or otherwise engage in criminal law enforcement. This often occurs in subnational territories over which the government has effectively lost control, but at times this may happen over the entirety of the host state territory.[14] These also include cases in which host states

[11] {See \Weber 1918; Fukuyama 2004; Schneckener 2011}.
[12] {Weber 1918}.
[13] {See \Donnelly 2006@149-51; Lake 2009@50}.
[14] {Howard 2018}.

allow foreign personnel, either alone or mixed with domestic partners in hybrids, into positions on courts or even special commissions that help investigate, prosecute, or judge cases on their citizens in their territory. Across these policing and prosecutorial cases, consent is often established through treaties or exchanges of notes with other countries,[15] or, in agreements with the United Nations or other intergovernmental organizations, the invitations may simply be noted in mandates establishing these missions.[16]

This section develops this concept beyond the definition and examples given here by discussing the role of the outside actors in these host states, then how invited interventions are established through contracts that provide authority in these host states, and, finally, describing the nature of the outside actors in these scenarios. I argue in this section that invited interventions fundamentally provide authority to outside actors, establishing true shared sovereignty, by using contracts in the current system of statehood. Finally, drawing together the elements of the concept, it articulates how these shared sovereignty arrangements are unique and distinct from other international intervention.

### 1.1 Inviting Intervention as Distinct in Sharing Sovereignty

Further developing this idea of invited interventions – instances in which host states consent to other sovereign entities take temporary authority to implement policies or laws in the host state's

[15] At times, especially for historical cases from the 1980s, treaties and agreements are also not always available. I therefore examine these instances in which the standing government is publicly supportive before the mission; in which it publicly runs joint missions or otherwise coordinates with the mission within a year of it arriving on the ground and without any change in regime (that is, examining whether the standing government was supportive as soon as can be identified – and ruling it out if not); and, finally, in which it publicly cooperates with the mission in any way within a year of it arriving on the ground and without any change in regime (similarly seeking information on the outset but, again, that is not always available). I both include and exclude these less formal cases, as well as simply those among them that are less clear in terms of the evidence, as robustness checks in all of these analyses conducted in the book.

[16] These requests are often seen for those missions created under the authority of the United Nations, for example, but noting the invitation from the host state.

own territory and over its citizens – I posit in this concept has three essential components. These missions are established to allow outside actors to operate with the host state consent, and, finally, these arrangements are established as contracts between sovereign actors in the modern system of statehood. I then posit that this final component establishes both actors as authorities in these contexts. The unique form of shared sovereignty in the modern state system provides the outside actor true power but without entirely taking over from the domestic actors, allowing for partnerships in these countries that are as stable as possible.

**Three essential components of invited intervention:** First, in this conceptualization of invited intervention, the outside actor operates in host state territory with jurisdiction over host state citizens. These outside actors are implementing policies and laws by taking on enforcement functions.[17] Their functions can range from identifying which rules apply; conducting investigations of any breaches of these rules; deciding to initiate formal action; and, finally, adjudicating any punishment including proceeding with any sanctions.[18] From a practical perspective, invited interventions do not occur when outside actors are limited to special "foreign" territories in host states, in the form of embassies or military bases, or when their jurisdictions are limited to observing or even training domestic personnel who then still have complete jurisdiction over their compatriots in their states. Examples include, on policing, U.N. or foreign state missions where armed peacekeepers can patrol host state territory, arresting and detaining suspected lawbreakers, and even defending themselves or civilian populations by using force on identified attackers; on justice, special

[17] While these functions are often defined also as "executive functions" whereby that branch exercises coercive powers under the authority of other branches {Allan 2003@47}, there is debate about even whether criminal law enforcement is "a 'core' or exclusive function of the executive branch, which must be directed by the President or by someone under the President's control" providing that branch "*complete* control over investigation and prosecution of violations of the law" ({*Morrison,* 108 S. Ct. at 2626-9 (ScaliaJ., dissenting) quoted in \Krent 1989@277}).
[18] Developed, by analogy, from work on the role of agencies in governance {See\Strauss, 1984@583, 585}.

courts and procedures where foreign judges and prosecutors can conduct investigations in host states, bringing cases in the domestic courts or hybrid courts have jurisdiction over their citizens; and, crossing these issues, former colonial powers mainly in the 1970s and 1980s continued to formally work in, and even lead, host state security structures.

Second, the nature of these outside actors as sovereign entities – foreign states or intergovernmental organizations – is also central to invited intervention. The conceptualization in this book restricts the outside actor to a foreign sovereign entity.[19] Under invited interventions, foreign personnel openly work for other sovereign states or intergovernmental organizations, and, as they operate in the domestic security institutions of host states, they are recognized as accountable to this other sovereign entity. So, for example, under an invited intervention, a border police force could be run by a former colonial power or even U.N. forces temporarily (but not a foreign company).[20]

Finally, in this conceptualization of invited intervention, host states consent to foreign sovereign entities having this role in governing their citizens in their territory, using a contracting mechanism. Host states ultimately "invite" or request these foreign sovereign entities into their territories and, on some occasions, even into their state structures. The subsequent interventions then take the form of contracts between these sovereign actors, then, under the modern system of statehood. Examples include treaties or even an exchange of notes indicating consent to be bound

[19] In contrast, most work about states that allow foreign actors to operate in their territory and with regard to their citizens are relatively diverse in that they include informal arrangements and essentially privatization in that the outside actors are often just foreign individuals or companiesFor example, when Stephen Krasner (1999) developed a conception of shared sovereignty, an umbrella under which invited intervention fits, he did not specify a distinction between sovereign entities and private companies; similarly, other work intentionally explores the effects of a mix of actors ({Risse 2011}).

[20] Other work focuses on the role of multi-national corporations in precisely this role; see, for example, {Kaplan, 2006 #309}.

by terms with states (often regional or former colonial powers) or agreements with intergovernmental organizations (regional or global) that provide the authority to patrol, investigate, prosecute, or judge citizens of the host state within its territory.

**Establishing both actors as authorities under shared sovereignty:** The sovereign nature of both actors, alongside consent given in the form of a contract between them under the modern system of statehood, means that this mechanism is the most likely to provide authority to both actors. The concept defined here is an essential form of shared sovereignty. While not perfect, it uses both the asymmetry in strength between these actors as well as their similarities as sovereigns to provide the best chance at protecting some autonomy for both actors, and, thereby, producing most stable configuration for outside actors to have true but not total power relative to domestic actors. Foreign sovereign actors have the basis for their authority in the broader system, outside of the host states' context, while the host state maintains its own authority in this same system through these contracts, due to the mutual recognition of sovereignty in these invited interventions. As this subsection will posit, invited interventions are much more balanced if not equal than other forms of shared sovereignty, which makes them uniquely able to produce reform within host states institutions, for example, as the next section will discuss. Building to that, this subsection describes the sovereign system and the existing dimensions of shared sovereignty, and then it then discusses how invited intervention is unique in balancing authority between the actors under a contract.

Sovereign statehood has come to occupy a position of prominence in the global structure, even though sovereignty itself is not consistently upheld.[21] Theorists as early as Jean Bodin and

[21] {See\Krasner 1999}.

Thomas Hobbes defined concepts of sovereignty in contexts emerging from civil war, in particular.[22] The Peace of Westphalia established sovereignty as a basis for statehood in 1648,[23] and this standard was codified in subsequent agreements such as the Montevideo Convention in 1933, which formed the basis for international law.[24] Finally, the end of World War II and later with the U.N. declaration that colonialism is illegitimate in 1960 further solidified this basis.[25] Sovereign statehood became "the only game in town," as empires fell, colonizers lost legitimacy, and other forms of previously standard political entities ended.[26] In fact, particularly after 1960, territorial conflict is increasingly infrequent and states, no matter how weak, rarely "die," showing the importance of sovereignty in the global system.[27]

Sovereignty is defined on different dimensions, providing authority primarily to state leaders in theory. All definitions are grounded in the principle of non-interference: the state has the exclusive right to make decisions within its borders and also to determine who carries out actions on its behalf in the international system.[28] At its core, most definitions also share internal and external dimensions:[29] 1) "the entitlement of a state to rule over a bounded territory" and 2) "the recognition of that right by other actors."[30] The internal dimension of this definition includes having a permanent population and a formal government to be considered a sovereign state.[31] Some definitions also specify that the state must maintain control over its territory to truly possess this

[22] {Besson 2012}.
[23] Although some scholars argue that treaty did not extend as far as others contend (e.g. {Philpott 1995@364}).
[24] {Lauterpacht 2012}.
[25] {See\Lyons and Mastanduno 1995; Philpott 1995@366-367; Spruyt 2002}.
[26] {Krasner 2004@1077}.
[27] {See \Zacher, 2003 #3668;Fazal, 2004 #3531}.
[28] {Hurd 1999@393}.
[29] {Besson 2012}.
[30] {Hurd 1999@393; Held 1995@100}.
[31] {See as defined in the 1933 Montevideo Convention; see \Lauterpacht 2012}.

"domestic" dimension of sovereignty.[32] A corollary to domestic sovereignty fits between internal and external: to have "Westphalian" [33] or Vatellian sovereignty, states must exclude foreign actors from the domestic authority structures within the state's territory.[34] The external dimension of sovereignty, then, includes states either having the "capacity to enter into relations with the other states" or practicing this claim, although scholars contest which is needed to be considered a sovereign state.[35] This "international legal" form of sovereignty is mainly about states having jurisdiction over international agreements and treaties.[36] All of these definitions address questions of who has authority, as defined as "power over others" or "rightful rule" in both these internal and external contexts.[37]

While sovereignty is a defining principle of the modern global system, state leaders in practice trade off types of sovereignty,[38] producing arrangements that deviate from the "norm" of state sovereignty.[39] A growing body of work suggests that states allow foreign actors to share their sovereignty at times, producing shared sovereignty, but the conceptualizations of these arrangements are relatively diverse in that they include informal arrangements and essentially privatization in that

[32] {Krasner 2004@87-8}.
[33] As Krasner (2004, 87) notes, the principle of nonintervention was written by Emmerick de Vattel in 1758, although it is associated with the Peace of Westphalia in 1648. Despite this, I refer to it as Westphalian sovereignty throughout the rest of the document for simplicity, following much of the rest of the literature.
[34] {Krasner 2004@87-8}.
[35] Emphasis mine; also from the 1933 Montevideo Convention.
[36] {Krasner 2004@87-8}.
[37] {Lake 2009@8}.
[38] Some historical definitions, reaching back to theorists such as Bodin and Hugo Grotius, claimed that sovereignty was inherently vested in a single power and could not be divided (see, for example, {Keene 2002@43-44; Lake 2007@226; Lake 2009@46}). However, modern theorists, especially legalists, posit that sovereignty is a bundle of rights that can be divided (e.g. {Donnelly 2006@145-6; Lake 2007; Lake 2009@49}). Indeed, even Bodin in the context of the French Wars of Religion, allowed that sovereign functions could be exercised by other actors so long as the residual rights remain with the state, producing more a state of dormancy during delegation than strict division ({Lee, Forthcoming #3784}).
[39] See, especially, {Krasner 1999}.

the outside actors are often just foreign individuals or companies.[40] Considering international intervention, Westphalian sovereignty is often violated, allowing other actors into the territory and even state structures, at times because the state's domestic sovereignty is failing.[41] These arrangements are often established through the international legal sovereignty of these states in the form of treaties.[42] But, under various conceptualizations, states may sacrifice sovereignty voluntarily or be forced to do so, by either allowing other actors into or failing to exclude them when they push into the host's territory.[43] Shared sovereignty has therefore been defined primarily along theoretical dimensions that leave open the possibility of different arrangements in practice.

