

Reconciling U.S. Democracy Promotion and Military Assistance to African Forces¹

Stephanie M. Burchard and Stephen Burgess

The U.S. has developed long-term military partnerships with several African countries that have less than stellar human rights records. Yet, the U.S. chooses to rebuke some of these countries for human rights abuses, while continuing partnerships with others accused of similar abuses. An in-depth analysis of U.S. security partnerships with Burundi, Ethiopia, Kenya, Nigeria, Rwanda, and Uganda from the 1990s to 2017 found several reasons for this seeming inconsistency.

Introduction

Respect for human rights has been one of the foundational tenets of U.S. democracy promotion for decades. In the early 1960s, Congress required the U.S. State Department to issue an annual *Human Rights Report* on every country in the world. In the late 1990s, the Leahy Law was introduced, prohibiting the United States from providing assistance to military units accused of gross human rights abuses. As recently as 2017, the National Defense Authorization Act required human rights

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training for every security assistance program. The reality of U.S. foreign assistance, however, is less straightforward than these and other laws would make it seem, particularly when U.S. security needs come in direct conflict with commitments to democratic norms.

We used qualitative data from Burundi, Ethiopia, Kenya, Nigeria, Rwanda, and Uganda to answer questions surrounding this conflict. Specifically, we wanted to understand the conditions under which the U.S. chooses to censure offending countries and when it does not. Given that the African continent as a whole is often perceived to be of lesser importance to U.S. policymakers than other continents (van de Walle 2015), policymakers should be able to assert human-rights-based decisions more readily than in regions deemed more important.

U.S. Policy on Military Assistance in Africa

In line with the African Union's goal of providing African solutions to African problems, U.S. security policy in Africa has focused on training and equipping forces that are available for deployment and that are willing to operate in less than permissive environments in the interests of the United States. The U.S. would rather have African forces deal with the continent's crises and conflicts than put American military personnel in harm's way. As such, U.S. training and joint exercises have attempted to improve military professionalism and increase capabilities and operational capacity.

The U.S. relationship with African regimes and military forces it chooses to engage with is captured in *principal-agent theory*. In this theory, the U.S. is the principal, offering training and equipment to further its own security interests, and African regimes and forces are agents addressing the security challenges of interest to the U.S. The inherently asymmetric distribution of information in the principal-agent relationship allows the agent to take actions not in the principal's interest (Weingast 1983). One of two approaches can be taken to remedy the situation, as the next subsection describes.

Rationalist versus Constructivist Approaches

The *rationalist* approach holds that the principal is a single rational entity that contracts a rational agent to carry out a task likely to meet the principal's interests in a timely manner with the least possible cost and the greatest possible returns (Shepsle 2006). The principal has various positive and negative incentives at its disposal to persuade the agent to carry out the terms of the contract to the principal's satisfaction (Miller 2005). Agents that carry out contracts to the principal's satisfaction earn trust and contract renewal; those that do not can be sanctioned or dropped from the principal's consideration (Cooley and Ron 2004, 487).

The *constructivist* approach emphasizes the social process the principal uses to understand and contract with the agent (Dees 1992, 28). With this approach, the principal can specify appropriate countermeasures—or reject inappropriate countermeasures—to change an agent's problematic behavior (Rittinger 2017, 398).

Some U.S. government policymakers believe agent behavior is modifiable through further training (rationalist) while others insist that agent conduct can be changed only by withholding training and equipment valued by the agent (constructivist). We believe that the constructivist approach provides a more complete explanation for the disparate U.S. application of negative incentives, such as sanctions, to African agents that commit human rights violations.

Modernization versus Accountability Schools

Two competing schools of thought also affect how the U.S. applies sanctions to its security partners. In the *modernization school* of thought, which emerged in the 1940s, the U.S. trains and educates underdeveloped nationalist proxies to produce modern militaries able to carry out the principal-agent contract at lower cost than previously experienced. In the 1970s, the accountability school offered that militaries could still abuse human rights even after being trained and educated and only sanctions would lower costs (Ladwig 2017, 5–6).

