

- Governance is hybridized in many post-colonial countries. Hybrid political orders are characterized by diverse and competing authority structures, sets of rules, and logics of order. They combine elements of Western models with elements stemming from local indigenous traditions and are also affected by the forces of globalization and associated societal fragmentation.

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The realities of many states in the post-colonial Global South are largely divorced from the Weberian ideal with its monopoly over the legitimate use of physical force. These states, however, should not be seen from the perspective of either »not yet« properly built or »already« failing or failed again, but as political entities in their own right.

The import or imposition of modern Western state structures in the course of colonization and decolonization did not lead to the establishment of the model modern state – as might have been expected by the former colonial powers and the indigenous political elites who steered their countries through »national liberation« and into independence. In many cases, the state was nothing more than an empty shell at the time of independence. Attempts to consolidate the formally established form of statehood met with manifold obstacles. The new states lacked roots in their societies, and the delivery of modern state institutions was not accompanied by the development of the economic, political, social, and cultural structures that had provided the basis and framework for an efficiently functioning and legitimate political order in the course of the emergence of the European state.¹

Although post-colonial state institutions claim authority within the boundaries of a given »state territory,« in large parts only outposts of »the state« can be found, in a societal environment that is to a large extent »stateless.« Often the state has not yet permeated society and extended its control to the whole of society. Statelessness, however, does not mean Hobbesian anarchy, nor does it imply the complete absence of institutions. In many places, customary non-state institutions of governance, originating in the pre-colonial past, still play an important role in the everyday lives of people and communities. They have, of course, been subject to considerable change and have

1 Under ruthless pressure of globalization and the accompanying neoliberal agenda of the past decades, there has often even been a regression from levels of statehood achieved post-independence. A decline in the capacity, effectiveness and legitimacy of state institutions led to heightened state fragility, often in combination with the escalation of violent internal conflicts. This vicious circle of fragility and violence gave rise to the discourse of failing and failed states which over the past two decades or so has informed the politics and strategies of major Western donor countries and international organisations, with liberal peacebuilding and state-building at its core. The so-called fragile or conflict-affected states of the Global South have become the subject of externally driven peacebuilding and state-building, or rather peacebuilding-as-statebuilding, which in a sense seeks to compensate the neoliberal neglect of state institutions. State-formation processes omitted post-independence are now to be made up for by means of externally-supported state-building/peacebuilding.

had to adapt to new circumstances. However, despite the efforts of colonial administrations and newly independent post-colonial states to impose state-based modes of governance on communities, these customary institutions have shown considerable resilience and adaptive capacity.²

Traditional societal structures – extended families, clans, tribes, religious brotherhoods, village communities – and traditional authorities such as village elders, clan chiefs, healers, big men, and religious leaders determine the everyday social reality of large parts of the population in so-called fragile states even today, particularly in rural and peripheral areas. Moreover, state institutions are to a certain extent »infiltrated« and overwhelmed by these »informal« indigenous societal institutions and social forces, which function according to their own rules and logic within the state structures, making use of them in the interest of their own, mostly kinship-based, social entities. This leads to state institutions departing from the Weberian ideal type. On the other hand, the only way to make state institutions work is often through the utilization of such kin-based and other networks.

But it is not only local societal forces infiltrating state structures; the process also works the other way round: the intrusion of state agencies impacts on non-state local orders too. Customary institutions and authorities do not remain unchanged; they respond to and are influenced by the mechanisms of the state apparatus. At times they are even incorporated into central state structures and processes, and thus subjected to deconstruction and re-formation.³ As a result, they

2 Contemporary »customary/traditional institutions«, »customary/traditional ways« etc. are of course not the institutions and ways of the pre-contact and pre-colonial past. Societies everywhere in the world have come into contact with outside influences, and have not been left untouched by – originally European – capitalist expansion, colonialism, missionizing, imperialism and globalisation. This holds true even for the most remote parts of the Global South. There are therefore no clear-cut boundaries between the realm of the exogenous »modern« and the endogenous »customary«; instead processes of assimilation, articulation, transformation and/or adoption occupy the interface of the global/exogenous and the local/indigenous. Nevertheless the use of the terms »custom«, »customary institutions« etc. is helpful because they identify specific local indigenous characteristics that distinguish them from introduced institutions that belong to the realm of the state and civil society.

