

# Hybrid Regimes and Oligopolies of Violence in Africa: Expectations on Security Provision “From Below”

A Response by Andreas Mehler

## 1. Introduction

The contribution by Volker Boege, Anne Brown, Kevin Clements and Anna Nolan questions the underlying assumptions of the mainstream discourse on fragile states, and rightly so. It is obvious that the conventional perception of fragile states can become an obstacle to the maintenance of peace and development instead of forming the basis of long-term peacebuilding, particularly when state-building has become a blue-print approach to ‘reconstructing’ a country along the lines of the ‘Westphalian’ state. At first I was hesitant to comment upon this paper because I share most of its analysis. However, on closer inspection, I became interested in doing two things: First, I want to add more details on the specific situation in sub-Saharan Africa, particularly in the security sector – which, as the ideal-type location of the monopoly of force/violence and security provision for its citizens, is often used to assess, and re-build, state performance. Yet what do such security sectors actually look like? Who are the relevant security actors? I would argue that outside assistance needs to be based on much better, locally-grounded analysis. Second, I need to “water down” the wine offered by the authors in terms of alternative approaches, i.e. fostering hybrid solutions. On the basis of the realities of sub-Saharan Africa such solutions are in danger of bringing on more of the same – neopatrimonial instability and inefficiency – unless they are carefully monitored.

## 2. The African Path toward State Fragility

From a historical perspective there is nothing particularly noteworthy about state weakness in Africa. Power was rarely ever absolute power and different power holders shared responsibilities, and therefore authority, in most African communities and states.

It is tempting to compare this situation with medieval Western and Central Europe and the competing authorities of, say, bishops and counts. This would include the variation in the intensity of power exerted and felt depending on the proximity of those authorities. Another comparable detail is the existence of a reference model of a better governed public sphere – the ideal of the Roman *res publica* was for medieval Europe what the good governance models advocated by international organisations are for Africa today. The colonial experience and its legacies may still have some further comparable consequences, now and then, here and there. But the trajectories of history are different and the analogies should not be overemphasized.

When looking into modern African history, some authors stress that a legitimate monopoly of the use of violence did not exist at all (Bangoura 1996) or had only limited reach (Herbst 2000; Kopytoff 1987) – the pre-colonial state was a weak one. Some authors even argue that oligopolies<sup>1</sup> of violence, and therefore a high level of actual violence, were the historical norm in Africa (Trotha 2000). Every attempt to “historicize” a country’s specific condition, though, runs the risk of creating false inevitabilities and perhaps becoming too static. It should be acknowledged that actors using violence, security entrepreneurs, self-help groups, etc. emerge and win or lose influence in a dynamic process. This is also true for the state and its security apparatus, which is never just a given that remains unchanged over time. Even the colonial state had trouble proving its ability to maintain the monopoly of violence. It delegated authority to ‘traditional’ leaders who often were or became local despots (Mamdani 1996) – endowed with their own security forces and prisons. But it did so frequently only as a response to a perceived crisis in security provision owing to a limited number of colonial troops.

In accordance with the norms governing the international system, the postcolonial African state elites have, on the other hand, constantly *claimed* to have a monopoly over the use of violence. In the post-Cold War context, this claim has been heard and believed, even if it has never truly been implemented. Even today, more often than not and aided along by political correctness, this claim is not only upheld by state elites in Africa, but also by their main counterparts in the ‘developed’ world. It is obvious that most donor organisations have somewhat more sober assessments about the capacities of the partners on their files, but these rarely inform policies directly. Only when states have completely vanished, as in the case of Somalia, is there a willingness to openly doubt all (state) capability. In some African cases, arguably for example in the Central African Republic, there was never a lot to be lost in terms of a monopoly of violence. Other countries have gone a long way from relative (colonial) order to a state of disorder – Côte d’Ivoire or Sierra Leone may be such examples.