Substantial divisions or delegations of authority occur in these states, then, but, in contrast to the diverse umbrella of practices that have been categorized as shared sovereignty, I focus on the clearest cases of shared sovereignty that truly allow for authority to an outside actor, which I posit occur when the outside actor is another sovereign entity brought into the host state under a contract. First, in terms of the actors, individuals or firms in some cases take on state functions through privatization or a less formal working arrangement; in others, non-governmental organizations serve this role.[44] However, in describing shared sovereignty specifically and distinguishing it from other forms of privatization or non-state governance, most existing work describes the actors who are taking on these roles as at a minimum selected by foreign actors and, in

[40] {See \Osiander 2001; Krasner 1999; Krasner 2004; Krasner 2009; Donnelly 2006; Cooley and Spruyt 2009; Lake 2009; Risse 2009; Risse 2011; Matanock 2014; Ciorciari, 2021 #4730}.
[41] Domestic sovereignty is frequently failing to some extent: states with weak institutions as well as even generally stronger states experience "areas of limited statehood," where they lack the capacity to enforce their decisions; {see\Krasner 1999; Krasner 2004; Risse 2011@2; Lee, 2018 #3546}.
[42] With invited intervention, contrary to Westphalian sovereignty, "domestic political authorities" are no longer "the sole arbiters of legitimate behavior" ({Krasner 1999@20}).
[43] Some argue that any "sharing" has to be consensual ({e.g. Ciorciari, 2021@3}), which matches an aspect of invited interventions, although the focus on consensualness overlooks the potential role of asymmetric bargaining and then coercion (discussed above).
[44] {See \Risse 2011; Kaplan, 2006 #309; Melani, 2014 #4761; Jung, 2021 #4762; Post, 2017 #4763; Loyle, 2021 #4764}.

some cases, sustaining a dual role as they continue to report to an outside entity that has a separate set of interests from the state where they work.[45] While this added foreign dimension helps identify a potentially unique set of cases that goes beyond normal governance, I posit that the defining attribute of these arrangements is the clearest when the outside actor is another sovereign entity: a foreign state or collection of foreign states that compose an intergovernmental organization. Especially given the high standards for when and indeed whether sovereignty can truly be divided or temporarily dormant for a state, shared sovereignty is clearest under this arrangement, where both entities claim the same type of authority in the current geopolitical system.

Next, as defined under invited intervention, sovereignty is shared most clearly under a contract[46] between these sovereign entities. I argue that the contracting mechanism through which the host state consents to a foreign state or intergovernmental organization having a role in its security fundamentally allows these actors to share authority through the sovereign state system.[47] Contracts are commonly used by states and intergovernmental organizations engaged in foreign countries, covering everything from how aid is delivered to these situations of shared sovereignty, and, through this bureaucratic mechanism, defining the politics of these interactions.[48] Even when a body such as the United Nations independently authorizes a mission, getting agreement from the

[45] Among those describing shared sovereignty, see, especially, {Krasner 2004} who identifies "arrangements under which individuals chosen by international organizations, powerful states, or ad hoc entities would share authority with nationals over some aspects of domestic sovereignty" (p. 89), which relates to prior conceptions mainly focused on neotrusteeship type of interventions that transition to independence; see, for example, {Helman 1992@13-15; Keohane 2003@296-297; Caplan 2014@13}.

[46] I use "contracts" to indicate agreements between actors as conceptualized under economic theories, not the formal legal principles under, for example, international law.

[47] The de jure system is sufficient to enable sharing through the establishment of these contracts. The argument is therefore consistent with those scholars who claim that the international system exists in a space of complete anarchy (e.g. {Waltz 1979}), as well as those who instead show some hierarchy in relations between sovereign entities (e.g. {Donnelly 2006; Lake 2009}). While the extent to which these contracts, or any type of agreement, between sovereign entities are enforceable will differ, the general power principles allow at least some expectation of such; see, for example, {Simmons, 2010 #2564}.

[48] {Campbell; un2010peacebuilding; WB2020FCV; UNDP2016engagedsocieties; Shen 2001; Hurd 2008@37}

host state has become standard, perhaps because it is often seen as necessary for success.[49] They focus on establishing the conditions for these missions, including the scope, resources, and timeframe, as well as the authority in each entity of these stages.

These contracts typically specify a set mandate during a fixed term that provides the foreign sovereign entity a degree of authority, and, while not perfect, the features of these contracts provide the best chance at protecting some autonomy for both actors, using specifically both the asymmetry in strength between these actors as well as their similarities as sovereigns in the current geopolitical system.

- First, under the current system, the asymmetry in strength provides some power for the foreign sovereign actors. These intergovernmental organizations or outside states generally are materially stronger given that they have the capacity to intervene, and their strength provides them with some leverage in these arrangements. This asymmetry offers power to the outside actor both at the onset and once the arrangement is underway. At the onset, contracting is an agreement between parties where, if they sign on, they are no worse off than if they do not – it is usually seen in contrast with coercion or imposition[50] – but there is a role of pressure in contracting that benefits the stronger side. Some conceptualizations of contracts require that the status quo ante remains available under a contract, but others see it as essentially removed from the table: specifically, when the actors involved have highly asymmetric bargaining power, the weaker actor will be better off with the agreement than without it, but the stronger actor often shifts the options available to the weaker state to tilt this balance in favor of the agreement as compared to

[49] {dpko2008united@32}
[50] For example, {Krasner, 2014 #2638@125}.

the alternatives.[51] For instance, a host state may request a foreign sovereign entity send a policing mission that will help secure order and also reorganize its security sector, but that foreign sovereign entity may also threaten to otherwise withdraw substantial military assistance unless the host state changes its institutions, which reshapes the status quo available. The contract is better than the alternatives for the host state, but the foreign sovereign entity has exerted pressure in shaping the comparison set. While this pressure is a form of coercion – where one actor "can unilaterally alter, or credibly threaten to alter, the status quo in ways that make the target state worse off"[52] – the foreign entity is not forcing its way into the host state, and ultimately, given the set of choices, the host state prefers this contract. Once in place, an asymmetry in capabilities can also help reinforce the terms specified in these formal agreements or treaties. The foreign sovereign actors can point to these terms in a formal contract, but then also, as they enter from a position of power in the international system, they can then use their status and capacity for state pressure, their repeated interactions that develop reputations, and their broader communities of other sovereign entities to enforce the contract.[53]

- Next, however, these contracts that concern specific territories and their citizens provide the host state power in the current sovereign system, specifically by retaining its position as well as the residual rights of control. While much of the statebuilding scholarship focuses on the foreign actors, especially invading states,[54] these contracts highlight that these relationships are not unidirectional contexts in which the interveners dictate the terms.[55] First, and fundamentally, the

[51] Even the same authors recognize both forms of contracting; see, for example, {Krasner, 2014 #2638@125; Krasner, 2004 #101@98}.
[52] {Krasner, 2014 #2638@126}
[53] The threat of public shaming or punishment for terminating such an agreement, for example, is more enforceable than other relationships – even if not perfectly enforceable given the sovereign system {See, again, \Simmons, 2010 #2564}.
[54] See, for example,{fukuyama2004imperative, chandler2006empire, paris2009dilemmas}.
[55] Other work, related at least tangentially to statebuilding, shows how African leaders, for example, have also used all the tools at their disposal to take control of "relations with the exterior," where they sometimes "oppos[ed] it and at

host states must agree to the terms of the terms of the contract, even if it is pressured to do so. The host state knows its own institutions and internal sources of support well, often better than outside entities,[56] and so it might, for example, negotiate an arrangement that must be approved by a supreme court loyal to the regime that will overturn it as unconstitutional and so roll that mission back to advising and assistance. The host state can also restrict the activities that the foreign sovereign entity undertakes, where it can operate, as well as its personnel and their rights in its territory, including, crucially, their immunity from domestic prosecution.[57] When the host state does truly invites intervention, it also regains all authority at the end of the fixed term, and, in some cases, after an interim period of time when an exit clause can be enacted with sufficient domestic support; since the end of empire, any international agreement requires these provisions, which reinforce the current system of sovereign states. Beyond this, however, especially under incomplete contracts, which lack specification for all contingencies, the host state as the sovereign entity in the territory maintains "residual rights of control," which means that the host state determines the content of the unnegotiated components of the incomplete contract.[58] However, most – perhaps all – contracts in these contexts are incomplete due to the

other times join[ed] in it"; see {bayart1993@21-24; bayart2000@218-219; clapham1996}. These efforts emphasizing the agency of host states, even when they possess less material capacity or other power{tourinho2021}, and often under contracts, have changed outside intervention in many cases; see {brown2013; fisher2013; harman2013}. My work with Susanna Campbell {Campbell} develops how incomplete contracts, in particular, allow host states to exert their influence.

[56] See, for example, {Matanock 2020}.

[57] For more on specific tools of weak states, see {Campbell and Matanock}.

[58] See {Campbell}, building on such theoretical work as {LAKE} in this context, as well as in economics, especially see {Grossman and Hart 1986@716} on firms. The general argument is that, under non-transferable contracts such as statebuilding missions, the supplier gets locked into the arrangement, while the buyer or, in this case, host state can make changes due to its privileged position – in order to avoid this, the supplier will want a well-integrated design or, in our case, a clear mandate ({aghion2011incomplete; schmitz2001hold@6; hart1995firms}). However, for any elements that fall outside the mandate, the host state retains the residual rights of control by virtue of its sovereign status in the territory and over the citizens, which allows it to determine the unspecified aspects of the contract, and possibly try to change some of the specified components at times, too, giving it considerable leverage over the contract's implementation (see {Campbell}). If the host state resists the implementation of the agreement, or alters it, the foreign sovereign entities will often allow some shift to avoid losing the resources invested there and failing to fulfill the preferences of its member states, although it will also use its power, discussed above, to push back at least within the mandate (e.g. {martens2002institutional, campbell2018global; natsios2011clash, bush2015taming; nunn2007relationship}). Using a similar logic, although approaching this from a very different perspective, political

complex nature of tasks and the inherently changing conditions; that is, they do not specify all possible contingencies that otherwise must be negotiated between the parties during contract implementation.[59] All these dimensions of power under contracts in a sovereign system allow the host state to be a more equal partner,[60] and, perhaps not surprisingly, the use of these contracts also coincides with an increased emphasis on consent and ownership of the host state in international relations.[61]

These contracts, then, truly provide each side with some share of authority obliged under the same system that ultimately provides both with their standing as sovereigns. The key is that these contracts operate under the same sovereign system that provides these actors authority, thereby reinforcing their equality on this dimension, which works opposite strength asymmetries, and provides both with truly shared authority.[62] Under these contracts, then, host states and foreign sovereign entities in these contexts share authority, without complete subjugation of either entity to the other, even if there are power differentials and pressure in the relationship.[63] While others offer more diverse arrangements under the heading of shared sovereignty, even some of those scholars

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theorists also suggest that the closest concept to shared sovereignty is a dormant claim by the host state, even though it cannot truly divide its authority. See discussion above and {Lee, Forthcoming #3784}.

[59] See, for example, {Campbell}, and, on contracts specifically, {Cooley 2009@8-9}; Also {pritchett2004solutions; risse2013governance}, for instance, discuss how these tasks are complex in terms of service planning and delivery.

[60] The host state often also has potential authority as a member of the intergovernmental organization invited to intervene in many of these cases; in contracts with these organizations, then, the host state is a small part of the intervener in addition to the site of intervention (also see {Campbell}). While these relationships provide some additional authority to the host state (e.g. {nielson2003delegation; hawkins2006delegation}), these pooled sovereignty scenarios, where "states transfer the authority to make binding decisions from themselves to a collective body of states," can at times allow for substantial influence but typically that is not the case for a member requiring assistance ({lake2007delegating@220}). Nonetheless, perhaps it is this role as principle that produces, even in cases under the U.N.'s Chapter VII mandates that directly authorize missions without any required host state consent, more cooperative relationships under these contracts (e.g. {voeten2005political, howard2008, lake2014international}).

[61] {oecd2005paris, chesterman2007ownership; dpko2008united, nussbaum2012new, koops2015oxford, oecd2016}. The New Deal on Peacebuilding and Statebuilding, adopted in 2011, for example, indicates the wide consensus on contracts. These donors, whether bilateral or multilateral, committed to supporting the host state in its sovereignty. (Susanna Campbell provided this example.)

[62] The system of sovereignty, together with norms of liberalism that have underpinned many of the relationships in modern geopolitics {barnett2006building, gutmann2013some}, have likely shaped structuring these as contracts.

[63] {Krasner 2003@108; Matanock 2014}.

indicate that this is the "ideal" form of shared sovereignty – "ideally, shared sovereignty would be legitimated by a contract between national authorities and an external agent" where external actors operate in the domestic authority structures temporarily under an agreement signed by recognized national authorities.[64] These cases of clear shared sovereignty, then, are much more balanced than other forms of intervention, which makes them uniquely able to produce reform in state structures as the next section will discuss. Building to that, the next subsection first describes how these arrangements fit with other forms of international intervention.