3 Chiefs are a good example in this regard. Chiefs in post-colonial countries today have their roots in pre-colonial systems of political organisation and leadership, but they are not manifestations of that pre-colonial leadership, even if they are often referred to as »traditional authorities« (and present themselves as such). Rather, the category of chief originates in colonial times when colonial masters sought to harmonize and instrumentalise the multitude of pre-colonial governance and leadership structures for their own ends. These structures changed in the course of the interaction with exogenous forces, leading to the emergence of chiefs as the unifying leadership category (although there were and are still a variety of types of chief). Processes of change and adaptations of chief-based systems continued in the post-colonial period, albeit under fundamentally different conditions. Traditional leaders were largely discredited in the

adopt an ambiguous position with regard to the state, appropriating state functions and »state talk,« but at the same time pursuing their own agendas under the guise of the state form, utilizing the state's resources and authority.

This complex nature of governance is further complicated by the emergence and growing importance of movements and formations whose origins lie in the effects of and reactions to globalization, including warlords and their militias in outlying regions, gang leaders in townships and squatter settlements, vigilante-type organizations, ethnically-based protection rackets, millenarian religious movements, transnational networks of extended family relations or organized crime, and new forms of tribalism. Their emergence is not least a result of poor state performance, and their activities can contribute to the further weakening of state structures. Where state agencies are unable or unwilling to deliver security and other public goods, people will turn to other social entities for support. Sometimes such new formations manage to seize power in certain regions of a given state (be it a remote mountainous region or a squatter settlement in the capital). They have the capacity to exert violence against outsiders and to control violence within their respective strongholds. The new formations are often linked to traditional societal entities and attempt to instrumentalize them for their own goals, such as power and profit. The protagonists of traditional societal entities such as lineages, clans, tribes or religious brotherhoods, on the other hand, also introduce their own agendas into the overall picture. These agendas are not reducible to political aims, such as political power, or to economic considerations, such as private gain and profit, but include concepts such as »honor,« »revenge,« or »right to (violent) self-help.« Thus non-state traditional actors and institutions, their motives and concerns, and their ways of doing things, blend with new »private« formations and their motives. Clan leaders might become warlords (or warlords might strive for a position of authority in the customary context) or tribal warriors might become private militias, and a

immediate post-independence era because they often had been incorporated into (indirect) colonial rule as instruments of the colonial powers, and the new political elites of the independent states usually attempted to do away with them as anachronistic and reactionary forces of the past. But customary forms of governance persisted, and the authorities of the independent states – like their former colonial rulers – ultimately found it to be more promising to incorporate them than to try to suppress and displace them. Hence the so-called »re-traditionalisation« in a number of sub-Saharan African states, where legislation »(re)incorporated traditional leaders officially into state hierarchies in recognition of their ongoing influence as local players« (Kyed and Buur 2006, 2). The aim is, again (as in colonial times) instrumentalisation for state purposes and thus as a means to reinforce the authority of the state. Chiefs, on the other hand, can also utilise their new status and roles to reinforce their authority. In other words: contrary to the prophecies (and hopes) of all sorts of modernization theories, chiefs are still here today, and will not be disappearing any time soon.

political economy based on extensive use of violence might emerge as locally embedded orders increasingly link into the globalized market and global society, for example via drug trafficking, migration, remittances, trade networks or religious affiliations. Traditional local entities become integrated into transnational, regional, and even global networks. Schetter's observations on »the globalised tribe« (Schetter 2007, 246–49) in the context of »Talibanistan« as a non-state and anti-state order – rooted in local tribal structures, but increasingly embedded in regional and even global networks – not only apply to Afghanistan, but also to other regions of the Global South.

Again, as in the case of the relationship between introduced state institutions and indigenous customary societal institutions, a situation of coexistence, overlap and blending emerges.

