

Undressing the Emperor: A Reply to Our Discussants

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Our colleagues' responses to the lead article are very helpful and encouraging. Each one provided us with further food for thought, and we are thankful to the Berghof team for initiating this stimulating debate.

Strikingly, both Trutz von Trotha and Susanne Schmeidl refer to Hans Christian Andersen's *The Emperor's New Clothes* and acknowledge that our lead article has taken on the child's role in the fairytale by pointing out the deficiencies of the currently fashionable discourse on state fragility and state-building. When reading the five comments, we were impressed by the clear-sighted assessments of the discourse's flaws, and we were equally excited about the abundance of empirical material that our discussants provided – from the Balkans, Afghanistan, East Timor, through to Liberia and Somaliland – which strengthen our main lines of argument. There are also disagreements, of course, and perhaps misunderstandings. Sometimes we may not have been clear enough in presenting our approach. We are therefore grateful for this opportunity to make clarifications and sharpen our arguments by discussing the points of disagreement. Given the limited space we have to confine ourselves to a few selected points of particular interest.

All the discussants take issue – more or less – with our concept of “hybrid political orders”. We are aware that several other concepts are being used in the social sciences that cover similar issues and try to analytically grasp the socio-political phenomena that we try to understand by using the concept of hybrid political orders. Our discussants themselves refer to concepts of “quasi-statehood”, “para-statehood”, “neopatrimonialism”, “oligopolies of violence” – and there are more concepts out there, among them clientelism, legal pluralism, institutional multiplicity, informal institutions or areas of limited statehood.¹

¹ For a comparison of some of these concepts with the concept of hybrid political orders see Kraushaar/Lambach 2009 (forthcoming).

Von Trotha's concept of "para-statehood" or Andreas Mehler's concept of "oligopolies of violence" (which we briefly refer to in our lead article, see in this volume, 23) are without doubt valid and helpful. In our lead article we give some reasons why we think that for our research purposes "hybrid political orders" is more appropriate as a conceptual framework. These other concepts usually are more limited in analytical scope; the concept of hybrid political orders is broader (perhaps too broad) and thus allows us to encompass different non-state forms of order and governance and at the same time to focus on the crucial point, namely the combination, interaction and mutual penetration of institutions of governance which are of socially-historically distinct origins and which – in the process of combination, interaction and penetration – constitute new "hybrid" forms of political order.

Bjoern Hofmann is right in asking for more differentiation of hybrid political orders (e.g., are they weak or stable?). In a way we are confronted with the same problem as the protagonists of the fragile states approach – it is too broad and needs further refinement. As it stands, our paper is an effort to take a different approach towards political community, state formation and political and cultural difference than those approaches which drive the state-building and much of the development agendas. Many places, often profoundly different from each other, are relevant to this analysis, not only those classified as fragile states. Working to gain a clearer and much more detailed picture of different 'types' of hybrid political orders, and the different historical, social and political processes that have given rise to their similarities or differences, will therefore be a useful and necessary next step in elaborating the concept. We do not agree, however, with Hofmann in his assumption that a typology of hybrid political orders should take the OECD states as point of reference. The concept of hybrid political orders overcomes the notion of the state as being the superior and ultimate form of political order *per se* and frees the debate from its current state-centric bias, thus widening the narrow horizons of conventional political science. It is not normative in the way the mainstream discourse on fragile states is. Instead of focusing on the deficiencies of existing states in the Global South and measuring them against (a contestable set of representations of) the ideal Weberian/Westphalian OECD-type of state, it serves as an analytical instrument designed to grasp and understand how "the real world operates" (Woodward, in this volume, 47).