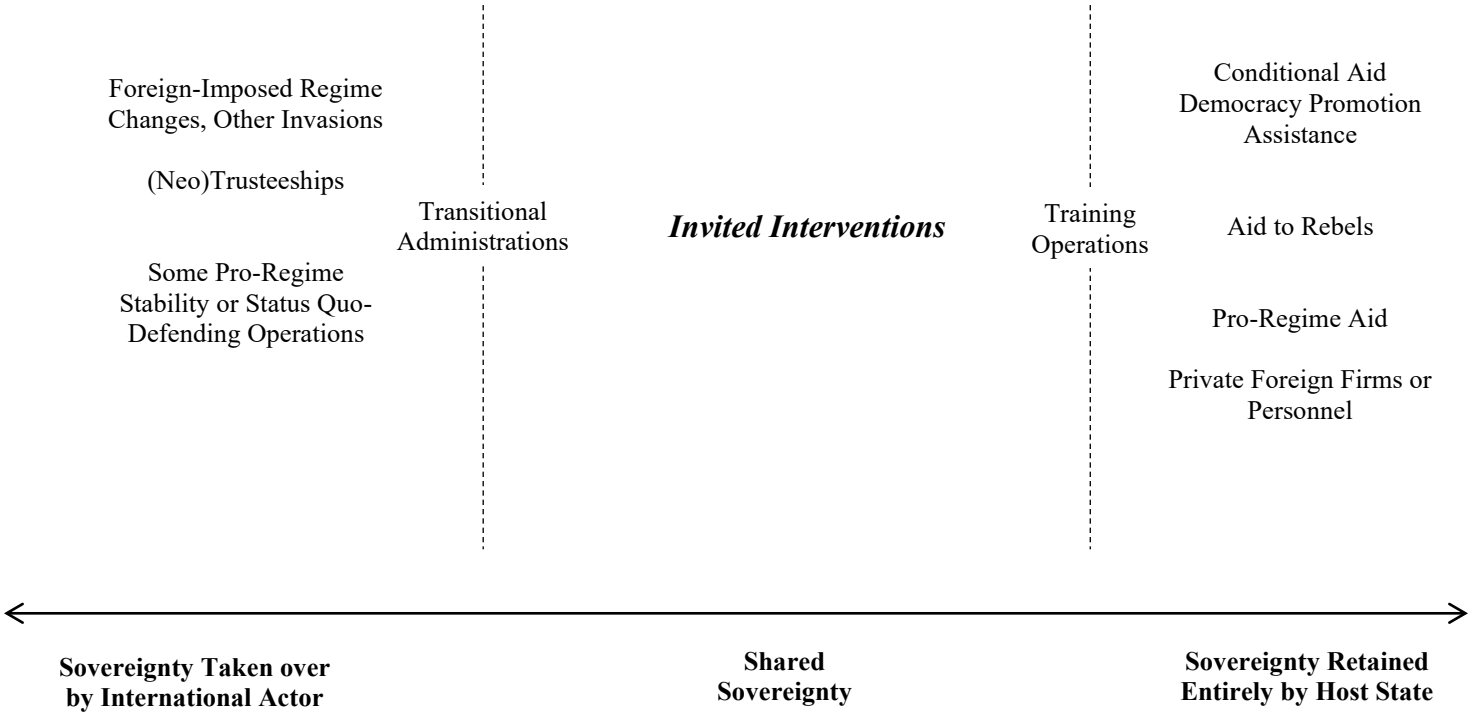
### 1.2 Separating Invited Intervention from Other Forms of Intervention

The concept defined here fundamentally distinguishes this set of cases from other types of international intervention. In this section, I describe a range of sovereignty arrangements with foreign actors, showing how invited intervention are a distinct form in this continuum (see Figure 2.1). As this section illustrates, there are many types of international intervention, occurring at both the behest of the domestic and international actor, but many fall squarely outside the shared sovereignty space.[65]

[64] {Krasner 2003@89, 108}.

[65] To collect data across these categories, the coding protocol seeks to identify all foreign security personnel in-country and then narrow the missions to those that fit the criteria. To maintain the focus on the security institutions, it examines all missions to ensure they are executing some security functions, rather than medical assistance, for example. An instance of an excluded mission would be the U.S. armed forces response to the Ebola outbreak in West Africa during which troops built medical clinics and served health functions but did not enforce any quarantines or otherwise help police. See Appendix X for much more description of the data coding.

**Figure 2.1: Types of International Intervention (Sovereignty Dimension)**




Beginning with the cases in which sovereignty is taken over by an international actor (see the left column of Figure 2.1), much of the existing work on international intervention, and even statebuilding by external actors broadly, focuses on cases in which intervention is imposed rather than invited.[66] Takeover, either in the form of an invasion or a neo-trusteeship, means that foreign sovereign entities supplant the host state, at least temporarily.

*Foreign-imposed regime changes (FIRCs)*, which occur when the international intervener forces a change in the host state regime, compose many of these missions.[67] These interveners use, or at least threaten, force without regard to the host state's system of governance as

[66] For example, most of these other definitions include primarily cases of imposition, some explicitly so, such as statebuilding "compel[s] weak, failed, or collapsed states to govern more effectively and accountably" {Miller 2013@7}.
[67] {For further description of these studies, see \Krasner and Weinstein 2014@127; Denison, 2020 #4787}.

they topple its leaders. Despite their use, these missions are often not effective in efficiently establishing reliable allies prone to peace.[68] Examples of FIRCs span the decades, including, for example, U.S. efforts in Central America in the 1900s to change regimes in Honduras, Mexico, Nicaragua, Panama, and, covertly, Guatemala; however, minor powers have also replaced the regimes of their neighbors in this region – Honduran leaders have been overthrown multiple times in this manner – and these instances look like those in other regions.[69]

Invasions need not always aim to replace regimes, and, in some limited cases, an international intervener might enter with force under ***pro-regime stability or status-quo defending operations***. These interveners may enter under their own authority, or, more likely in the modern era, the United Nation's Chapter VII allows authorization through its collective decision-making, and they use force to achieve aims such as increasing stability, lowering civilian deaths, and even reversing coups. In some of these cases, the regime may be supportive, and then they can be considered invited interventions as long as they do not take over the state, but, in others, the regime may not seek or even want the invasion, perhaps because the interveners have aims or approaches that are not exactly aligned with the host states, such as limiting the collateral damage against civilians.[70] Many of these interventions occur during conflict, such as…

***Neotrusteeships*** occur when foreign administrations take over often new states in order to (re)make their institutions.[71] Neotrusteeships distinguish themselves from trusteeships or even colonial rule by establishing their administration of the host state under multilateral

[68] See, for instance, {Downes, 2021 #2277}.
[69] {Downes, 2011 #1778}.
[70] In some scenarios, such a coup reversal, the host state may have very recently even lost power or at least the organization needed to consent to such an intervention.
[71] {Fearon, 2004 #100; Krasner, 2004 #101@107}; difelice2007international, chesterman2005you.

intergovernmental organizations, rather than single states, for fixed periods after which the states become sovereign – that is, the international actors eventually help to establish a newly independent state, although the timeline can be long.[72] Many of the examples of neotrusteeships are new countries, where independent institutions are not yet established, including notably in Kosovo and Timor-Leste, where a public referendum created the conditions for this transition although coupled with a complete loss of bureaucratic capacity as the state split from Indonesia.[73]

Neotrusteeships are distinct from interventions, but, in practice, these often occur together. In many cases, foreign states or, in the modern era, intergovernmental organizations invade to stabilize failed states or remove revisionist leaders that produce transnational treats, and then seek to (re)build state structures before turning them over to domestic rule.[74] Each of these missions fight their way in and then establish some form of neotrusteeship to administer these states temporarily: while FIRCS, for example, can leave after overthrowing the existing regime, staying allows them to shape the subsequent regime; other interventions can help stabilize the state in the short-term and (re)design its institutions in the longer-term if they do not immediately withdraw when conflict ends – foreign sovereign entities, especially single states, willing to bear the cost of invasion or at least fighting their way in tend to have incentives to shape the new state.[75] These foreign entities are the only authority in most of these states, at least initially, which provides them with complete control over security and other institutions so that they can design them as they prefer, although this disrupts both the host states' Westphalian sovereignty and international legal sovereignty.[76] Whether

[72] In past eras, these efforts were often more permanent, including under colonialization and trusteeships.
[73] See {Fearon, 2004 #100@7; Howard, 2014 #3786}.
[74] {See, for example, many of the nation-building or statebuilding processes described by \Dobbins 2003; Fearon and Laitin 2004; Lake and Fariss 2014; Lake 2016}.
[75] {Lake 2016@3, 7}.
[76] Broadly, see {Krasner 1999@20}, and, as, for example the critics of "heavy-duty external engagement", as in Bosnia and Herzegovina, have made clear; these missions often lack both cooperation but also any form of legitimacy that might come from consent of domestic actors under, for instance, international legal sovereignty {Krasner 2004@102}.

remaking institutions following FIRCs often led by single states or alliances, as in Germany and Japan after World War II to Afghanistan and Iraq after the post-9/11 invasions, or restoring institutions after interventions in civil wars often led by intergovernmental organizations, as in Bosnia, Rwanda, and Somalia, these are all examples of these hybrids.[77]

Finally, as operations transition from foreign sovereign entities administering states under neotrusteeships, for example, they inherently shift between different forms of sovereignty. *Transitional administrations* include a spectrum of cases, ranging from these continued "direct governance" by outside actors but with domestic personnel on the staff to supervisory roles in which perhaps the domestic government acts independently but with an outside actor veto of behaviors that violate core principles of a domestic deal or international standards.[78] These missions can cross into shared sovereignty if, for example, a newly-independent state invites further intervention as happened in Timor Leste.[79] Instances of transitional administrations, more broadly, include the neo-trusteeships noted above as they approached independent statehood, but also direct governance in the case of the U.N. Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium and supervision in the case of the U.N. Transitional Authority in Cambodia.[80]

In contrast to these cases, where foreign sovereign entities take complete authority over the security institutions, in cases of conditional or unconditional assistance, advice, and general contracting, the host state instead retains its external forms of sovereignty entirely (see the right column of Figure 2.1). Host states routinely seek to build stronger institutions, or even more

[77] {See\Dobbins 2003; Dobbins, 2005 #750; Dobbins 2008; Lake 2016}.
[78] {Caplan 2014@13}.
[79] {Howard 2014}.
[80] {Caplan 2014@14}.

fundamentally change their institutions, typically aiming to more effectively compete against challengers, internal or external, and collect taxes or other resources.[81] In these contexts, international actors can offer various forms of assistance, advice and training, as well as even contracting governance services, but, fundamentally, the host state retains complete control and authority over its security institutions, with the outsiders limited to binding decisions only about which resources they provide.

Beginning with common governance providers, *private foreign firms or personnel* can intervene internationally, and they are often even included in typologies or descriptions of cases of shared sovereignty, as described above. Private firms based in other states or private personnel from other states provide many different functions in host states, which include, at the most invasive, taking charge of whole areas of the security sector such as customs processing, administering transitional justice programs, and serving as police chiefs, public prosecutors, and even top judges or justices.[82] Relationships with private actors do not represent the same form of shared sovereignty, as I argue above, however, since the state maintains complete control and authority over these outsourcing arrangements in the legal sense of the word that are within the domestic state's system.[83] One example is the dozens of countries, beginning with Indonesia in 1985, that contracted a pre-shipment inspection company for customs services.[84] Another example is when Fiji hired a foreigner as its police commissioner, contracting former Australian Federal Police assistant commissioner Andrew Hughes to resign his position in Australia to sign a normal contract with Fiji where he was subject to the rules in addition to the laws of the state.[85]

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[81] {See \Tilly 1990; Barkey 1994; Weinstein, 2005 #1931}.
[82] See, especially, {Kaplan, 2006 #309} on customs processing, for example.
[83] {Although they also merit study, as in \Kaplan 2006}.
[84] See {Kaplan, 2006 #309@1, 7-8}.
[85] {, 2003 #745}.

In other cases when host states are managing their own institutions, they may rely on ***pro-regime aid*** and even accompanying technical advice. International actors in these cases may simply aim to help the host state strengthen its institutions, or they might even want the host state to adopt some reforms, but the host states retain complete authority without any effort by these outsiders to even invoke conditionality on their funds.[86] The host state retains all sovereignty in these cases. Cases of this type of assistance include, for instance, U.S. efforts "to train judges, rewrite criminal codes, increase fiscal transparency, professionalize the police,"[87] including programs run by the U.S. Departments of Defense, Justice, State, Treasury, and Transportation, which often focus on bolstering capabilities, such as the International Criminal Investigative Training Assistance Program and the fixed International Law Enforcement Academies in Botswana, Costa Rica, Hungary, and Thailand,[88] as well as assistance for "peacekeeping operations (PKO), international narcotics control and law enforcement (INCLE), and nonproliferation, antiterrorism, demining and related programs (NADR)."[89]

[86] Most of the literature on foreign aid focuses on overcoming poverty and generating economic growth, rather than reforming security institutions or even strengthening security provision ({e.g. \Wright and Winters 2010}). However, assistance can increase the institutional capabilities of state even as it can also strengthen civil society and other potential checks on the government ({Krasner and Weinstein 2014@132}). Foreign aid's effects on the quality of state institutions and democratization are mixed ({e.g. \Boone 1996; Burnside and Dollar 2000, 2004; Wright and Winters 2010@68-69; Djankov et al. 2008; Goldsmith 2001, Finkel et al. 2007, Wright 2009; Dunning 2004; Knack 2004; Bräutigam and Knack 2004}). However, donor states do not always have incentives to seek to improve institutions – and, under certain circumstances, they may even have incentives to prolong the lifespan of leaders with poor institutions (for example, to promote allies during the Cold War; see {Dunning 2004}). Even when donors do seek these goals, however, foreign aid may lead to negative governance behaviors such as rent-seeking ({e.g. \Burnside and Dollar 2000}). Assistance is nonetheless a common tool related to the security sector where it "has largely been carried out as a 'technical-administrative' exercise with a focus on the technicalities of constructing and running organisations [sic] rather than on the politics of creating states" (see {Jackson 2011@1804}).

