

# **Creating Public Authority in Conflicted States**

## **Uneven Development, Unstable Social Orders, and Institutional Hybridity**

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### **Abstract**

We address the crises of public authority in weak states by identifying the socio-economic conflicts generated by the contradictory demands imposed on them by the liberal good governance project that is generating radical transitions from 'closed' institutional systems based on ascribed authority and pre-scientific belief systems and 'open access market based systems. We argue that these transitions explain the zero-sum conflicts that are destabilising the weakest states, and draw on classical dualist and contemporary hybridity theory to model social systems where liberal and illiberal systems based on clientelism, theocracy and patriarchy coexist in dissonant ways. We show that these asymmetrical relationships between traditional and modern institutions began in the colonial era and have been radically transformed, but still provide marginalised communities with essential services, so they cannot be eliminated, only adapted to the needs of the modern system. We use the work of Malinowski, Boeke and Almond to provide a comprehensive and critical methodology to understand these relationships, and concludes with a brief review of the contribution being made by ongoing research that follows these principles in conflicted states.

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## I State Building and Public Authority in Conflicted Societies:<sup>1</sup> The Theoretical Challenge

Political and social violence has undermined security, livelihoods, and mutuality in many weak and conflicted societies that lack the state capacity, economic resources, and social cohesion they need to sustain livelihoods, provide services, control anomic criminality, and disarm rebel movements. (Bagayoko, et. al., 2016) The worst affected societies are now trapped in downward spirals, as state failure undermines bureaucratic systems, tax capacity, and economic stability, and this further undermines their ability to maintain public authority, economic inclusion, and social cohesion. These societies, like Syria, the Yemen, South Sudan, and the DRC exist on the margins of the international system, but their weaknesses and injustices have disrupted the international system by generating wars, terrorism, mass migrations and economic dislocation.

Corrupt leadership and inherited sectarian, ethnic or class antagonisms perpetuate these breakdowns, but they are also shaped by the disruptive effects of the institutional reforms designed to integrate formerly authoritarian societies into the liberal global system over the past 30 years by introducing free political and economic markets and open social orders based on individual rights. This liberal project treats democratic state-building as the key to public authority and social order by sustaining security, justice, inclusion, and growth; and elections and free trade as the best way to achieve it. It was expected to do this by eliminating corruption and increasing freedom, inclusion, prosperity and stability for the poor as well as the rich, but has generated unprecedented wealth and security for some countries and individuals, but increased exclusion and insecurity for many others.

The urgent need to address the crisis of public authority has resurrected long-running theoretical and ideological debates over the relevance of liberal 'western' institutions to late developing societies (LDCs) that lack the cultural dispositions and organisational capacities needed to sustain them. Liberalisation has destroyed many jobs while many attempts to assert democratic rights have intensified political competition for very scarce resources, and thus increased the 'indignations' that fuel the ongoing crisis. This has inflicted immense costs on conflicted states where dysfunctional rulers have retained power by building alliances with foreign states, creating 'competitive authoritarian regimes' (Levitsky & Way 2010) by capturing representative organisations, exploiting clientelistic linkages or sectarian or ethnic antagonisms, and excluding subordinate classes. (Geddes, 1999; Huntingdon, 1968; 1997; Bagayoko, 2016; Liden et. al. 2009) Their problems have been compounded by rapid technological change and massive shifts of productive activities from old to new centres at the global level that have intensified local and global political antagonisms in both developed and less developed states.

The liberal project is therefore rejected by illiberal populists in the north and south, and by neo-traditionalists who invoke sectarian, racist and nationalist beliefs to justify authoritarian rule, illiberal policies and even political violence. Radical social democrats and corporatists are returning to structuralist theories that used market failures to justify the redistributive state-led policies that dominated the early post-war era, but were marginalised by neo-liberalism in the 1980s. The mainstream development community is attempting to address this crisis implement the pro-poor policy agenda embodied in the Sustainable Development Goals by experimenting with pluralistic 'new public management' solutions that support macro-level state-building programmes and micro-level projects by combining market based systems with state intervention. (World Bank, 2004; 2017; Brett, 2009) They have produced impressive results in some formerly conflicted states like Uganda and Sierra Leone, but failed in others like Syria, Afghanistan and South Sudan.