Principal-Agent Theory in Africa

Application of the constructivist principal-agent theory in Africa places the modernization and accountability schools at odds about how much and for how long agents that shirk their human rights responsibilities should be sanctioned. The outcomes of these struggles are demonstrably the source of variations in the level and longevity of U.S. sanctions against norm-violating agents. Further, the dominance of one school over another changes over time. Our research indicates that the U.S. has been leaning toward modernization over accountability given the rise of violent extremist organizations in Africa since the mid-2000s.

With the goal of explaining the outcome of U.S. policy disputes internal to the government, we ask the following research question: When do human rights interests prevail over U.S. interests in providing security assistance?

Case Selection and Analytical Approach

To answer this research question, we used a qualitative case study design and selected the cases of Burundi, Ethiopia, Kenya, Nigeria, Rwanda, and Uganda. U.S. security cooperation has been the greatest in those countries and yet norm violations, such as human rights abuses, have frequently been committed. Comparing these cases to one another and noting changes in U.S. policy in each country over time while holding country-specific features constant, such as population size, ethnic fragmentation, and regime type, allowed us to see the nature and severity of norm violations and U.S. reactions to them.

A clear picture of changes in troop availability over time emerged by examining these cases in chronological order from 1997 to 2017. For example, from 2006 onward, Nigeria and Rwanda increased their troop contributions to three battalions in Darfur and had more units maintaining homeland security and deploying to other missions. That commitment in Darfur made it difficult for the two countries to deploy troops to Somalia in 2007. The inference is that timing and availability were significant variables in a country's willingness to commit troops.

The amount of training and annual security assistance the U.S. provided were also important in analyzing cases. For example, the U.S. had greater sunk costs in Burundi than in Kenya, having trained 35,000 Burundians versus only 850 Kenyans. However, the U.S. provided Kenya with tens of millions of dollars in annual security assistance for years, which also represents sunk costs. Therefore, U.S. training needs to be contextualized by the overall strength of the relationship and the size of the resource investment.

We used the annual amount of U.S. foreign assistance per person allocated to each country as a proxy measure for U.S. government interest in that country. Overall foreign assistance includes both economic assistance and military assistance, which better captures the entirety of U.S. interests than military assistance alone would. We based relative military importance of each country on the number of times that country was mentioned in U.S. military commanders' annual posture statements to Congress from 2001, the first year for which data were available, through 2017. Taken together, these two indicators—foreign assistance and military importance—provide us with a good picture of the overall emphasis the U.S. places on its relationship with a partner nation.

Results

In some years, the U.S. was willing to overlook norm violations and in other years it was not. The decision to overlook violations crossed multiple U.S. presidential administrations, suggesting it was not purely the prerogative of the political actors in power that determined the nature of the response. Most instances of norm violations by countries in which the U.S. had a high interest earned either no response or a limited one. Conversely, the U.S. imposed severe sanctions by either mostly or completely suspending assistance in every case where interests were low and violations were high. Summaries by country follow.

Burundi

The United States did not punish Burundi following reports of sexual abuse in Somalia by Burundi National Defense Force troops in 2014. However, Burundi soldiers engaged in U.S. training and exercises were vetted via the 1997 Leahy Law's process to ensure they were not involved with the military units accused. After repressive norm violations by the Nkurunziza regime and Burundi National Defense Force in 2015 and 2016, U.S. peacekeeper training was suspended, though counterterrorism training was maintained. Burundi was a high-interest country for the U.S. because of its willingness to participate in the African Union Mission in Somalia, along with Ethiopia, Kenya, and Uganda.