[87] See {Krasner 2004@97}.

[88] See {Ladwig 2007@289-290}.

[89] See {Serafino 2014@23}.

At times, however, international actors actively seek to produce change using different forms of ***conditional aid***, including, for example, ***democracy promotion assistance***. Conditionality occurs when outsiders to require changes and often specifically rule of law reforms to security provision and even institutions in exchange for their aid,[90] and, although conditionality is not always possible when the host state is strategically crucial as many were during the Cold War, for example,[91] international actors do often implement the threats to withdraw that they make.[92] Conditionality begins to impose on host states, certainly, but sovereignty still rests with the host states in that they can reject these outside funds or facilitators. An example of conditional aid is assistance provided for any type of security sector reform – although host states at times receive "waivers" from institutional requirements that would otherwise produce reform on human rights protections, for instance,[93] as, at least into the 1990s, "the military, police and other security bodies remained largely outside such reform efforts."[94]

[90] Conditionality is "policies that aid recipients agree to implement in exchange for aid" ({Kahler 1992@89}; cited in {Girod and Tobin 2016}) or where aid is used to "induce governments to undertake economic (or possibly political or institutional) reforms" ({Wright and Winters 2010@71}). It has so frequently been used to describe stabilization and structural adjustment policies required by donors in the 1980s, that it has become synonymous with those macroeconomic reforms, but it is much broader (e.g. (Krasner and Weinstein 2014@132}). [Also add: {Chauvet, 2008 #4773}?]

[91] {See \Dunning 2004; Bearce and Tirone 2010; Stone 2010; Girod 2012; Girod and Tobin 2016}. In general, especially in the security sector, analysts attribute hesitance to impose conditionality to two sources: first, many of these leaders are viewed as important partners so donors prioritize short-term support more than long-term reform; and, second, the politics are complex and fraught in many of these cases, so donors seek to stick to mandates more related to development outcomes rather than security specifically through technical assistance without conditions (e.g. {Brzoska 2003@15; Jackson 2011}). Whatever the reason, policymakers, including the former head of the U.S. Africa Command, General Carter Ham, admitted that when providing U.S. assistance, admitted that they probably focus mostly on "technical matters" ({Quoted in \Norris 2013@1}).

[92] For broader discussion on conditionality, especially around whether states will implement it, see {Buchanan 1975; Wright and Winters 2010}.

[93] Some funding, such as that for counterterrorism programs, is less regulated, while other funding remains exempt, such as that of the U.S. Drug Enforcement Agency assistance (e.g. {Jones et al. 2006@xix-xx, 12, 14-15; Serafino 2014@4, 9-10}).

[94] {Brzoska 2003@14}.

***Training operations*** are sometimes solely capacity-building exercises, making them closest to the pro-regime aid category,[95] but, increasingly, they also include conditionality. Foreign personnel perform a range of functions for host states in these cases, from teaching officers how to use new weapons to recasting how they interact with civilians and expect oversight by various bodies. Most of these operations leave sovereignty entirely with the host state, as its leaders decide which programs to accept and at times even shape them, and, ultimately, the foreign personnel do not operate directly; however, to the extent that these programs provide power to outside actors change the state's security institutions, including by providing resources only to select units or providing specific types of programs, they begin to border on shared sovereignty.[96] An example of training operations, again turning to the United States since these programs are well-documented for congressional oversight, many now have regulations that, at a minimum, affect which units can receive military training and, at a maximum, seek to reform the norms of these military cultures to promote better human rights protections.[97]

Finally, when considering change-inducing assistance, the most dramatic type is ***aid to rebels*** and challengers of the government generally. International actors from diaspora populations to other states provide many forms of assistance, especially to armed actors, for whom it ranges

[95] Military assistance has often not been designed to reform security institutions, and, in fact, it may have contributed to building more capable partners that repressed their populations; see {Johnson 2001}; cited in {Bellamy 2003@103}. Indeed, the concept of "security sector reform" did not emerge until the late 1990s ({Brzoska 2003@15}). Even once security sector reform had been identified as a program area by the U.K. government in the late 1990s, for example, these programs were not considered "mainstream" in Britain's "main programs", likely due to all the reasons that conditionality can be hard to enact (discussed above, but also see {Duffield 1997@533}), as well as budget cuts after a financial crisis and the difficulties of cooperating between the Foreign and Commonwealth Office (FCO), Ministry of Defence (MOD), and the Department of International Development (DFID) under those conditions of budget cuts ({Jackson 2011@1811}).

[96] I appreciate Graeme Blair for raising this possibility about training.

[97] See, for instance, the reforms adopted by the U.S. Congress, including Section 660 of the Foreign Assistance Act and then, after the Cold War, its redesign of some aid programs and the passage of the Leahy Law {Jones et al. 2006@10-12; Ladwig 2007@288-290; Serafino 2014@2; Ladwig 2007@290; Calhoun 1998@1}.

from propaganda to resources but covers sending weapons and even trainers.[98] Much of the existing work on this topic seeks to answer why these international actors use this strategy rather than invading directly; a clear difference of doing so is that the outsiders are not directly overthrowing the regime, or even changing its policies, so the host state faces a domestic challenger but its sovereignty related to the international system is not overturned in the same way as it is with invasion.[99] Examples of this type of assistance are numerous as hundreds of rebel groups receive overt military support from a foreign state;[100] some of them are much less directly intended as, in the Biafran war, for instance, international actors had to send humanitarian aid on rebel transport that allowed also for the armed actors to shape its distribution.[101]

This systematic conceptualization describes a diverse set of international interventions that are at times conflated with each other, and it also clarifies the distinction between types, helping specify the dimensions of invited interventions. Existing work explains a lot about international interventions that place sovereignty entirely in the hands of either an outside actor or a domestic body, including the challenges of achieving reform through these missions, although the literature is not always clear on the set of cases it treats. Invited interventions compose a distinct middle category in this spectrum by truly sharing sovereignty, as they balance authority between actors as described above, and some of these missions are therefore uniquely able to produce reform in state structures as the next section discusses.

[98] See, for example, {Byman et al., 2001; Byman, 2005}.
[99] See {Cederman, Girardin and Gleditsch, 2009; Salehyan, 2010; Salehyan, Gleditsch and Cunningham, 2011; San-Akca, 2016; Tamm, 2016}
[100] {Salehyan, Gleditsch and Cunningham, 2011}.
[101] See {Findley 2018}, for example, citing {Barnett 2011} on this case and {Findley et al. 2011, Strandow et al. 2016} more broadly.

## III. Delegation Agreements

*Delegation agreements* are an important subset of invited interventions in which host states empower foreign sovereign entities to conduct security functions while also allowing them to reform state security institutions themselves.

What do delegation agreements look like? The idea underpinning this concept is that the leader of the host state formally agrees to have foreign sovereign entities change their security sector institutions, specifically enacting reforms that make the rules of the state and their application more regularized but also inclusive, moving them more into line with principles of rule of law or at least rule by law. At the least intrusive end of the spectrum these reforms include instances where outside actors choose which personnel should work in a state security institution based on specified criteria, including prioritizing certain demonstrated skill sets (rather than personal ties) and potentially achieving balance among fighting factions or ethnic groups after a civil conflict (rather than exclusion of aspects of the population), for example. In these cases, the missions might be recruiting and choosing which personnel are hired in new positions, but they are also crucially initiating dismissals and other disciplinary proceedings against existing personnel, which both shape the composition of host state security institutions. (Indeed, at the very lowest end of this invasiveness spectrum, these missions can only choose which police, investigators, or prosecutors will be their domestic counterparts, which still shapes who is involved in aspects of the security sector and receiving the relevant resources.) Next, these missions can dictate how the security institutions are structured, which, for instance, shifts the mission of a police force toward human security, or "people-centred [sic], comprehensive, context-specific and prevention-oriented responses that strengthen the protection and empowerment of all people,"[102] rather than counterinsurgency.

[102] {Resolution adopted by the General Assembly on 10 September 2012}, 1.

Finally, and at the most intrusive, these missions can involve themselves in changing laws or oversight over state security institutions; here, for example, the mission converts militarized police forces under the ministry of defense overseen directly by the president to civilian police forces under the home ministry overseen by the legislature.

This section develops this concept beyond the definition and examples given here by discussing the statebuilding role of the outside actors in these host states, then how these relate to reform generally and the rule of law specifically, and, finally, drawing together the elements of the concept, it articulates how these ***statebuilding*** delegation agreements are unique and distinct from other ***statebacking*** arrangements.

### 2.1 Delegation Agreements as Distinct in Reforming the Security Sector

Building out this concept of delegation agreements – instances in which invited interventions empower foreign sovereign entities to conduct security functions while also allowing them to reform state security institutions themselves – I posit that it is underpinned by two fundamental dimensions. These are, first, the central role of the outside actors and, second, the reform that they enact. The concept defined here is an essential form of statebuilding because it works to change the host state's institutions, specifically reforming them so that the rules of the state and their application are more regularized and inclusive, often moving them into line with principles of rule of law or at least rule by law. This dimension makes these mandates distinct from other types of invited interventions. This subsection describes crucial components of delegation agreements in more depth, then assesses how states facing reform look, and it then discusses how reform relates to regularization of the security sector, including rule by law and rule of law, and, finally, the role outside actors play.

**Two essential components of delegation agreements:** First, the principle of delegation means that the host state is making "a conditional grant of authority" to the outside actor that "empowers the latter to act on behalf of the former."[103] These interactions inherently have a principle, which is the host state, authorizing and empowering an agent, which is the outside actor, to undertake reform in its own system. There are less intrusive ways for missions to oversee changes to host state security institutions, for example, such as observing and reporting on reforms but not implementing them themselves, which would not meet the threshold for delegation. The concept ultimately requires that host states invite missions to not just help provide security but also to directly make changes. The level of delegation in practice can take two distinct forms:[104] full delegation agreements provide authority that supersedes their host state counterparts at the level of a bureau or above (such as a ministry), allowing foreign sovereign actors to fully substitute their own decision-making power for that of the host state; or, partial delegation agreements provide in-line positions in host state bureaus but under host state heads, allowing sovereign actors to partially substitute their decision-making power but often with at most only dual key permission where both actors much approve for overarching decisions.[105] Under the latter, but not the former, foreign personnel have the authority to decide who is investigated, for example, but could not independently change rules about investigation. Both types of arrangements are constrained by mechanisms that ultimately provide for host state leaders, its president or prime minister, to continue to rule the state, and both return complete authority to host states usually automatically after a fixed term, making them shared sovereignty as discussed in the prior section. However, both full and partial delegation agreements

[103] {Hawkins et al. 2006a@7; Lake 2007@228}.
[104] This distinction draws on {Matanock 2014}, as does the definition of delegation agreements broadly.
[105] Partial delegation agreements are "in-line" positions because foreign personnel hold posts within host state bureaus where they directly interact with domestic counterparts, but, as described below, both full and partial delegation agreements ultimately involve foreign personnel who are in some ways in the chain of command of host states and also clearly outside of it because they are employed by another sovereign entity.

allow foreign sovereign entities to deploy their own personnel in these contexts, paying and overseeing them to openly fulfill their mandates that call for changes to the host state institutions. Overall, then, delegation agreements are "statebuilding" missions in that they allow other sovereign entities to make changes in state institutions, or, usually, "externally led process" that aim to build a stronger state capable of providing "social order and public goods."[106]

Second, then, these delegation agreements provide for outside actors to reform the host states' own institutions, specifically those that secure the social order. This subset of contracts not only allows outside actors to operate in host state territory with authority over their citizens, but outside actors also have a mandate for reform of host state security institutions, which move toward regularized and more inclusive in their application of the rules of the state. These reforms generally fall into three categories: first, changing personnel or policies within bureaus; second, changing bureaus, which could include demobilizing bureaus or designing new ones; and, third, changing the laws that bureaus put in place and potentially the way bureaus are overseen in their work. Even as some agreements limit the scope of foreign actor involvement more than others, however, all these choices reshape the institutions and redistribute resources across host state security forces. In theory, these contracts can manifest as formal or informal relationships:[107] formally, states or other sovereign entities can formally codify delegation agreements by signing a bilateral or multilateral treaty, an international agreement, or a ministerial or ambassadorial-level agreement;[108] informally, the host state can make public pronouncements or even cooperative gestures toward the mission as

[106] "Statebuilding" is a term that others have used to refer to these outside actors changing host states ({e.g. \Lake 2016: 18}), and I employ it for that purpose throughout the rest of this study, although I differ from most of these other studies in considering intervention by invitation rather than invitation (again, {Lake 2016}).
[107] {Lake 2009; Biersteker and Weber 1996}.
[108] As a component of these missions, many of these sovereign entities sign status of forces agreements that grant foreign personnel, for example, immunity from some number of host state laws, or grant the foreign sovereign entity at least the first right to prosecute on- or off-the-job offenses.

it is mandated or as soon as it arrives.[109] Formal mechanisms are more difficult to secure,[110] but they also provide clear and public guidelines in the same global system from which each state derives its status, which can be invaluable for delegation agreements that allow foreign sovereign entities to make changes in host state security institutions.