Ulf Engel and myself (2005, 92-93) have argued that monopolies of violence can be lost in three ways. Firstly, by deliberate transfer of authority, where functionally and spatially defined areas of delegated authority are established: large mining concessions or plantations in West, Central and Southern Africa may come to mind. Secondly, monopolies can be abandoned or deserted, either due to underperformance or lack of capabilities. Here, the inability of states to fulfil core functions – like the provision of core (public) goods including security – is the main field of underperformance.

1 An oligopoly is a situation where there are only a few providers of a product or service.

Whenever states abandon social space, it becomes possible for alternative actors to claim authority by occupying this space and performing the core functions that the state is no longer able or willing to perform; one may think of the Eastern Democratic Republic of Congo here. Thirdly, monopolies of violence can be lost through a slow process of eroding legitimacy, which is caused by illegitimate state action. Empirically, monopolies of violence erode whenever states display high levels of despotism and their claim to hold the monopoly of violence is no longer regarded as legitimate by the people being ruled. Ultimately, state claims on the monopoly of violence can then be contested by violent means (“politics as violence” according to Allen 1999). In some cases, there is little alternative legitimacy to replace the state; in others, new forms of legitimacy or accountability emerge. The Casamance area in Senegal may serve as an example of the latter.

Given this backdrop, there are several problems associated with the current practice of outside assistance. First, these processes themselves and the difference in trajectories are not usually taken into account by policies from outside. The uniform answer to a detected deficit in core functions of the state is ‘state reconstruction’. ‘Deep’ intervention seems to be allowed in post-conflict countries, so the argument goes, as they have displayed their ‘failure’ by falling prey to widespread conflict. In the security field, this is translated into ‘security sector reform’ (SSR) which more often than not follows technocratic blueprints informed by normative assumptions about what the state should be. External support for promoting change in the security sector is delivered primarily by officers of the armed forces and police of Western countries. These actors know their profession, but usually little about the dynamics at play in the host country. Related development-type activities are increasingly left either to non-governmental organisations (NGOs) or to the implementation agencies of donors. They may have a clearer view on civil society needs and invest more in capacities for monitoring security policies, but at the same time have other normative and professional ‘distortions’, which often get in the way of applying lessons and conclusions from sober analysis. Outside experts work with their state-labelled partners in implementing these reforms. The following questions, though, are quickly put aside in order to come to quick results: who are those ‘partners’, i.e. who do they represent? What are their interests? What is their record in security provision? And what legitimacy can they claim? Only in rare cases is a fresh start with new and fairly elected elites actually possible.

A second problem is related to the implementation phase of major reforms. The theory of disarmament, demobilization and reintegration (DDR) programmes, which often mark the start of the SSR exercise, may be compelling – getting rid of superfluous, too young or too old members of an armed group in the preceding conflict, building new security forces, a ‘republican army’ and a ‘democratic police’. The practice of such processes calls for scepticism, though (see for example Hoffman 2004; Jennings 2007) – not least because of informal rules and the continuing existence of highly hierarchical authority patterns. Often, the wartime commanders decide who is to be disarmed, who is allowed to hand in a weapon and get some donor-funded reward in return (probably to be shared with the commander). This all tells us how much more realistic international actors have to be when engaging in state-building.

### 3. Oligopolies of Violence: The Liberian Case

Thus, the more or less symbolic presence of a repressive (security) apparatus and the application of accepted rules in the ‘ideal’ European state is far removed from the African reality, at least in countries in crisis. Instead, there are oligopolies of violence that (by definition) comprise a fluctuating number of partly competing, partly cooperating actors of violence of different quality (Mehler 2003). Some of these actors are public, others private and still others are community-based actors. All are subject to important changes over time. “Functional” and “territorial” oligopolies of violence each follow a different logic. While the former include different types of actors charged with protecting, for example, markets, private property, border towns, etc., the second can result in a split of the national territory into smaller zones more or less exclusively controlled by rebel movements, warlords, traditional authorities or others. It is not unusual to find a constellation that can be labelled an “oligopoly with a dominant market leader” (Lambach 2007) – the official state army of a rump state or a strong peacekeeping mission can take the role of such market leaders. This form of oligopoly can lead to relative peacefulness (at least in the short term).