In fact, we understand hybrid political orders as an analytical rather than a normative concept (contrary to how Mehler and Hofmann seem to have read us). Hybrid political orders in our view is not an 'ambition', a normative goal that has to be achieved. Rather, it is *what is the case* in many so-called fragile states and situations. Our intention is not to present states as 'bad' and hybrid political orders as 'good' (or hybrid orders as an alternative to states), but to draw attention to the institutions and processes of governance on the ground that actually determine the political order (which can be more or less orderly or disorderly).² We have found several cases in which hybrid political orders work (reasonably) well for the people; but we take the point – made for instance by Mehler with regard to neopatrimonialism and by Susanne Schmeidl with regard to warlordism – that there can be massive problems in hybrid political orders, and we have no easy solutions for these problems. We do not neglect the negative dimensions of hybrid political orders. On the other hand, however, we want to raise awareness of their positive dimensions and potentialities, identify their workable elements and try to make proposals for the realization of those potentialities, for instance by processes of dialogue between non-state informal communal and customary actors and formal state actors. The basic question is in what direction developments go – whether hybrid political orders, which are *not* simply "non-state orders" (cf. von Trotha), can constitute a political

² Hofmann treats the term "order" in the sense of "orderliness"; orders can be more or less orderly or disorderly, but that is another issue (the current 'world order' or 'international order' that political scientists and politicians talk about does not seem particularly orderly to us).

community that provides security, peace and a framework for the nonviolent conduct of conflicts. This kind of a political community is our normative orientation, regardless of its form as a “state” or – for that matter – a “non-state order”.

We think that this freedom from normative state-centrism can be a valuable strength of the concept, not least an enabling and sensitising one (as von Trotha notes). We have to admit, of course, that we are at an early stage of elaborating the concept; much more empirical-analytical work has to be done in understanding the complex dynamism of different manifestations of hybrid political order, as well as developing our theoretical approach.³

We would argue strongly against Hofmann’s position that the hybrid political orders approach boils down to “merely reframing the top-down versus bottom-up debate among academics and peacebuilders” (in this volume, 81). Rather, our approach lies outside this debate and does not take sides ‘in favour’ of bottom-up and ‘against’ top-down. It challenges the understanding of statehood that the notions of “bottom-up”, “top-down”, “civil society” and “traditional cultures” inevitably refer to. It is our impression that Hofmann does not do justice to the relevance of non-state customary and communal institutions.⁴ We also do not agree with Hofmann’s observations that customary governance values and practices have been seriously engaged with and incorporated into national governance in East Timor, although there has of course been some engagement. In our view, the respect for cultural traditions that is mentioned is abstract rather than concrete, consistent and practical. The government and the international community acknowledge the existence of customary mechanisms, but as Hofmann’s paper implies, only because the government “does not yet have the overarching administrative reach” and while it is “aiming to strengthen the new administrative structures staffed by elected representatives” (in this volume, 82). The introduction of local (*suco*) level, party competitive elections in 2005 is an example of efforts to incorporate bottom-up participation entirely along the lines of western states, with little sensitivity to widely prevalent, cross-country customary mechanisms that were already in place. Primary research has indicated, however, that the introduction of party-based electoral competition at the local level has acted to project political division at the elite level into grass-roots politics and to undermine local, largely customary mechanisms for maintaining social peace and cohesion (Brown/Gusmao 2009).

Susanne Schmeidl rightly points to the similarities between the cases of East Timor and Afghanistan. She shows how in Afghanistan, similar to East Timor, customary institutions were and still are sidelined in the externally driven state-building exercise. Her account of developments in Afghanistan – which she captures in the telling phrase of the “McDonaldization” of state-building – very much corroborates our general critique of donor approaches to hybrid political orders. Speed and ‘short-termism’ instead of long-term commitment, treating elections as a technocratic, logistical exercise rather than a socially embedded democratic process, focusing on centralized state-building and urban centres at the expense of rural communities and local culture, taking a *tabula rasa* approach instead of engaging with functioning customary institutions of governance – all of this strikes a chord with our research (see also Richmond/Franks 2008).

Schmeidl also raises a very important issue by asking “how to deal with strongmen and warlordism” (in this volume, 71). (Mehler has similar concerns with regard to neopatrimonialism.)

³ So far our empirical-analytical work has been confined to Southeast Asia and the Pacific. We intend to expand our work to include regions of ‘fragility’ in Africa, Latin America and other parts of Asia, in collaboration with colleagues from other continents.

⁴ By contrast, it is worth noting that the OECD-DAC most recently has come to acknowledge the positive role local non-state actors can play. “A growing interest in and willingness to work with local institutions of governance – such as *shuras* in Afghanistan – is also welcome. Traditional systems, which may not be recognisable in western states, may still perform the same functions and generate the same outputs as formal state institutions. Respect and willingness to accommodate such systems [...] can be helpful in restoring governance” (OECD-DAC 2008, 36).