**Constraining host states with reform mandates implemented by foreign sovereign entities:** Fundamentally, delegation agreements are statebuilding missions that constrain host states as outside actors instead are mandated to implement reforms to their institutions. While the terms "reform" and "change" share some dimensions, the former definition implies moving toward an "improved form or condition,"[111] and this matches what many states see in these missions. The central idea is that foreign sovereign entities use their position to alter host state security sectors by making them more regularized and inclusive in their application of rules of the state, which often includes moving toward principles of rule of law or at least rule by law. As this subsection will posit, change in fragile security institutions often requires interrupting negative cycles in which states fail to serve or even abuse their citizens, who then turn against them, and outside actors are at times uniquely positioned to fulfill this constraining role for host states seeking to move toward rule by law or rule of law. Building to that, this subsection describes the challenges with fragile security institutions, how foreign sovereign actors can provide circuit breakers for negative cycles at times, and what these reforms look like.

[109] Another dimension of this formalization is whether delegation agreements are specifically legalized through host state institutions, which is only at times required, depending on the type of agreement. These legalization measures range from agreements ratified or other bills passed by the legislature, judicial rulings approving the missions, or other formal state proclamations or processes establishing the presence of the mission in the institutions of the host state. The help formalize these mandates.
[110] {See \Krasner 2004@ 85}.
[111] {, 2019 #3776}.

States with fragile security institutions generally face myriad problems that generally include fundamental issues projecting power and deterring competitors, but these then also contribute to further breakdown in public goods as well as overall social order, which then further exacerbates the fragility in state security institutions. The essence of the state is projecting control and enforcing of its rules – "the ultimate ability to send someone with a uniform and a gun to force people to comply with the state's laws"[112] – theoretically throughout its territory;[113] however, in practice, it frequently falters.[114] Without good enforcement, states face coercion-wielding challengers and conflict. In some cases, the challengers are rebels seeking to change policies or replace the government, and their presence can produce civil conflict,[115] and, in others, the challengers are criminal organizations or

[112] See {Fukuyama 2004@6}. More broadly, security and coercion – the ability to threaten or use force – is central in many conceptualizations of the state. Thomas Hobbes (1651/2009), for example, in writing about the social contract at the heart of the modern state theorizes that the state provides collective security for citizens in exchange for a monopoly on the means of violence and the right to regulate society (see {Lake 2007@6}; Beth Simmons cited in {Keohane 2007 Lecture @3} for a modern take of these ideas); Max Weber's definition of the state echoes this, as well, calling it: "a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory" ({Weber 1919/1948@78}). As Melissa Lee, Gregor Walter-Drop, and John Wiesel note, "internal and external security was the very raison d'être of states at the time of their emergence" ({Lee et al. 2014@636}). That work points also to Charles Tilly's theorizing about how war-making powers were what drove modern states into existence in Europe ({Tilly 1992}). But it also further develops out the idea of domestic sovereignty, which is "the ability of public authorities to exercise effective control within the borders of their own polity" ({Krasner 1999@4}). Thomas Risse describes the state in a similar conceptualization as "an institutionalized rule structure with the ability to rule authoritatively (Herrschaftsverband) and to legitimately control the means of violence (Gewaltmonopol)," or, in other words, "states at least possess the ability to authoritatively make, implement, and enforce central decisions for a collectivity" ({Risse 2012@6}). Some refer to this concept as "authority," or the ability of a state "to enforce binding legislation over its population, and exercise the coercive force over its national territory necessary to provide a stable and secure environment to its citizens and communities" ({Carment et al. 2008@356-357}). State capacity broadly conceived may be needed to prevents challengers: first, military capacity provides the ability "to deter or repel challenges to its authority with force"; second, bureaucratic or administrative capacity allows the identification of challenges; and, third, the quality and coherence of political institutions dictate the rules of dealing with challenges ({Hendrix 2010@3-12}). However, while most note that statehood can be separated into different dimensions – scope and strength, drawing on the 1997 World Development Report – most fundamentally require that the state provide enforcement capacity (such as {Fukuyama 2004@7-9}). Many other definitions of states' "core functions" also centrally feature these dimension ({e.g. \Ghani, Lockhart, and Carnahan 2005@6}). While most states fail to completely control these dimensions, they are central to the ideal conception (see, for example, {Krasner 1999; Risse 2011}, as described below).

[113] {Lee et al. 2014@636; Tilly 1992}.

[114] {See \Krasner 1999; Risse 2011@2}. In some cases, governments are unable to project power throughout the state's territory; in other cases, due to a cost-benefit ratio, governments choose not to project power throughout the state's territory (e.g. {Diamond, 1998; Herbst 2000; Acemoglu et al., 2001; Scott 2009; Acemoglu et al. 2013; Callen et al. 2015}). Whether states cannot or choose not to project power, they have a coercive capacity deficiency, and this can produce additional problems for their security sectors as described next.

[115] Whereas, in contrast, if a state had strong security institutions, any "subversive groups would have been detected and defeated before they gained sufficient strength to initiate armed violence" ({Ladwig 2007@288}), often specifically if

others seeking simply to profit, and their presence can lead to disorder as well but more "constrained" conflict.[116] It is not only armed competitors either as, for example, elite competition in certain elections can also produce security force interference, a form of privilege violence.[117]

In any case, the state does not have complete control as it also then fails to provide dimensions of security,[118] and, in turn, this can turn into a negative or "vicious" cycle through two different pathways. On one hand, the state itself may formally or informally alter its own security institutions in ways that make them even more fragile. For instance, if leaders are unsure about whether they can rely on the existing police or military to respond effectively to a security challenge, they may build new forces to defend their capitals against threats, but, in doing so, they often focus on hiring those who are likely to be loyal and, in doing so, spread their resources more thinly and create redundant forces selected on characteristics such as ethnic ties, rather than necessarily merit.[119] Paradoxically, however, reshaping these security institutions reinforces their fragility, and,

these institutions had been better able to project control throughout its territory, such as in mountainous areas (e.g. {\Fearon and Laitin, 2003}).

[116] {See, for example, \Lessing 2015}. This is not to say that there are no differences between groups seeking to compete with the state versus those seeking to work outside the laws within it, but these two forms of competition can both weaken the security institutions, at times in similar ways (e.g. {Kalyvas 2015}).

[117] {Kleinfeld 2018@59; Matanock and Staniland 2018}.

[118] Some alternative order providers may arise, but they often co-exist alongside these negative cycles for the state. Customary, decentralized, or other power sources may emerge in these areas, at times with some consent from the state, rather remaining entirely "ungoverned" ({e.g., in Pakistan, such a policy produced the Federally Administered Tribal Areas; see\ Callen et al. 2015}). Challengers at times may take on state functions by holding territory and providing goods and services including order within it (e.g. {Wickham-Crowley 1991; Sanchez 2001@30; Kalyvas 2006@218; Mampilly 2011; Arjona et al. 2015}; and not only rebels, but also drug trafficking organizations, which still seek control even though they have different aims in the end (e.g. {Hagedorn 2005@157; Killebrew and Bernal 2010; García-Sánchez 2014}).

[119] For instance, if leaders do not trust that their armed forces will follow their orders, they may prefer them to be incapable, and, thus, possessing less of a threat. They may then leave armed forces without weapons, training, or other resources, perhaps while building "shadow states" in the form of allies in state security forces, paramilitaries, or even militias outside the state structures that hold a monopoly on power. Under similar circumstances, leaders may simply prefer loyalty to any other traits, including effectiveness, producing practices such as "ethnic stacking" where leaders favor co-ethnics to be able to secure loyalty more readily. See Enloe 1980 cited in {Roessler, 2011 #3260@309; Horowitz 1985@Chapter 13; Migdal 1988@Chapter 6, 214; Fearon 1996; Reno, 1998; Habyarimana 2007; Roessler 2011@309} especially p. 309; {Kleinfeld 2018@63}. In particular, on this type of cycle, see the case of Haiti described below.

overall, they ultimately provide more discretion to those within the system, which allows leaders but also other actors with ties to the security institutions to use them for their own ends with impunity.[120] While some actors in these scenarios will not abuse their power, the fragility of the security institutions allows those who desire to do so freer rein,[121] and, as social order breaks down, and "amidst conditions of economic hardship" and short time horizons that often accompany it,[122] the system becomes more embedded and survival becomes harder, potentially pushing more to prioritize their own aims.[123] State security institutions selectively decide who receives security and under what conditions in these contexts.[124] These security institutions, then, cycle into pursuing private aims for leaders, operating in often predatory and selective ways.[125]

Examples of these cycles come from Colombia, where criminal organizations such as Pablo Escobar's played a central role by offering judges and other officials *plata o plomo* or silver (payoffs) or lead (threats), leading some in the security sector to turn to privilege violence.[126] In Guatemala, "parallel" illegal security groups and clandestine security structures established themselves in the security institutions during the 1960-1996 civil war,[127] and then were consolidated afterward,

[120] {See \Reilly 2009; Kleinfeld, 2018 #3804} who calls this dynamic "privilege violence". More broadly, in these cases, corruption of these forces typically allows those in charge and willing to use their power in this way to collect more resources than they would be able to within the legal constraints of the state. For instance, leaders may depend on border guards within their state structures to allow the transit of illegal substances and to collect payments, part of which is passed to those in office; moreover, in many cases, leaders have other mechanisms to ensure their profit-making schemes go undetected such as paying police to intimidate witnesses, prosecutors to decline to take cases, and judges to rule against their collaborators implicated in trafficking. With these weak institutions, corruption can often provide a better payoff to leaders than would seeking to improve enforcement of regular rules through threat of punishment by state security institutions ({Levitsky 2009}).
[121] Similar to {Kalyvas 2001; Kalyvas 2006}, which describe conflict contexts as an opportunity for actors to achieve their own ends, drawing on diverse cases, ranging from the 1992 Los Angeles riots, in which looting came with the political violence, to non-state "taxation" and other profit-seeking during civil wars of the early 1900s.
[122] If leaders are assured of a long term in office and stable rules of secession, they may avoid these inefficient forms of rent seeking because stable alternation of power provides incentives for longer-term investment and constraints within domestic institutions (e.g. {Olson, 1993 #166}).
[123] See {Williams 2010@42}.
[124] {See \Ghani and Lockhart 2008@17-25}.
[125] {See \Levi 1997; Kleinfeld 2018@67}.
[126] {Lessing 2015}, which builds on earlier work in criminology, such as {Passas1999@416}.
[127] {Alston 2007}.

encroaching on much of the policing and judicial sectors,[128] producing single-digit impunity rates in the 2000s.[129] In Haiti, the de facto government used a militia, the *tontons macoutes*, to carry out intimidation and assassinations, eventually blurring the lines between state forces and non-state forces, but all using some violence to serve private interests, further weakening the entire sector.[130] These examples come from instances of active conflict, as well as periods of post-conflict peace and criminal competition,[131] but they all share the cyclical further weakening of fragile security institutions.