Ethiopia

Ethiopia has been a high-priority country for the U.S. since the mid-2000s because of its strategic location in the Horn of Africa and its willingness to fight in Somalia. A series of moderate human rights violations by the Ethiopian regime against internal opposition received either no response or a limited response from the United States. Members of Congress attempted at a few points to rebuke Ethiopia for its norm

violations but never succeeded in pushing any meaningful sanction forward. In the late 1990s, however, Ethiopia was of a lower priority, and its brief war with Eritrea provoked a severe U.S. response—suspension of all security assistance.

Kenya

Kenya has long been a high priority U.S. partner, particularly in counterterrorism efforts, and despite the nature or severity of Kenya's human rights violation, the U.S. has appeared unwilling to adjust its security assistance posture since at least the late 1990s. Kenya security and police forces were accused of human rights abuses involving political repression or extrajudicial killings on several occasions from 2007 through 2017, but none of the allegations resulted in the suspension of U.S. military assistance. In fact, support provided to Kenya increased in the mid-2010s.

Nigeria

U.S. interest in Nigeria has waxed and waned over time. When Nigeria's importance was low, the U.S. was much more likely to impose sanctions and suspend security assistance. When Nigeria increased in importance, the U.S. was much less likely to impose sanctions for norm violations, regardless of severity. Sanctions against Nigeria from 2014 to 2015 were imposed despite high U.S. interests, but the sanctions were brief and assistance soon resumed, even increasing in 2015. This pattern is similar to that seen in Burundi. The U.S. may have been more willing to impose severe sanctions in Nigeria due to the number of partnership alternatives it had in the region at the time.

Rwanda

Rwanda's support to rebels in the Democratic Republic of the Congo provoked the U.S. to suspend security assistance from 2012 to 2014, when U.S. security interests in the country were high. However, this decision came as U.S. interest in Darfur (and consequently Rwanda's support to that mission) was waning. The U.S. did not sanction Rwanda for equally high human rights violations that had occurred in 1996.

Uganda

In Uganda in 1998, the U.S. responded to allegations of human rights abuses by the Ugandan People's Defence Force in the Democratic Republic of the Congo by completely suspending training assistance. Compared to large-scale massacres, these were relatively minor infractions but nonetheless resulted in substantial loss of assistance. During the height of Uganda's importance to the U.S. and because of its assistance in Somalia, the U.S. imposed only limited sanctions against the regime for its ongoing criminalization of homosexuality; repeated accusations of sexual abuse by Ugandan People's Defence Force troops in peacekeeping operations were overlooked.

Summary

Our examinations of the six African cases revealed that the U.S. partially punished Burundi (high U.S. interests with high violations at home and minor ones abroad), severely punished Nigeria (moderate U.S. interests with high violations at home and minor ones abroad), and severely punished Rwanda (declining high U.S. interests with minor to moderate violations abroad). These responses contrast sharply

with the United States' non-punishment of Uganda and Kenya (high U.S. security interests with minor violations abroad and moderate violations at home).

Table 1 shows measures of importance over time for the six African cases alongside descriptions of their norm violations and U.S. sanctions in response. The importance of a country to the United States is positively correlated with U.S. foreign assistance to that country in every case except for Nigeria in 2014. (We speculate that the distortion may have to do with Nigeria's population, which exceeded 190 million in 2017.) A country's substantive security interest to the U.S. is based on the relative number of conflicts, if any, the partner country was involved in, and how important resolving these conflicts appeared to be to the United States.

Table 1. Chronology of U.S. Interests and Sanctions for Norm Violations in Six African Countries