In fact, here lies a crucial challenge for our approach: what to do in situations where customary structures and institutions of governance have been severely damaged or even completely destroyed (as seems to be the case in parts of Afghanistan and as is definitely the case elsewhere), where warlords and their followers or criminal leaders and their gangs have taken control, where social breakdown leads to raging cruelty and widespread despair? We do not have a straightforward answer to Schmeidl's (and Mehler's) question. Each specific context requires a very specific analysis in order to assess whether there are avenues to influence 'spoilers' and reconstruct social cohesion by working with non-state informal actors and institutions from the customary and communal sphere. Our impression is that sometimes it is assumed too rapidly that traditional communal structures have been destroyed and customary institutions have ceased to exist. Often they survive in somewhat hidden or altered forms or have adapted to new circumstances and still exert influence. Traditional authorities from a rural village context and traditional social networks that originally are rooted in locality, for example, can be transferred to a completely different (peri-)urban environment and shape the everyday life of people there.

We very much like Schmeidl's call to reach out into the 'great unknown' (meaning institutions of governance that are alien to western perceptions and experiences). Similarly, we are advocating taking the local seriously, and building on local practices and institutions (where possible). Schmeidl's own experiences and those of her colleague Masood Karokhail with The Liaison Office and the Commission on Conflict Mediation are fascinating examples for such forms of engagement.

We are thankful for Schmeidl's admonition not "to uncritically shift from one extreme to the other" (in this volume, 75). Our focus on the potential and capacities of non-state indigenous customary institutions might be (mis)interpreted as romanticised and idealised tradition. On the contrary, we do not suggest that customary actors and institutions are better than state institutions *per se*. We acknowledge that they *are there* in many of the so-called fragile states, that they have to be reckoned with, and that external actors should look for constructive and informed ways to engage with them.

Andreas Mehler shares Schmeidl's concern that we should avoid over-estimating or romanticising the positive potential of non-state informal institutions and hybrid political orders. While Schmeidl points to problems with warlordism, Mehler stresses the dangers of neopatrimonialism. He intends to "water down the wine" in our approach. We do not have a problem with that, all the more so as his analysis of fragility in sub-Saharan Africa and of the shortcomings of external assistance strongly supports our critique of the mainstream fragile states discourse. His brief analysis of the Liberian situation is fascinating reading in this regard. The findings of his survey among Liberians about their perceptions of actors in the security arena are very interesting, showing that people on the ground have state institutions as their primary mental reference point when it comes to the provision of security. Mehler concludes that therefore people would not advocate hybrid political orders but 'proper' state institutions. As stated earlier, we understand hybrid political orders as an analytical concept, and not – as Mehler seems to assume here – as a normative concept; we have no intention to 'persuade' people in Liberia that hybrid political order is better than state order. On the other hand, Mehler concedes that the positive attitude of the people towards state security providers has to be interpreted as "wishful thinking". So might *hybrid* provision of security then be the second best, but more realistic, option? In any case, Mehler is right to stress the importance of local perceptions. It would be interesting to conduct similar research in other countries and compare the results to Mehler's findings on Liberia, particularly if such opinion surveys could be augmented by other contextualised data collection. A more detailed differentiation within countries, in particular between urban and rural areas or core regions and peripheral ones, would be also helpful.

Mehler strongly speaks out in favour of “much better, locally-grounded analysis” (in this volume, 57) which takes due account of the historical dimension. We could not agree more, and we ourselves are calling for thorough and detailed qualitative case study research that acknowledges the specifics and the singularity of each case. We strongly believe that this kind of historically well-informed analysis that leads to a deeper contextualised understanding of the situation on the ground has to be the real bedrock of any attempts for external assistance aimed at peace and development.