On the other hand, the state's citizens revoke any voluntary cooperation from the state security institutions, producing further fragility. In the broadest terms, the process of "restoring – or in some instances creating for the first time – that monopoly of violence and especially its legitimacy" requires strong security institutions that are trusted and then receive the buy-in of citizens.[132] States that are seen as having the "right to rule," or the right to make decisions, can gain cooperation from their citizens beyond what they can coerce that produces "quasi-voluntary" compliance with security institutions.[133] This produces a virtuous cycle where citizens cooperate and then "because a sufficient number of the ruled accept the ruler and his edicts as legitimate, the ruler can employ force against individual free riders and even dissidents," which also deters anyone acting against state order.[134] Just as providing order can strengthen security institutions – through

[128] {Pastor 2011/2}.
[129] {Matanock 2014}.
[130] {Gros 1996@459}.
[131] See also descriptions of a "homicidal peace", as in El Salvador after the civil war when criminal murders remained high, or a "pax mafiosa," as in Italy where threats underpinned many decisions even when overt acts of criminal violence decreased (e.g. {Cooper and Pugh 2002@10}).
[132] See {Lake 2016@4; Anderlini 2004@31}.
[133] Building from Thomas Hobbes' ideas about how citizens subordinate themselves to a sovereign, this work develops the idea that state authority centrally involves a form of legitimacy wherein citizens agree to abide by the state's decisions in exchange for order (e.g., on statebuilding {Levi 1988@48-70; Hurd 1999; Keohane2007; Lake 2007@11, 14; Lake 2009@4; Lake 2016@17} as well as court decisions, {Mondak 1994}).
[134] See {Lake 2016@25}; also {Weber; Easton 1975; Levi 1988; Lake 2009; Levi 2009; Stollenwerk; Krasner 2014}.

cooperation – failing to do so can also produce further fragility: for instance, policing describes these dynamics as central where they rely on citizens to report crime and provide information throughout any investigative and prosecutorial process,[135] but, to give this cooperation, they need to feel secure and valued if they go through the process, from filing a police report to testifying in court.[136] Civilians are forming expectations about how they will be treated by security institutions from various sources,[137] which include not just the outcomes in terms of governance provision but also perceptions that these processes are transparent, responsive, and procedurally fair or just,[138] and then acting on these. When fragile state security institutions can therefore produce a lack of order, but also changing procedures that allow for privilege violence, citizen see some police officers, prosecutors, or judges are seen as failing to perform their jobs or willingly violate principles of equal enforcement including at times demanding payment in exchange for preferential service.[139] The citizens then react, and, as the state is no longer the provider "to whom people turn for solutions to [security or legal] problems,"[140] the loss of cooperation produces further fragility in the security sector.[141]

For an instance that illustrates this cyclical aspect, Colombia provides us a specific instance in which a girl was raped and killed in a Bogotá police station in 1993, and subsequently support for the state declined by 21 percent.[142] The responses to these security institutions can also then include

[135] See {Skolnick 1988; Akerlof 1994; Tyler 2004; Weitzer 2004; Skogan 2011; Ungar 2011}; also, on counterinsurgency, see Kalyvas 2006; Berman 2011; Berman2015; Lyall 2015}.
[136] See, for example, {Nanes 2018}, as well as during civil conflict, {Lyall 2009@77}.
[137] See {Diamond 1973; Rusinko 1978; Tyler 2002; Tyler 2004; Weitzer 2004; Lyall 2010; Mazerolle 2013; Saunders 2013; Lyall 2015; Nanes 2018}.
[138] See both the literature on statebuilding, such as {Mondak 1994, Levi 1997@16; Keohane 2007@4-5; Rothstein and Teorell 2008; Gibson 2009; Levi 2009; Schmelzle 2012; Krasner 2014; Gottlieb 2016}, and on policing, such as {Enloe 1980; Tyler 2002; Tyler 2004; Weitzer 2004; Tyler 2006; Bayley 2008; Lipsky 2010; Perito 2011; Ben 2012}.
[139] See {Blair 2020@2-3}.
[140] {Chesterman2007a@19}.
[141] See {Tyler and Huo 2002; Blair, Karim, and Morse 2018; Blair2019@369}.
[142] {Kleinfeld 2018@67}.

segments of the population creating forces of their own, security guards hired by wealthy communities or vigilante groups in poorer communities,[143] which at times produce further fragility in these state institutions.[144] Empirically, too, research on "good governance," including security provision, suggests that it is strongly related both to crime, unsurprising given the corruption of the rule of law that occurs in such circumstances, and to the recurrence of civil conflict.[145] In fact, in order to gain supporters, some competitor groups such as rebel or terrorist groups even adopt very stringent rules for their own members, dictating how they will act, to communicate that they will not engage in corruption.[146,147]

Change in these fragile security institutions, and especially in interrupting these negative cycles, then, comes from reform. While change in general is not necessarily made or even justified as

[143] For example, local security patrols in Guatemala; see {Bateson 2015}; or the Bakassi Boys in Nigeria; see {Hagedorn 2005@158}.
[144] {See \Colletta et al. 1995@v}.
[145] {See \World Bank 2011; Fearon 2014; Walter 2015}.
[146] {See \Walter 2017}.
[147] Some existing conceptualizations of state fragility or institutional weakness make these dimensions clear, going beyond "failed" states (which are moments of a "significant anomaly"; see {Zartman 1995@1}; cited in {Kraxberger 2007@1057}, but also widely critiqued as an at-times biased term used to capture distinctive problems; see {Call 2008}), and also describing similar effects on the population that induce the cycles just introduced. This book fits especially nicely with what Jean-Germain Gros calls "captured" states – when elites use state institutions against their rivals – and what Gros defines as subcategories describe these different ways states reach this point, whether "anemic" and weakened by insurgencies, or "aborted" and weak after independence (as in Angola, where a conflict started to bring an end to colonialism but then continued for control of the state) ({Gros 1996@459-416}). Anne Clunan and Harold Trinkunas similarly describe "ungoverned spaces," where "territorial state control has been voluntarily or involuntarily ceded in whole or part to actors other than the relevant legally recognized sovereign authorities" ({Clunan and Trinkunas 2010@17}), whether due to conflict or, more often they argue, to a "states' deliberate policy choices or with the witting collaboration of state authorities" ({Clunan 2010@3}). David Lake, for example, contrasts "strong" and "failed" states with two types of "fragile" states: first, "factionalized" states in which "the state typically retains some significant measure of legitimacy – typically the support of a majority ethnic or regional group – but loses its monopoly of violence" when "two or more coercion-wielding groups" compete, and, second, "predatory" states are "regarded as legitimate by only a fraction of the population – usually but not always the elite – which uses its monopoly of violence to suppress those who would challenge its power and continued rule" ({Lake 2016@33}). Charles Call refers to "weak informal institutional capacity" and "war-torn" in contrast to "authoritarian" ({Call 2008@1501-1504}). Authoritarian regimes overlap with but do not define the states examined here because these may apply laws with systematic discrimination (for example, under what have been called "limited access orders"; see {North, Wallis, and Weingast 2009, 2011}). These forms of weakness produce the problems just discussed: as Paul Miller especially aptly describes, in "illegitimate states," citizens no longer believe the government's claims about justice, in "incapable states," where governments cannot deliver public goods and services to citizens, and in "barbaric states," governments turn on their people ({Miller 2013@58}).

Pareto-improving or otherwise helping produce security sectors "capable of providing citizens with physical and economic security,"[148] these reforms are, and often they even seek "legitima[cy],"[149] in order to help "establish a social order and set[] expectations that the order so created will endure into the future."[150] These more inclusive and regularized security provision processes often cannot occur without an interruption that has often been described as circuit breaking. Generally, these reforms are designed to interrupt negative cycles by altering "public institutions – the machinery of the state, from courts and legislatures to laws and bureaucrats"[151] and transmitting "expertise and knowledge about the effects of different institutional choices, and helping states design institutions,"[152] but specifically working to "contain conflict, regularize political contestation, and balance power internally."[153]

These processes of statebuilding, then, are change but specifically these forms of inclusion and regularization moving toward rule of law or at least rule by law.[154] Rule by law requires the "regular, efficient application" of "prospective, accessible, and clear" laws.[155] Creating a state that stably enforces this set of clear, prospective laws that are also "general" and specifically "public" is at a minimum the starting point for these reforms.[156] For example, in cases of security sector reform, delegation agreements help "create armed, uniformed forces which are functionally differentiated, professional forces under objective and subjective political control."[157]

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148 {Chandler, 2006 #3552@1}.
149 {Paris and Sisk@14}.
150 {Lake 2016@18}.
151 {Paris and Sisk@15}.
152 {Miller 2003@73}.
153 {Miller 2003@73}.
154 {Carothers 1998}.
155 {Carothers 1998@97; Chesterman 2007@1}. Other theory, for example that of Max Weber, suggests that efficient law enforcement may become an "almost unbreakable formation" without political oversight. See {Deflem 2006@249}.
156 {Zurn et al. 2012@1}, describing Fuller 1976.
157 The Bonn International Centre for Conversion (BICC), cited in {Chuter 2006}.

Rule of law, in contrast, has three components: the first component overlaps with rule by law in that there must be "prospective, accessible, and clear" laws, but then they must also be applied to "the sovereign and instruments of the State" through something such as an independent judiciary and, finally, to "all persons equally, offering equal protection without prejudicial discrimination."[158] Any conception of rule of law is therefore different from rule by law in that it is not just a tool for governing but also a system "intended to impose meaningful limits on the state or state actors."[159] In this ideal, then, legitimacy exists in the state's statutes and how they are applied, and, more generally, citizens view the state's "normative system" from this lens that makes them willing to report a crime and broadly interact with state security structures to promote their well-being.[160] The definitions cover both "thin" conceptions that are essentially just procedural descriptions of the same "general, public, prospective, clear, consistent" types of laws that are "capable of being followed, stable, and enforced"[161] and "thick" conceptions that are substantive descriptions of "political morality" that might include economic arrangements, governance systems (i.e. democracy), and normative beliefs ("liberal, communitarian, collectivist, etc.").[162] Reforms that produce rule of law, then, go beyond the security sector itself to also in some cases also "improve

[158] Or, in summary: "government of laws, the supremacy of the law, and equality before the law"; see {Chesterman 2007a@2}. The equal provision is rarely complete, of course, and, while in the past, those preyed upon by states could simply flee its grasp into its peripheries {e.g. \Scott 2009}, as states spread and became more crowded, there is little space inside or outside state control, forcing many discriminated against into interaction with the state {Hagedorn 2005@153}.
[159] See {Zurn, 2012@3}.
[160] See {Carothers 2006@20; Chesterman 2007a; Blair 2020}.
[161] See {Zurn 2012@3} citing {Fuller 1976}; also {Raz 1979} on thin definitions; and, finally, {Peerenboom 2002@65-71} and the cites therein for more distinguishing these.
[162] See {Zorn 2012@3} citing {Summers 1993; Peerenboom 2002; Peerenboom 2004; Tamanaha 2004}.

the accountability and transparency of their security sectors,"[163] including by augmenting practices on "humanitarian law and human rights."[164]

States with fragile security institutions will not always seek change – and outside actors similarly will not always invest in helping them undertake change, but, when security institutions are actually to undergo reform to break out of these negative cycles and move toward more regularized and inclusive rule of the state, an outside circuit-breaker can be especially useful. Bolstering security sector capacity, but not reforming it, may help host states respond to some short-term crises and security threats, but, as described above, without better institutions and citizen buy-in over time, negative cycles lead to failure in the long-term.[165] This is reflected in much of the policy underpinning security sector reform, which argues that it must help "create armed, uniformed forces which are functionally differentiated, professional forces under objective and subjective political control,"[166] train operatives in "humanitarian law and human rights,"[167] as well as "improve the accountability and transparency of their security sectors."[168] In particular, when rule of law is weak, the World Bank's 2011 Development Report argues that a necessary first step toward a solution is to have "strong signals of a break with the past and ways to reassure stakeholders that the new direction will be sustained...leaders also need mechanisms to lock promises in and persuade people that they will not be reversed."[169] Reforms, perhaps especially "circuit-breaking" reforms,