Let us take Liberia as an example of an oligopoly of violence with a high number of violence/security actors.<sup>2</sup> Liberia is a good example for a dynamically changing oligopoly of violence, as many state and non-state actors have controlled means of violence over the last three decades, some of them barely analysed with regard to their protective capacities. A number of actors with no clear ‘mandate’ in the security field, who could be described as having secondary security functions, are regularly mentioned in conversation (e.g. secret societies and market authorities, who mainly have other regulatory functions but clearly interfere in the security field). At the same time, the state was for a long time more of a source of insecurity than security.

In Liberia the state security forces, who were largely behind Samuel Doe’s coup in 1980 and turned into a predominantly Krahn ethnic force in the following years of his regime, had collapsed during the first civil war (1989-1996). A proliferation of state actors could be observed from then on. Beginning in 1997, Charles Taylor used some formally state-based services – for example the State Security Service (SSS) – but also his dreaded Anti-Terrorism Unit (ATU) as a parallel force. An entire part of the Comprehensive Peace Agreement signed in Accra in 2003 was devoted to security sector reform, not least because of the multiplication of state actors in the sector over the past decades. Besides the Armed Forces of Liberia (AFL), the Liberian National Police (LNP), the Immigration Force, the SSS, custom security guards and other statutory security units were to be immediately restructured.

The ‘state’ was hence never considered to be a homogeneous actor in that field. Charles Taylor’s armed movement, the National Patriotic Front of Liberia (NPFL) started as a broad-based anti-Doe rebel organisation in the late 1980s, but quickly became the warlord’s personal instrument. When Taylor and the party originating in the NPFL (the National Patriotic Party, NPP) won elections in 1997, the organisation took on a slightly different role again: it became a parallel structure to the state, which was in a chaotic state anyhow.

The two new rebel movements of the second civil war (1999-2003), Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL), were rather successful in conquering territory, advancing on Monrovia quickly. They did not have the time, and maybe neither the ambition, to become a para-state in their area of domination (or “stationary bandits” in Mancur Olson’s (1993) terminology). When LURD and MODEL (as well as

<sup>2</sup> I use both terms interchangeably as my assumption is that many actors are protecting one part of the population while threatening others, i.e. there are no ‘good’ or ‘bad guys’ as such.

NPFL) became part of a transitional power-sharing government after the 2003 peace agreement, they turned into something close to a political party.

For the security sector, it was in fact ex-combatants from all three organisations that continued to play a role after the peace agreement. Some of them were employed by political parties to take care of their security concerns. Arguably this is one explanation for the short violent post-election contestation in 2005 by followers of defeated presidential candidate George Weah. Yet those were quickly brought under control by peacekeepers belonging to the comparatively large UN mission for Liberia (UNMIL). UNMIL rapidly became the most important security provider (i.e. the “dominant market leader”) in the country, but was still unable to control more than the main roads on a permanent basis.

In some parts of the city of Monrovia, efficient self-help mechanisms emerged, often called community-watch teams; these offered important protective functions. In the countryside, a number of additional communitarian actors played a role. While people in Monrovia did not seem to attribute a big role to the Poro and Sandee secret societies, this was different for the secondary towns of Buchanan and Tubmanburg. *Table 1* below gives an overview of the multiple actors on different levels of ‘the’ security sector in Liberia. It cannot capture its fluid character described above, but should serve to remind any external actor of the complexity of the field of intervention.

**TABLE 1: The Security Tableau in Liberia (2000-2007)**

|  | Primary security / violence function   | Secondary security / violence function  |
|--|--|---|
| <b>Public</b>                                    | <ul style="list-style-type: none"> <li>• AFL</li> <li>• LNP</li> <li>• SSS</li> <li>• International peacekeepers: ECOMIL, UNMIL</li> </ul> | <ul style="list-style-type: none"> <li>• Market superintendent</li> </ul>   |
| <b>Private</b>                                   | <ul style="list-style-type: none"> <li>• Rebel movements: LURD, MODEL</li> <li>• NPFL</li> <li>• Private security companies</li> </ul>     | <ul style="list-style-type: none"> <li>• Political party militias</li> <li>• Street Boys, etc.</li> <li>• Ex-Combatants</li> </ul>                                      |
| <b>Collective / communitarian or traditional</b> | <ul style="list-style-type: none"> <li>• Vigilantes, area teams, neighbourhood watches</li> </ul>  | <ul style="list-style-type: none"> <li>• Poro, Sandee, Kendewo, Sendewo, Bodio (secret societies)</li> <li>• Traditional authorities</li> <li>• Zone leaders</li> </ul> |