HYBRID POLITICAL ORDERS

All these processes of diffusion are hybridizing governance, constituting what can be called hybrid political orders where diverse and competing authority structures, sets of rules, and logics of order coexist, compete, overlap, interact, intertwine and blend, combining elements of introduced Western models of governance with elements stemming from local indigenous traditions of governance and politics, with further influences exerted by the forces of globalization and associated societal fragmentation (in various forms: ethnic, tribal, religious ...). They emerge from genuinely different societal spheres – which do not exist in isolation, but permeate one another. Consequently, these orders are shaped by the closely interwoven texture of their separate sources of origin: they are hybrid (Boege et. al. 2010; Boege et. al. 2009).

Hybrid political orders differ considerably from the Western model state and the way it operates, not least in the core domain of security. The maintenance of internal security and order is not based on a state monopoly over the legitimate use of physical force. In Pacific island states, for example, everyday peace is maintained not so much by state institutions, but by village chiefs and clan elders, healers, male and female community leaders, and religious leaders. Their strength is rooted in closely-knit communities, with kinship-based networks underpinning social order and well-being and regulating the management of everyday life. By contrast, the police, courts, and other institutions charged with maintaining domestic peace in the fully-fledged states of the Global North hardly penetrate the rural areas of these countries. They lack the capacity to make their presence felt in the communi-

ties, and, more often than not do not even assume that peace and order is primarily their responsibility. They are happy to leave this duty to local authorities, and their effectiveness and legitimacy very much depend on good working relationships with those authorities. Customary authorities deal with conflicts and disturbances by applying the customary law of the particular locality rather than the written law of the state. In many places customary law is strong and vital, whereas the state judicial system is weak. People generally find customary law easier to understand, more accessible, fairer, cheaper, more transparent, faster, and more efficient, and also more legitimate because it is embedded in local culture. The interface between customary law and state law is often uneasy, characterized by (partial) contestation, (partial) complementarity, and (partial) incompatibility, often with no clear regulation of their relationship.

But it is not just this coexistence of state and non-state security providers and the significance of the non-state actors which characterize »hybrid security governance« (Schroeder, Chappuis, and Kocak 2014). Rather, security actors and institutions straddle the state/non-state boundary, and thus call into question the state/non-state dichotomy. While some entities can be at first sight be seen as »state« (the police, the army, the courts) and some as »non-state« (priests, vigilantes, chiefs), a closer look reveals blurred boundaries and intersections, with intense interactions and relationships: chiefs who are both »state« and »non-state« (see footnote 3 above), community police that are more »state« in some contexts and more »non-state« in others, overlap between vigilantes and police or police and community watch groups, intersection between the formal state justice system and informal customary law.⁴ In other words: the state/non-state dichotomy »that informs the state-building framework rarely reflects reality. Linkages and overlaps exist between institutions that represent and draw authority from the central state and institutions that generate authority at the local level« (Albrecht and Kyed 2010, 2). Accordingly, what really matters are processes, relationships, and interactions (rather than distinct entities and structures): ongoing hybridization rather than a hybrid end state.

This hybridization of security governance renders

4 Customary law has a specific relationship to the state – it is non-state, distinct from the laws of the state, but at the same time accepted by the state as a source of law in its own right, alongside statutory law. Formally, customary law is often inferior to state law and confined to certain areas of jurisdiction, with serious crimes such as murder or rape being the prerogative of state law. De facto, however, boundaries are fluid, and customary law often reaches beyond its formal restrictions. Moreover, forms of customary law not sanctioned by the state are also practiced, and customary law covers areas which are not (and cannot) be covered by state law, but are of major importance in community life, such as sorcery or witchcraft.

obsolete the Western concept of the state as the central overarching entity holding the monopoly over the legitimate use of physical force. Governments might claim or pretend that it does exist, but in reality there is no central dominance over and control of the huge variety of providers of peace, security, and justice, nor over their relationships and interactions, which are complex, fluid, and constantly changing. Continuous hybridization and processes of emergence are thus the main features of the provision of peace and security, rather than the centrally orchestrated and controlled »building« of a uniform system of peace and order. The endeavors of governments and their international supporters – security sector reform, state capacity-building, justice sector reform etc. – are only elements in a much broader mix of processes of state and peace formation. It is illusionary to believe that these processes will finally culminate in a Western liberal peace and state based on the monopoly over the legitimate use of physical force.