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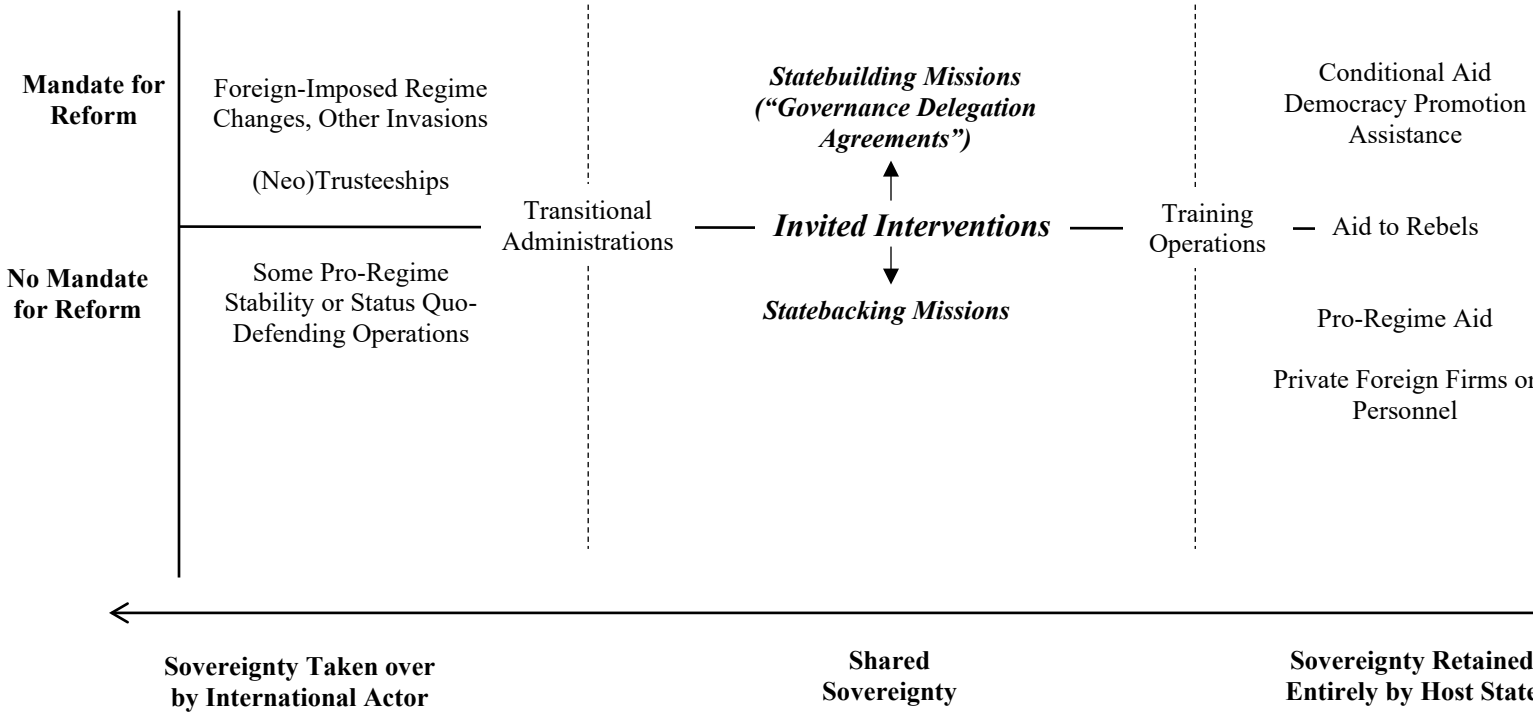
[163] DFID Terms of Reference for the Provision of Consultancy Services on Conflict, Security and Development Issues, ref 01/2892, undated: para 8, cited in {Chuter 2006}.
[164] Clare Short, cited in {Ball 2000@14; Bellamy 2003@106}; also see {Wulf, 2000b; Brzoska 2003; Anderlini 2004@31-32}.
[165] See, for example, {Jones et al. 2006@xii; World Bank 2011@106}.
[166] The Bonn International Centre for Conversion (BICC), cited in {Chuter 2006}.
[167] Clare Short, cited in {Ball 2000@14; Bellamy 2003@106}; also see {Wulf, 2000b; Brzoska 2003}.
[168] DFID Terms of Reference for the Provision of Consultancy Services on Conflict, Security and Development Issues, ref 01/2892, undated: para 8, cited in {Chuter 2006}.
[169] {World Bank 2011@104}. Only providing capacity, without "helping others help themselves" by restructuring the institutions, similarly is seen as failing to actually change these states; see this quoted in {Ladwig 2007@285}, as well as {World Bank 2011@106} on institutions specifically.

propose a focus on regularizing in addition to strengthening institutions, or, more colorfully, these are efforts "to insert a backbone" into the government of a host state.[170]

## 2.2 Separating Statebuilding from Statebacking Interventions

The concept defined here separates cases into two distinct types of international intervention. In this section, I describe a range of mandates, showing how mandates for reform are distinct from those of other interventions (see Figure 2.2). As this section illustrates, among the types of international intervention identified above, some that have these mandates for reform, but many do not provide for such change.[171]

**Figure 2.2: Types of International Intervention (Reform Dimension)**




[170] {Rees 2008@153}; also see {Jackson 2011}.

[171] To collect data across these categories, the coding protocol examines all invited interventions in the security sector, and then identifies which are mandated to reform state institutions at different levels; again, see Appendix X for much more description of the data coding.

Separating the cases on this dimension entails contrasting those with a reform mandate from those without one (see the center column of Figure 2.2). In terms of invited interventions, this means separating out the ***statebuilding missions***, those formed under delegation agreements as described above, from ***statebacking missions***. In the latter, unlike the former, the foreign sovereign entities are limited to providing additional capacity for the standing government but without authority to make reforms to state security institutions. For instance, when rebels emerge and capture territory, state leaders may invite an ally to intervene by providing troops to help fight this foe. But those leaders may not ask the ally to alter the state's selection of personnel in the security sector, its standard governance practices in this area, or, more broadly, its security institutions. Providing additional capacity can strengthen the state by defeating competitors, of course, as well as perhaps by placing it on a path toward stability and other positive outcomes;[172] however, as discussed above, especially in states with fragile security institutions, producing change that includes an aim of disrupting negative cycles requires reform.[173] Among invited interventions, only the delegation agreements build the state in the sense of having authority to reform the state's own security institutions, rather than simply helping conduct its operations.

Turning to the other types of international intervention, many of these can also be parsed by their mandates, specifically whether they provide for reform. Beginning with the cases in which sovereignty is taken over by an international actor (the left column of Figure 2.2), FIRCs and even neotrusteeships generally have reform mandates. In fact, FIRCs are by definition conducted with the primary outcome of changing a regime, and some similar interventions also aim to foster

[172] Fitting the perspectives that are "realist" or based on modernization theory; see {Miller 2013@71-4; Krasner 2015@4}.
[173] On policy related to reform, and its importance in security sector reform, see the previous section as well as {Jackson 2011} in particular.

democratization, for instance.[174] Neotrusteeships are often forming new states, and so altering all their institutions, while many have a special focus on stability.[175]

Examples of these reforms come from across these traditional statebuilding cases. For instance, in the postwar invasion of Germany, the Western Allies "demobilize[ed] the German military, h[eld] war crimes tribunals, help[ed] construct democratic institutions, and provid[ed] substantial humanitarian and economic assistance" including in the security sector: a 1946 U.S. Constabulary was among the outside actors established to initially provide order, as the existing domestic forces were fully dismantled, and then these outsiders selected and trained a new German force to conduct routine policing.[176] The U.S.-led FIRC in Iraq similarly demobilized and then reestablished many of the domestic forces directly.[177] The neotrusteeship in Timor-Leste also shows major reform including in the security sector: the U.N. Transitional Administration in East Timor (UNTAET) set up external structures to do "civilian policing, humanitarian assistance, and, in a unique move, the governing of an entire country," and, over time, it not only acted as the state but also established domestic institutions including new courts,[178] although cautiously to avoid "derailment" due to fears of politicization in the Timorese population.[179]

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[174] This type of invasion often seeks to change foreign relations but also alter governance on some dimension, usually by making the state more democratic, although studies show mixed results in terms of their effectiveness in achieving these aims; see, for example, reviews by {Krasner and Weinstein 2014; Denison 2020; Downes 2021}, and, for studies exemplifying some of these outcomes, see: {Peceny 1999; Pei 2003; Pickering 2006; Dobbins 2007; Lake 2016}.
[175] See especially {Fearon, 2004 #100; Krasner, 2004 #101@107} on stability outcomes. Indeed, in work that included neotrusteeships, most studies of international intervention in fragile states had focused on conflict recurrence or other major failures of order; see {Fortna 2008; Hultman, Kathman, and Shannon 2016; Ruggeri et al. 2017}. However, even with a focus on peacekeepers, some studies examined outcomes such as democratization and, recently, rule of law specifically; see {Doyle and Sambanis 2006; Fortna and Huang 2012; Steinert and Grimm 2015; Blair 2020}.
[176] {Dobbins, 2003 #749@9-11}; also, from citations in that piece, see {Snyder, 1947 #4800; Harmon, 1970 #4801@289}.
[177] See, for example, {Lake, 2016 #2896}{Bensahel, 2008 #4802}.
[178] See {Fearon, 2004 #100@7; Howard, 2014 #3786@128, 139; Cotton 2001@139}.
[179] See {Suhrke 2001; Braithwaite 2012; Howard 2014; Uesugi 2018}.

In contrast, pro-regime stability or status-quo defending operations by definition are not designed to reform the institutions in place. In some cases, such as those where the United Nation's Chapter VII authorizes a mission to promote the state's stability but that also has some different priorities – for example, limiting civilian deaths even if that restricts the use of certain tactics – the actors may diverge in how they conduct the campaigns; however, the former is unlikely to actually reform the institutions of the latter. Finally, transitional administrations include cases that range from continued international "direct governance" although with some domestic counterparts in place, where institutional reform is a given, to independent domestic governance with international advice, where there may be no external mandate for this type of change.[180] The supervisory cases that tend to fall in the middle of this range, including in the U.N. Transitional Authority in Cambodia, tend to either circumscribe these external actors to merely advisory (not a reform mandate) or allow their direct involvement in certain decisions (a reform mandate).[181]

Finally, then, most cases of assistance, advice, and general contracting – where the host state instead retains sovereignty entirely (the right column of Figure 2.2) – do not have explicit reform mandates. The main exception is some conditional aid, including much democracy promotion assistance, for example. Conditionality by definition requires that the state make changes, and often specifically institutional reforms, in exchange for aid.[182] Some states can sidestep these requirements, and still get the aid, so the reforms are not always implemented; however, states that are not strategic allies and that do not have alternative sources of funds often are bound to the changes.[183]

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[180] {Caplan 2014@13}.
[181] {Caplan 2014@14}.
[182] As noted above, conditionality is "policies that aid recipients agree to implement in exchange for aid" ({Kahler 1992@89}) or where assistance is used to change the incentives of domestic actors so that they "undertake economic (or possibly political or institutional) reforms" ({Wright and Winters 2010@71}).
[183] {See \Buchanan 1975; Dunning 2004; Bearce and Tirone 2010; Stone 2010; Wright and Winters 2010; Girod 2012; Girod and Tobin 2016; Herbert, 2019 #4804}.

Considering the security sector reforms, for example, domestic actors may need to demobilize some of their forces by certain deadlines in order to receive particular aid tranches;[184] in many cases, these also apply to rebel forces, who become reliant on donors.[185] Aid to rebels, therefore, is also reform-based in an indirect way in that it seeks to alter the government in place or at least its policies and, in many cases, in a direct way in that it seeks to change the behavior of the rebels as well.

Examples of this type of reform, then, emerge across cases of assistance. For instance, in the aftermath of the civil war in El Salvador, the post-conflict agreement called for a redistribution of power between the fighting factions, but the government in held office sought to limit voting in former rebel strongholds, alleging security threats but also disrupting the balance of power, so the U.N. offered assistance in guarding polling stations while the U.S. also simultaneously froze aid until the government changed its policy.[186] In South Sudan, aid to rebels was often conditioned on allowing the neutral distribution of humanitarian aid, rather than using coercion to appropriate these resources for their supporters.[187]

In contrast, pro-regime aid and, especially, assistance from private foreign firms or personnel are under the complete discretion of the government and so may help implement their agendas but tend not to have external mandates for any specific change. Indeed, private firms based in other states or private personnel from other states will generally just have contracts that they service for a particular administration or organization within the country.[188] For example, when Fiji hired a

[184] See, for example, instances in post-Cold War cases in {Matanock 2017}.
[185] Also see {Herbert, 2019 #4788}.
[186] See {Human RightsWatch 1994@4; LeoGrande 1998@108; Montgomery 1998@131; Wood 2000@87; Howard 2008@123; Matanock 2017b; Matanock 2020@361}.
[187] {Macrae, 1996 #4808@15; Herbert, 2019 #4788@10}
[188] See, especially, {Kaplan, 2006 #309} on customs processing, for example.

former Australian Federal Police assistant commissioner into its top job, he signed a normal contract establishing his pay, rules of conduct, and operating area, enabling him to simply implement the government's vision of policing.[189] With aid, it may be assigned to a particular purpose, but, again, the specific programs and any reform they entail are ultimately at the discretion of the government. For instance, returning to the International Criminal Investigative Training Assistance Program, the aid provides additional capacity to all and suggests reform to some systems, but governments can take or leave the suggestions.[190] Similarly, and finally, training operations in general at times include conditionality. For example, turning to the United States programs that are well-documented for congressional oversight, many now have stated, non-negotiable criteria for only interacting with certain forces that meet standards of conduct and for introducing curricula that shape the norms of operating for these forces in ways that better protect human rights or otherwise reform existing practices.[191]

This systematic conceptualization, then, describes different types of international interventions, clarifying the distinction between them, and helps specify the dimensions of invited interventions. Existing work is not always clear about the relationship that outside actors have with domestic actors, including whether they have a mandate for reform in their missions. Understanding whether they do can help separate many types of international intervention, and, for this book's purposes, highlight the central idea that delegation agreements balance the authority of international and domestic actors while also allowing these foreign sovereign entities use their position to alter host state security sectors by making them more regularized and inclusive in their application of rules of the state, which has the potential to produce real and at times puzzling change.