In sum, it is important for outsiders and policy-makers to know who is effectively protecting which group and build on this, while simultaneously exploring ways to reduce the negative and threatening aspects. Sometimes it would help to acknowledge and ‘certify’ actors of violence as security actors in exchange for their subscribing to a code of conduct, but this will not be easy to achieve everywhere.

As a first step in the direction of gaining a better understanding of the security field in Liberia, we asked focus groups about *their* perception of actors in the security arena in the context of a research project focusing on oligopolies of violence in post-conflict societies.<sup>3</sup> Additionally, we conducted a quantitative survey in the urban context. (Some results are shown in *Table 2* below.) Two and a half years after the end of the war, the opinion poll revealed a very positive appraisal of the UNMIL mission’s protective capacity by inhabitants of Monrovia, Buchanan and Tubmanburg (Basedau et al. 2007).<sup>4</sup> One further interesting result is the attribution of importance and positive ratings both to neighbourhood watch groups and to private security companies. Obviously most striking is the preponderant role attributed to the peacekeeping mission, calling into question how it could be replaced by ‘the state’ at short notice.

**TABLE 2: Importance of Security/Violence Actors**

| This actor... <sup>5</sup>   | ...is very / somewhat important for my personal security | ...does not affect my personal security at all | ...is a big / somewhat of a threat for my personal security |
|--|--|--|---|
| UN Peacekeepers (UNMIL)  | 96,5   | 2  | 1,4   |
| Liberian National Police (LNP)   | 92,5   | 4,6  | 2,9   |
| Armed Forces of Liberia (AFL)  | 66,1   | 24,3   | 9,5   |
| Vigilantes/Area Teams/<br>Neighbourhood Watch                          | 62,9   | 19,9   | 17,2  |
| Private Security Companies<br>(e.g. Dyncorp Intl., Inter-Con Security) | 40,7   | 55,4   | 3,9   |
| Poros/Sandees (secret societies)                                       | 17,9   | 52,6   | 29,5  |
| Political Party Militias   | 8,3  | 42   | 49,7  |
| Ex-Combatants (MODEL, LURD, Taylor Government)                         | 3,4  | 7,1  | 89,5  |
| Street Boys  | 0,5  | 7,4  | 92,1  |

We were surprised that Liberians rated state structures like AFL and LNP so well, as the former was undergoing restructuring and the latter was in a training phase. This can only be interpreted as wishful thinking. And the wish can be spelt out: “give us a republican army and a service-oriented police in a near-to-perfect state context.”

<sup>3</sup> The project “Legitimate oligopolies of violence in post-conflict societies (Liberia, Sierra Leone)” was run by the Institute of African Affairs/German Institute of Global and Area Studies. Funding came predominantly from the German Foundation for Peace Research. For more information see [www.giga-hamburg.de/index.php?file=fp\\_gewaltoligopole.html&folder=fsp2](http://www.giga-hamburg.de/index.php?file=fp_gewaltoligopole.html&folder=fsp2).

<sup>4</sup> The survey was conducted in November 2005.

<sup>5</sup> The survey question was: “For each of the following actors, please state whether you feel protected or threatened by them?” “Is very” and “is somewhat” categories were added for this compilation. The options “don’t know” and “no answer” are not reproduced here.