We read Susan Woodward’s text as an exciting companion piece to our lead article. It adds a new and in fact indispensable dimension to the debate, shifting the focus and addressing the interests and aims of those external actors who actually do the ‘fragile states talk’ and the practical state-building. Given those interests and aims, she suspects that our contribution “will fall on deaf ears” (in this volume, 47). Using the example of former Yugoslavia, she reveals the political utilisation of the state-failure label and the interest-driven implementation of state-building strategies which do not follow one model (the Weberian/Westphalian model, as we posit in our lead article), but differ considerably according to the interests and aims of the external actors who unscrupulously impose state-building in a very pragmatic fashion, not so much concerned about ideals of good governance, but about trade and monetary liberalisation, property privatization and other interventions advantageous to external actors. Accordingly, what characterizes external state-building endeavours is not ignorance with regard to the local traditions of governance (as we assume), but – even worse – deliberate suppression and transformation of those traditions. Fortunately, Woodward also can present examples of successful local resistance against the self-serving external interventions, thus giving some credit to the resilience, capacity and ingenuity of local communities. She also points to the ineffectiveness and lack of domestic legitimacy of imposed political orders, confirming our view that hybridity “makes for greater stability, development and legitimacy” (in this volume, 54). She remains fundamentally sceptical, however, about the possible returns of our research and suggests that instead of focusing (as we do) on countries labelled as fragile states there is the need to redirect research “onto *those doing the judging, labelling and intervening* – to identify their goals, their actual policies and their openness to listening” (ibid.). Our suggested compromise would be: let us do both. A more thorough analysis of the political interests behind the fragile states discourse and the realities of externally driven state-building is no doubt a desideratum (some work has been done in this regard already, see for example the contributions by Morten Boas and Kathleen Jennings and by Shahar Hameiri quoted in our lead article); but we also need more detailed and comprehensive analyses of how – to use Woodward’s words – “the real world operates” out there, in the regions labelled ‘fragile’. We need to do this not least in order to be able to put forward a valid critique of the dominant approach of external actors and to demonstrate that alternatives do exist.

Even more sceptical than Woodward is Trutz von Trotha, although for different reasons. We wholeheartedly agree with his critique of today’s technocratic state-building industry and join him in shaking our heads about the “surreal historical amnesia” (in this volume, 39) which expresses itself in the idea that one could “learn” state-building. He criticises us, however, for sacrificing the consequences that one would have to draw from our critical stance. Yet, a comparison of his take on Somaliland and ours might illustrate our (profound) accord and (slight) difference. Like von Trotha, we stress the importance of customary institutions and procedures and their capacity to adapt to new challenges, and we highlight the absence of a monopoly of violence and the resilience of local communities and segmentary order. We differ from von Trotha, however, when it comes to assessing the relevance of emerging state institutions. He presents Somaliland as “a segmentary order in the garb of the modern state” (in this volume, 43). According to von Trotha, the state form merely “veils” the segmentary order to please the outside world – a world that adheres to “the strict rulebook

of international law and international relations” (ibid.). Hence, in his view, Somaliland “certainly is not [...] an example of state-building” (ibid.).⁵

We entertain a more dialectic view, and suggest that the ‘etatist clothing’ actually re-shapes the segmentary order. Today’s political system in Somaliland is modelled along the lines of western statehood and its legal-rational notion of legitimacy, with an elected parliament and president. These state institutions were formed with the approval of traditional authorities, who saw state formation as another means to build and maintain the socio-political order that encompasses the different clans. The endorsement of state institutions by traditional authorities and the meaningful inclusion of these authorities within state structures decisively contributes to the legitimacy of the state in the eyes of the people. To a large extent, state and customary institutions in Somaliland today play complementary roles, with a tendency of increased decoupling of state institutions from customary institutions. The complementarity finds an expression, for example, in the Somaliland parliament which comprises of a House of Representatives (*golaha wakiiladda*, elected) and a House of Elders (*golaha guurtida*, selected and appointed by the clans). Indeed, these “experiments in governance are a hybrid of Somali and Western democratic styles” (Bradbury 2003, 17). The point of difference between us and von Trotha then is: we see Somaliland not as “a segmentary order in etatist clothing” (von Trotha in this volume, 43), but as a hybrid political order in which segmentary and state aspects co-exist and intertwine. Hence we talk of Somaliland as an “emerging state grounded in a hybrid political order” (in this volume, 27). Far from being ‘pre-modern’ aberrations from the ‘proper’ western model state, Somaliland (and Bougainville, the other example we are using in our lead article) might well become models of future ‘indigenised’ types of statehood. We use these cases to demonstrate the need for and the possibility of positive mutual accommodation of legal-rational and traditional institutions in hybrid political orders.