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[189] {, 2003 #745}.
[190] See {Ladwig 2007@289-290}.
[191] See {Jones et al. 2006@10-12; Ladwig 2007@288-290; Serafino 2014@2; Ladwig 2007@290; Calhoun 1998@1}.

## III. Describing Invited Interventions and, Specifically, Delegation Agreements

Before seeking to explain why delegation agreements as an especially puzzling type of invited interventions occur, this section shows how common they are. While it can be difficult to systematically identify all delegation agreements, as well as when they fail to occur, as I will discuss, there are high profile examples of delegation agreements in the regions around the world, although the canonical cases often are in states that either border world powers or have been part of past empires. The case studies later in this book explore some of these cases in depth.

To seek more systematically to identify the complete universe of cases, allowing me to analyze instances both where delegation agreements occur and where they fail to do so, this book also draws on new cross-national data collection in Sub-Saharan Africa between 1980 and 2015. The cross-national data collection focuses on Sub-Saharan Africa for several reasons. First, as other data collection efforts have noted,[192] the region is important for studying civil conflict and international intervention because of its states' diverse colonial pasts, current institutional strength and forms, societal cleavages, and natural resources. The new data collected for this book can then also nicely merge with other data collection efforts, such as the Social Conflict in Africa Dataset, for example, that similarly focus on the region to provide rich control variables. Finally, this region provides a clean sample of data on delegation agreements on which to run analyses because past case studies have largely focused on other parts of the world,[193] including those I used to generate the theory. (As described below, the coding procedure is intensive, so I had to limit it to a region for this project.) The collection focused on the time period 1980 to 2015 because much of the data needed to identify

[192] For example, see {Salehyan, 2012 #3823}.
[193] See {Matanock 2014; Ciorciari 2019}.

these missions is only available in the past few decades, but I went as far back as possible within this period to capture a decade during the Cold War.

Locating cases was an involved procedure, involving a set of steps that aimed to be as comprehensive as possible. The coding procedure first sought to capture any instances in which foreign troops, police, investigators, prosecutors, or judges sent to each of the XX[194] states in this region. This first step included consulting records on the United Nations and regional intergovernmental organizations that conduct related functions; examining and secondarily sourcing information on foreign forces from the Military Balance Database; looking at treaties and ministerial notes, training records, and categories of aid between countries to see which hint as security functions; and, finally, using online search procedures that sought to pick up any additional security personnel in these states. Having secured a list of these possible cases, coders then sought to confirm that these security personnel were indeed in the country and met the criteria for invited interventions (see above) – that (1) the missions were taking temporary authority to implement policies or laws in the host state's own territory and over its citizens; (2) that they were operated by foreign states or intergovernmental organizations; and, (3) that they were conducted with the consent of the host state – using official mission or state websites, secondary academic and policy literature, and news reports.[195] Finally, using the same sources, the coding protocol sought to determine if each invited intervention was a delegation agreement or simply a state backing

[194] Note to readers: again, a reminder that this and all numbers in the rest of this paper will be updated when the data collection is finalized.

[195] Coders split cases into multiple missions when (1) the foreign sovereign entity running the mission changed the mandate, which was often identified because it changed the mission name; (2) combatants in the state signed a peace agreement that affected the status of the mission; (3) the state made other major governmental changes, usually the irregular replacement of the executive, that then affected the status of the mission (often also signaled by a new mandate). Coders looked for any such changes during the course of possible case and proposed splits.

endeavor, using the ability of the outside actors to change the state, and specifically to make it… The coding rules are discussed in much more depth in Appendix X.

Given that there is no off-the-shelf data for these missions, collecting these cross-national data of both positive and negative cases is essential to the project, but there is no easy way to do this. While the characteristics of invited intervention and delegation agreements specifically are clear, coding the cases is challenging for several reasons. First, the missions are ad hoc in many cases. Even those conducted under the United Nations, for example, do not always fall into their peacekeeping category but can instead be political missions. Each is negotiated between the actors with significant back-and-forth on both sides, as Matanock 2022 describes, and so at times this also means that similar missions might look different – for example, one might be signed bilaterally as a formal treaty; another might be an exchange of notes perhaps backed by a historical agreement; and a third might be mandated directly by an intergovernmental organization after receiving a letter of request from the state. In addition, both sides at times have incentives to not always fully reveal the extent of their missions publicly, as host states want to be perceived as reforming in some cases, but not weak, and outside actors often want to be seen as partnering, but also have incentives to avoid any appearance of imperialism. Delegation agreements, in particular, are likely to face pushback from host states as they are implemented (as described), so it is likely that these will be formalized to some extent, but they are not necessarily widely publicized. This coding procedure therefore is designed to capture all these possible cases and then see which we can confirm that really are the set of delegation agreements, but this is an intensive effort. We essentially wrote summaries for each possible instance (hundreds for most countries) and then small case studies for each confirmed case (narrowed down to dozens for most countries), so it was not a typical black-and-white coding procedure. Again, the coding procedure is described much more extensively in Appendix X.

In addition to the examples from different regions, offered above, then, these systematic data on Sub-Saharan Africa, covering 1980 to 2015,[196] allow us to examine instances of invited interventions and, specifically, delegation agreements in the security sector. First, in terms of prevalence, Figure 2.3 shows the states with instances in which foreign sovereign actors conducted executive functions in the police or judiciary with the consent of the host state (invited interventions) and when these have a reform mandate (delegation agreements). (Delegation agreements are the statebuilding missions among the invited interventions, contrasting with those that are simply statebacking, as discussed.) The figure indicates…

[MAP FIGURE 2.3 GOES HERE.]

At the state level, then, XX percent of these states have experienced some type of invited intervention, either statebuilding or statebacking (XX countries out of the XX in the Sub-Saharan region), and XX percent experienced a delegation agreement, specifically, at some point between 1980 and 2015 (XX out of XX states). Finally, among country-years, then, XX percent of all country-years in this dataset had some type of invited intervention that was ongoing. And, 16 percent of all country-years in this dataset, then, had at least one delegation agreement that was ongoing. Examining invited interventions as well as the subset that is delegation agreements over time, Figure 2.4 shows that countries with at least one invited intervention are common over the entire period, but that those with delegation agreements, in particular, have significantly increased after the Cold War in 1990 and again as the Global War on Terrorism began in 2002.

[196] Again, see Appendix X for more discussion of why the cross-national data collection focused on this region and period; the data collection process; and, finally, the limitations of these cross-national data.

**Figure 2.4: Delegation Agreements and All Invited Intervention by Country Indicator**
[FIGURE GOES HERE.]

Considering the number of missions, then, the data collection procedure identifies XX total missions in this period that entailed foreign personnel in the host states in Sub-Saharan Africa between 1980 and 2015. The vast majority of these were invited interventions (XX missions). In terms of the missions, though, almost a third were delegation agreements (XX percent or XX missions); so, most of the invited interventions were statebacking (XX percent or XX missions). Both are…[197] On average, invited interventions last XX years, while delegation agreements specifically last XX years. Figure 2.5 shows that the onset of invited interventions and specifically delegation agreements last more than one year, also clusters to some extent, including after the Cold War and the Global War on Terrorism, but also after 2010.

**Figure 2.5: Delegation Agreements and All Invited Intervention by Country Onset**
[FIGURE GOES HERE]

Considering then the topics of these governance delegation agreements, as well as invited interventions overall, they more frequently cover policing rather than courts. The coding protocol distinguishes between policing, which include activities such as securing territory in the state on behalf of citizens (not simply an outside actor's base on leased land); patrolling, detaining or arresting individuals within the state; or questioning or otherwise gathering information as part of potential criminal cases or military actions involving citizens in the state, and courts, which include activities such as investigating cases (interrogating or otherwise questioning defendants or witnesses;

[197] Among the other missions identified, just 7 percent or 13 missions, were invasion; this is checked against other sources and discussed further at the end of this section [Compare these invited interventions to instances of aid and FIRCs in Figure 2.7, which shows how common the former and rare the latter is, in contrast to invited interventions…].

or collecting or processing any type of evidence as part of potential criminal cases or military actions involving citizens in the state); prosecuting cases (any formal role in this process); and judging cases (including any formal role in this process).[198] Among all invited interventions, XX relate to policing primarily; XX relate to the courts primarily; and XX deal with both. Figure 2.6 shows the breakdown of these different functions.

[FUNCTION FIGURE GOES HERE.]

In addition, the data separate out the type of foreign sovereign entity conducting these delegation agreements, differentiating between foreign states alone, foreign states in an alliance, and, finally, intergovernmental organizations.[199] Delegation agreements, then, according to Table 2.1, are commonly conducted by an intergovernmental organization: XX percent of all delegation agreements are led by IGOs – a high number in any event – and only 33 percent of other invited interventions are.

**Table 2.1: Summary Statistics on Typical Characteristics of Delegation Agreements**
[FIGURE GOES HERE]

Finally, although all of these missions by definition have the consent of the host state, the coding protocol identifies different forms of In addition, the data capture some characteristics of these missions that go beyond their function.[200] The data also can at times interrogate the type of

[198] In terms of the courts, in order to qualify as executive functions in these states, the crime must have happened in the state *and* the case must be taking place in a forum in which the outside actor can directly enforce the ruling or it is taking place in the state security institutions – this distinguishes between different international courts to some extent (see more in Appendix X on these coding rules).
[199] Coders also attempted to identify "lead" states in the intergovernmental organizations' missions, but this required careful research more suited to case studies, so that dimension is assessed in later work.
[200] The coding protocol has not been able to identity the degree of delegation provided to foreign sovereign entities. Although I define two distinct delegation types, full and partial, and identify them among the case studies, the information needed to assess these missions takes careful case analysis that is time consuming. Full delegation

consent that produced these missions, distinguishing between when, more formally, host states signed bilateral or multilateral treaties, international agreements, or ministerial or ambassadorial-level agreements with the foreign sovereign entities, or, less formally, host states made public pronouncements or even cooperative gestures toward the mission as it is mandated or as soon as it arrived. In addition, host states also at times sign status of forces agreements with these foreign sovereign entities that grant mission personnel immunity from some host state laws, for example, or grant the foreign sovereign entity at least the first right to prosecute on- or off-the-job offenses, which is also a dimension of formality.[201] Delegation agreements are also formed through a formal consent mechanism in almost all cases: they have a formal consent mechanism in XX percent of cases, whereas other invited interventions have this in XX percent of cases (and, not surprisingly, most of these are international agreements with intergovernmental organizations). Finally, also in terms of formalization, XX percent of delegation agreements are accompanied by a status of forces agreement for the foreign personnel, whereas only XX percent of other invited interventions are.[202]

Building on these characteristics, I propose a larger research agenda on when domestic and international actors consider and enact delegation agreements, sorting through the incentives on each side to generate a theory of their occurrence.

agreements receive authority that supersedes their host state counterparts at the level of a bureau or higher, while partial delegation agreements take in-line positions in host state bureaus but under the control of host states heads. The differences in terms of control over outcomes is important, but I have not yet been able to efficiently collect this information cross-nationally.

[201] Coders also sought to identify whether delegation agreements were specifically legalized through host state institutions – these legalization measures range from agreements ratified or other bills passed by the legislature, judicial rulings approving the missions, or other formal state proclamations or processes establishing the presence of the mission in the institutions of the host state – but this coding, too, required careful research more suited to case studies, so that dimension is assessed more broadly in Matanock 2022.

[202] Note that status of forces agreements are at times ambiguous on whether they cover the particular mission and so there are likely missing cases in these data (although perhaps in both directions).