Year	Country	Posture Statement Mentions*	U.S. Foreign Assistance per Person per Year	U.S. Security Interest Level (Substantive Reason)	Norm Violation Level (Description)	U.S. Response Level (Form)
1993	Nigeria	N/A	\$0.1	Low (Economic Community of West African States Monitoring Group)	High (military human rights abuses)	Severe (military assistance suspended)
1996	Rwanda	N/A	\$33.0	High (post-genocide military)	High (invasion of the Democratic Republic of the Congo)	None
1998	Ethiopia	N/A	\$2.5	Low	High (war with Eritrea)	Severe (African Crisis Response Initiative suspended; military aid cancelled; weapons sales suspended)
	Uganda	N/A	\$5.6	Low	High (invasion of Democratic Republic of the Congo)	Severe (African Crisis Response Initiative suspended)
2003	Nigeria	3	\$0.7	Low	High (Benue massacre)	Severe (international military education and training/foreign military financing suspended)
2005	Ethiopia	3	\$8.0	High (Somalia)	Moderate (postelection violence)	None
2008	Kenya	6	\$14.5	High (counterterrorism)	High (postelection violence)	None
2013	Rwanda	0	\$15.0	High (African Union Mission in Somalia)	High (support to M23 militia rebels, who used child soldiers and committed human rights abuses)	Severe (international military education and training/foreign military financing suspended)
2014	Nigeria	10	\$3.0	High (Boko Haram)	Moderate (military human rights abuses)	Limited (military assistance reduced)
2015	Burundi	0	\$4.5	High (African Union Mission in Somalia)	Moderate (autocratic power grab)	Limited (Africa Contingency Operations Training Assistance suspended; counterterrorism training continued)
	Ethiopia	1	\$7.5	High (African Union Mission in Somalia)	Moderate (state repression)	Limited (congressional sanctions adopted; military assistance exempted)
	Uganda	3	\$13.4	High (African Union Mission in Somalia; Counter-Lord's Resistance Army)	Low (anti-homosexual legislation)	Limited (regional military exercise cancelled)
2016	Kenya	3	\$22.4	High (African Union Mission in Somalia)	Low (extrajudicial killings)	None

N/A—not applicable.

* Posture statements not available before 2001.

Discussion

We found the comparative weight of interests to foreign assistance values (sunk costs) determined U.S. responses to norm violations. A combination of the intensity of U.S. interests and the magnitude of the norm violation explained when the U.S. chose to censure a country as well as the form of the rebuke. Countries where the U.S. had significant interest were often exempted from censure. As seen in Table 1, the U.S. opted to severely respond to norm violations when U.S. interests were high only once, in Rwanda.

This finding indicates that the modernization school of thought has prevailed over the accountability school in the constructivist approach to principal-agent theory. That is, those who believe African militaries who commit human rights violations can be improved through continuous engagement and training wielded more policy-making influence than those who believe that the U.S. should disengage from and sanction those militaries.

The cases we examined demonstrated that timing, availability, interests, and capability were all important in determining the agents in Africa that the U.S. contracted to carry out missions in its security interests. U.S. security interests in Africa tended to outweigh human rights interests when U.S. security interests were high and human rights violations were low. However, when norm violations were high, the U.S. sanctioned the agent at least partially, giving agents a chance to redeem themselves, also in line with the modernization school.

The accountability school prevailed temporarily in Nigeria, Rwanda, and Burundi where human rights abuses were high but not in Ethiopia, Kenya, or Uganda, which played an important role in helping to meet high U.S. interests. In addition, the temporary nature of sanctions in Nigeria, Rwanda, and Burundi reflects both a decline in U.S. human rights interests in Africa policy since the 1990s as well as predominance of modernization advocates over accountability supporters when it comes to U.S. security interests in Africa.

While the U.S. commitment to democracy and human rights in Africa is rhetorically robust, its practical commitment is fluid and subject to influence by its security needs. By satisfying short-term goals through a more transactional approach to human rights and security partnerships, the U.S. risks damaging its longer term goals of nurturing democracy around the globe. It also runs the risk of reputational harm associated with the selective enforcement of democratic norms.

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About the Authors



Stephanie Burchard is a member of the research staff in the Intelligence Analyses Division of IDA's Systems and Analyses Center. Her PhD is in political science from Rice University.

Stephen Burgess (no photo available) is professor in the U.S. Air War College's Department of International Security Studies. His PhD is in political science from Michigan State University.