We agree with von Trotha again in his position that the state-centric view of peace and order has failed and needs to be overcome by a shift of focus from state-building to peacebuilding, which means: forming a viable political community.

These insights, however, do not lead us to an all-out rejection of the notion of the state (and this seems to be another point of disagreement with von Trotha). We do not wish to question the juridical importance of the state in the international realm. States will continue to be the foundation of the international system, and in the current era of globalisation the international system of states will inevitably impact on even the most remote corners of the globe; internal political order everywhere will be involved in exchange processes with the outside world (which not least is a world of states), and this exchange will impact on the internal order. The international system of states provides the context, and this context shapes the features of the internal order, at least to a certain extent. In this context, areas of non-statehood will be perceived as voids, and these voids will be in danger of being filled by other states – most probably by means of force, intervention and occupation (hence the desire of Somaliland’s political elite for Somaliland to become a state *de jure* and be recognized by other states). Our intention is to confront the western concept of the state in the domestic realm with some deeper awareness of what processes actually deliver peace, order and stability in many regions of the Global South (this is the analytical dimension of our concept), and we want to draw attention to the possibility and necessity of the emergence of ‘indigenised’ forms of statehood, or – to use a more general term – political community by means of positive mutual accommodation of introduced state and indigenous non-state institutions (this is the normative aspect of our approach).

⁵ Others posit exactly the contrary. Pierre Englebert and Denis Tull present Somaliland as “(p)erhaps the most successful recent instance of state building in Africa” (Englebert/Tull 2008, 137).

In concluding, we would like to turn to a more general problem of ‘applied’ research. Our discussants raise the issue of how to ‘sell’ or promote the concept to the people that matter (or whether to bother at all about ‘selling’ it). Von Trotha is critical about our “desire to search for middle ground” (in this volume, 43) in the state-building debate because this desire, he says, will inevitably lead us to abandon the Andersen principle. He might be right. It might be the case that our rather cautious terminology at several points is influenced by the aspiration to ‘sensitise’ an epistemic community of political decision-makers, development assistance practitioners and academics from development and security studies ‘with influence’. And Woodward suspects that the audience that we are trying to reach “is not listening” anyway (in this volume, 48). She might be right too. Nevertheless, in the same way that we advocate the need for engagement and the need for communication between the actors in hybrid political orders, we also advocate this dialogic approach with regard to our own working environment. The problem that we are confronted with is doing research according to the criteria that we have found to be the most appropriate and being true to the findings of our research on the one hand, while at the same time presenting our findings in ways that are digestible for the Emperor and his entourage. To do this is to walk a fine line – which has been and will always be a challenge of critical applied peace research, which intends to make a difference in the real world of politics in order to make our planet a more peaceful place.

References

- Bradbury, Mark 2003. Living with Statelessness: The Somali Road to Development, in: *Conflict, Security and Development*, 3, 1, 7-25.
- Brown, M. Anne and Alex Freitas Gusmao 2009. Peacebuilding and Political Hybridity in East Timor, in: *Peace Review*, 21, 1, 61-69.
- Englebert, Pierre and Denis M. Tull 2008. Postconflict Reconstruction in Africa: Flawed Ideas about Failed States, in: *International Security*, 32, 4, 106-139.
- Hoehne, Markus V. 2006. *Traditional Authorities in Northern Somalia: Transformations of Positions and Powers*. (Working Paper No. 82.) Halle/Saale: Max Planck Institute for Social Anthropology.
- Kraushaar, Maren and Daniel Lambach 2009. *Hybrid Political Orders: The Added Value of a New Concept*. (ACPACS Occasional Paper No. 16.) Brisbane: ACPACS (forthcoming).
- OECD-DAC 2008. Concepts and Dilemmas of State Building in Fragile Situations. From Fragility to Resilience. OECD-DAC Discussion Paper. Paris: OECD.
- Richmond, Oliver P. and Jason Franks 2008. Liberal Peacebuilding in Timor Leste: The Emperor’s New Clothes?, in: *International Peacekeeping*, 15, 2, 185-200.

(All other references can be found in the lead article.)



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See also...

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