POSITIVE MUTUAL ACCOMMODATION

Unfortunately, hybridity of political order and hybridization of security are perceived (if at all) as a negative factor from the perspective of the mainstream Western policy and academic discourse on »fragile« states, peacebuilding, and state-building. This discourse acknowledges only civil society institutions that complement state institutions. Actors that do not fit into the Western liberal format of either »state« or »civil society« (or »business/economy«) are all too often neglected as »anachronistic,« »illiberal,« »undemocratic,« or »just cultural,« that is: unfit, detrimental or irrelevant for peacebuilding and security provision. The role of traditional authorities in particular is still poorly understood, and the nature and effects of their interplay with other actors and institutions are insufficiently considered in the mainstream Western security discourse. To a somewhat lesser extent, the same holds true with regard to the role of »private« actors – so-called vigilantes, gangs, neighborhood watch committees, and strongmen/big men. But under conditions of hybridity of political order and security such »unconventional« actors have to be reckoned with and engaged with. Experience shows that any attempts at security provision that ignore or fight hybridity experience considerable difficulty in generating effective and legitimate outcomes. Strengthening state institutions is unquestionably important, but engaging with communities and non-state informal institutions is at least as important. The capacity and legitimacy of »unconventional« providers of security have to be acknowledged, and they have to be engaged with – accepting that »engaging with non-state actors can mean

dealing with unsavoury characters involved in questionable activities« (Denney 2012, 2). Positive mutual accommodation of state and customary as well as civil society institutions – which in real life are not isolated domains anyway, but intertwined in specific »messy« local socio-political contexts – is the way forward. This means working with the hybridity of political order, not against it, pursuing »link-building as opposed to state-building« (Baker 2010, 613).

This does not mean, however, that one should think of state and hybrid political order as mutually exclusive. The aim is not to get rid of »bad« states in favor of »good« hybrid political orders, but to contribute to the emergence of new forms of statehood (and peace and security provision) in the context of hybridity/hybridization of order, peace, and security. States are and will remain important building blocks of global society, and people and territories will have to be organized in state forms so as to be reliable and recognized members of the international system of states and its international organizations, adhering to and protected by international norms and rules (which is why de facto or quasi-state entities like Somaliland strive for international recognition as states).

In this context, hybrid security governance arrangements »need to be taken seriously, not as some form of 'second best' or 'good enough' governance. These are not throw-backs or regressions, but inventive and potentially formidable political responses to present realities and future aspirations« (Dinnen, Porter, and Sage 2010, 29). Taking them seriously is not just about »respecting culture« and »context sensitivity,« but means genuinely engaging with local people as agents of their own praxes of peace and political community. For them, the (blurred and fuzzy) state/non-state divide possesses little meaning. People, as »end-users« of security provision, care little about who maintains their everyday peace. For them, »formal/state« and »informal/non-state« are not opposite or mutually exclusive categories and incompatible alternatives. Their everyday reality is shaped by a complex web of interacting and overlapping institutions and actors, with relations more important than entities. People live these entanglements every day. In so doing, they show formidable pragmatism and adaptability when it comes to combining the indigenous and the exogenous, exploring what works for their circumstances and incorporating it into their culture and customs – which are far from static »traditional,« but fluid and inter-culturally adaptive, hybridizing all the time. In other words: People are engaged in constantly negotiating the emergence of forms of peace, security, and political order which best suit their needs, history, culture, aims, and aspirations, and which can provide the framework for the peaceful conduct of conflicts – beyond the Western state model

with its monopoly over the legitimate use of physical force.

To conclude: when reflecting on the need for new peace and security rules in the twenty-first century, we have to take into account the hybridity of peace and security in many so-called fragile states and situations, and have to explore ways of working with hybridity that could contribute to stable security and sustainable peace.

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