## 4. The African Experience with Hybrid Regimes, or: The Neopatrimonial State

This perfect state is not in sight, neither for Liberians nor for most other African countries. So what is the real-time alternative? There is a danger that the hybrid regime which Boege et al. advocate will not be the kind of functional mix of ‘modern’ and ‘customary’ institutions of the Somaliland type, but rather ‘more of the same’, i.e. a neopatrimonial regime (Erdmann/Engel 2007): where there is no division between the private and the public sphere, where clientelism dominates vis-à-vis formal procedures, but there also exist rational-legal facades which could function well in selective areas – last but not least in the repression apparatus. Elite accommodation in neopatrimonial regimes is a function of the distribution of sinecures. The well-embedded economic deficiencies, the dynamics of the education system (multiplication of elite aspirants) and unfavourable world market conditions for major export commodities moved many such regimes close to implosion in the 1980s. The incapacity to maintain the logic of distribution led to conflicts – and partly to violent ones.

Neopatrimonialism has proved structurally unstable. In the words of Ian Taylor and Paul Williams (2008, 139): “daily government in a neopatrimonial regime thus resembles a balancing act to maintain a degree of political stability by satisfying the regime’s supporters and weakening its opponents. Since the end of the Cold War, those regimes that failed to persuade their external (mainly Western) creditors they were committed to democratic reform saw their external funding channels dry up, making their balancing act even harder.” A second argument against neopatrimonialism is inefficiency: the general trend after independence was a growth of the state apparatus only in numbers and not in its problem-solving capacity, with more locals filling the ranks of the different services. In many states, the official security forces were not exempt from the general tendency to disregard merit as the main criteria for employment. The number of soldiers and policemen grew, but this did not make their services more effective.

Talking about state-sponsored security in such circumstances means very different things for the elite and for the ordinary people. Elites may turn to state-services with comparatively more success and they usually have the means to take care of their personal security by additionally using private providers of security. Ordinary people lack that opportunity, they receive little state support in their search for protection; in some countries they are constantly asked to pay for this service even though they are entitled to get it for free. Neopatrimonialism therefore is not the only, but certainly a specific problem in the security field in many African states. Could it really also be part of the solution?

In most of Africa the inefficient state cannot justly be described as a provider of security. It is instead regularly circumvented and replaced with more viable alternatives by its citizens. But it has nonetheless preserved its appeal and some of its power. Official security forces continue to play an important role, but certainly not as the sole relevant actor. And most of the time they are manipulated by a fraction of the elites or a president who wants to safe-guard his personal rule – and not to protect more or less ‘neutral’, ‘service-oriented’ or ‘republican’ state institutions. It may therefore be advisable to look at the provision of security in a different way, i.e. by analysing which main actors do deliver, and what they deliver. We should also always analyse their actual constellation, which is often rather different from what can be called a “monopoly of violence”. The state’s role in providing security has, however, remained a mental reference point, not only for its elites but also for the population, as was shown for the Liberian case above (see *Section 3*). Supranational bodies – be it the sub-regional organisations (e.g. the Economic Community of West

African States, ECOWAS) or the ever-growing security architecture on the level of the African Union – uphold an equally prominent role for the African state in security provision. This leads to a paradox situation where facade and substance have little in common.

What Boege et al. propose may therefore not be exactly (or just partly) the answer to the problem. It is rarely what ordinary people on the ground would advocate. If a ‘hybrid solution’ in the African context could turn out to be identical with the familiar neopatrimonial system – which has historically been a part of the problem rather than a part of the solution when it comes to security provision – little would be won. There is no reason to be quite so optimistic as to state that “generative processes, innovative adaptation and ingenuity” (Boege et al. in this volume, 30) would automatically be the local response, leading to more peaceful societies if ‘the West’ would only let them. It might not be necessary to advocate an entirely different system, but just an openness for deviations from an ideal. This is what Boege and his colleagues claim, too. In my view, it might additionally be necessary to do two things: 1) constantly analyse the efficiency of individual local security actors (state *and* non-state) in providing security, and 2) care more about local perceptions (because they matter). Opinion polls are a useful instrument in this context. Their results can suggest the acceptance of a given hybrid order, but also produce additional reasons to alter it.

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