

SPOTLIGHT 4

Wartime governance

In recent years, several concepts have emerged to describe the governance arrangements that have arisen in areas where the imprint of the state is weak or inexistent. What these concepts of “hybrid governance,” “governance without government,” “twilight institutions,” “practical norms,” and “negotiated statehood” have in common with each other and with the framework adopted in this Report is their theorization of governance as the outcome of complex bargains between different actors and groups, in this case for the purpose of filling gaps in state capacity.¹

Underpinning these concepts is a growing literature and empirical evidence with far-reaching implications for development: “Instead of focusing on fixing ‘failed states,’ development practitioners and academics are asking new questions about whether more appropriate forms of order can be constructed by . . . focusing on ‘function rather than form’ in a context in which suboptimal hybrid arrangements are better than the total collapse of services” (Meagher, De Herdt, and Titeca 2014, 1). “Wartime governance” is a specific application of these governance arrangements to territories where the state’s monopoly over the use of violence has collapsed or is being contested, and where armed groups, traditional authorities, and other informal local actors have taken over and become the *de facto* authority, sometimes undertaking functions normally performed by the state.

Although these territories are typically portrayed as anarchic, disordered, and ungoverned, observations from the field show that this is not the case. Different actors adopt a myriad of strategies in the areas they control, some resulting in fairly stable

forms of political control. There are abundant examples of such actors: the Revolutionary Armed Forces of Colombia (FARC), the Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka, the Taliban in Afghanistan, the National Union for the Total Independence of Angola (UNITA), Al-Shabaab in Somalia, and, more recently, the Islamic State of Iraq and the Levant (DAESH) in the Syrian Arab Republic and Iraq. These actors resort frequently to the use or threat of violence to maintain their authority through raiding, victimizing, and plundering contested territories. Yet, not all armed groups behave in solely destructive ways, nor do the more violent groups exercise violence at all times. In many of these cases, insurgent groups have taken on some (if not all) of the functions of the state in terms of providing local security and formal and informal dispute resolution mechanisms, building infrastructure, setting up systems of administration, mediating access to and in some cases providing public goods, imposing revenue-extracting systems, regulating markets—in brief, governing.²

To govern, armed actors establish “wartime institutions,” defined as the rules of the game that result from the interaction between civilians and armed factions. Wartime institutions have three important dimensions: (1) they constrain absolute power by armed factions; (2) they establish boundaries to civilian behavior; and (3) they are negotiated, depending on shifts in power between warring factions in given localities (Stojetz and Justino 2015). These wartime institutions determine how different armed factions govern territories and populations in the absence of a unitary national government.

It is the ability and willingness to govern that distinguish “state-like” armed groups from bandits

WDR 2017 team, based on Justino (2016).

or other extractive organizations. For example, in the Democratic Republic of Congo, the Rally for Congolese Democracy-Movement for Liberation (RCD-ML) developed into an amalgam of militiamen and local businessmen who provide minimal services, levy taxes, and seek to access global markets, while still relying on coercion. The Union of Patriotic Congolese (UPC), on the other hand, remains a coercive military junta (Raeymaekers 2013). Such divergence in wartime governance across time and space is in turn shaped by several factors. Among them are the strength and nature of preexisting systems; how civilians accept and comply with different local forms of authority; the levels of competition among political actors, including the state, for a certain territory; the time horizons of different factions and how long an armed group expects to stay in a certain area; and the sources of external financing available to the group.³

Wartime governance arrangements may result in relative security outcomes nested within violent conflict contexts when this security benefits the strategic objectives of particular political groups. These groups need at the very least to extract revenue to fund fighting and territorial expansion. Because revenue extraction is likely to be higher in situations in which one group exercises the monopoly of violence, some armed actors may choose to levy taxes in exchange for the provision of public goods and security. This choice may in turn result in the emergence of security as postulated by Olson (1993) and Tilly (1992). The wartime systems of governance just described may also result in the emergence of security in conflict contexts when a given political actor is accepted (or tolerated) and recognized by local populations. Notably, wartime forms of governance may offer a sense of legitimacy and certainty, which may reflect civilian perceptions about the authorities who govern them and the nature of their authority (Bates 2008).

Recent research on violent conflict has found compelling evidence that local (and not just state-level) institutional structures influence political processes during and after conflicts (Kalyvas 2006; Blattman and Miguel 2010). A related body of literature has long questioned the centrality of the state in local systems of governance in areas of uneven or absent state presence—the so-called ungoverned spaces (Scott 1999; Batley 2011). This local perspective is an important supplement to national-level perspectives on state building because, as argued in a landmark study on the Democratic Republic of Congo, “The dominant international peacebuilding culture shapes the interveners’ understanding of peace, violence, and intervention in

a way that overlooks the micro-foundations necessary for sustainable peace. The resulting inattention to local conflicts leads to unsustainable peacebuilding in the short term and potential war resumption in the long term” (Autesserre 2010, 39–40).

Of course, not all local political dynamics are always purely local events; they often depend on how bargains, relations, and negotiations among factions unfold in the wider political arena (Balcells and Justino 2014). Yet, a local perspective on wartime institutions and wartime governance is still important. State-building processes in conflict-affected countries are influenced by multiple actors operating at different levels of governance. This influence can be exerted through formal and informal structures and networks, and it is not always driven solely by the interests of national-level elites. Local actors are also influenced by geopolitical and external factors, ranging from foreign donor interventions to international and regional military forces, peacekeeping missions, private commercial and security organizations, private sector and foreign investment in resources and land, international and local media, and international drug and arms control systems, among others.

Understanding in more detail the role of these groups in processes of state building is important because the activities and behavior of these groups—notably, how they govern and interact with civilians—shape how institutions are formed, reinforced, and change in the postconflict period. In particular, the exclusion of elements of these groups from state-building processes in the aftermath of violent conflicts may result in further armed conflict, or may disturb political order for a long time, leading to the situations of “no peace, no war” experienced by many countries with a history of conflict (Richards 2005).

Notes

1. Migdal and Schlichte (2005); Lund (2006); Olivier de Sardan (2008); Raeymaekers, Menkhaus, and Vlassenroot (2008); Hagmann and Péclard (2010); Meagher, De Herdt, and Titeca (2014).
2. Weinstein (2007); Mampilly (2011); Arjona, Kasfir, and Mampilly (2015).
3. Snyder and Bhavnani (2005); Kalyvas (2006); Weinstein (2007); Arjona (2014); Sanchez de la Sierra (2014).

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