Addressing this crisis in public authority therefore raises complex and heavily contested policy issues for the neo liberal project that has dominated the development scene since the 1980s. The mainstream neo-liberal project has treated these transitions as a technical process and ignored their disruptive structural and cultural consequences. However, a new generation of scholars is bringing politics, economic inequality and cultural diversity back into the analysis by using hybridity theory to explain these disruptive processes and generate contextually

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<sup>1</sup> 'Weak states' lack the capacity to sustain order and deliver services; (Clapham, 1996) 'conflicted states' are involved in or recovering from, systemic political and social violence.

relevant policy agendas that take these realities into account.<sup>2</sup> Their work resurrects and takes forward the classical tradition of development theory from Hobbes, Hegel and Marx, to Weber, Parsons, and Gerschenkron. Their work was marginalised by the neo-liberal revolution, but focussed on the disruptive problems generated by earlier institutional transitions from feudalism to capitalism, traditionalism to colonialism, colonialism to authoritarian structuralism. They realised that that these transitions were driven by the need to liberate humanity from political and intellectual despotism, but that they were not 'a harmless and peaceful process of growth, like that of organic life', (Hegel, 1822-30/1975: 127) but an often violent and unequal struggle between competing ideologies, interests and nations, involving:

... great collisions between established and acknowledged duties, laws and rights on the one hand, and new possibilities which conflict with the existing system or violate it or even destroy its very foundations and continued existence, on the other. (Ibid.: 82)

These 'great collisions' still continue in conflicted states, and explain both the benefits that many have gained by completing them, as well as the breakdowns and reversals that many others like Afghanistan, Syria and South Sudan are experiencing as they attempt to follow them. Development theorists called this institutional dualism<sup>3</sup>, and treated it as the defining feature of underdeveloped as opposed to modern democracies and totalitarian systems. (Almond, 1956: 391; Kuznets, 1971: 257)

Their work dominated development theory during the first post-colonial era when modernisation or dependency theory informed the policy agendas of right wing corporatist regimes attempting to produce 'cohesive capitalist' solutions (Kohli, 2004) or radical regimes committed to social democratic or command planning. They all recognised that structural change was inescapable, but also that progressive outcomes were not inevitable in LDCs still dominated by illiberal institutions and authoritarian power structures. They were all heavily involved in the policy debates over these issues and well aware of the cultural, economic and political challenges that confronted the 'new elites' that had taken over the 'new states'. Their contributions have been marginalised in an era dominated by liberal theorists who ignore the social and political variables that block liberal reforms in LDCs, and focus on static econometric modelling that ignores the large-scale systemic changes that are still increasing wealth in some regions and destroying it in others.

Historical institutionalists<sup>4</sup> and hybridity theorists are now re-inventing and updating their work, but often are unaware of the value of the theoretical archive that they have left behind.<sup>5</sup> This paper will use their work to provide a systematic approach to the crisis of public authority in conflicted states.

We will first identify the socio-economic conditions that need to be created to maintain public authority in all societies; then the variables that undermine it in conflicted states. We then use dualist and hybridity theory to develop a 'society-centric' historical approach to the analysis of the dynamic processes generated by these problems in conflicted states, and end by reviewing empirical research on these issues in carried out in the Philippines, Afghanistan, Uganda by colleagues at the LSE.

## II Public Authority and Institutional Dualism in Transitional Societies

### (a) Public Authority, Coercion, and Consent in Cohesive Social Systems

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<sup>2</sup> For example, Bagayoko (2016) Meagher, (2012) and Heald (2006; 1999) on security, Brett, (2009) on development theory; Boege et. al., (2009) on peace building; Cleaver et. al., (2013) on natural resource management; Bhabba, (1995) on post-colonialism; and Young, (1995) on culture and race.

<sup>3</sup> For example Boeke, (1953) Lewis (1954) or Myrdal (1956/1976) in economics, Parsons (1951/1964) or Geertz (1963) in sociology and Almond (1956; 1961) or La Palombara & Weiner 1956 in political science

<sup>4</sup> Notably Linz and Stepan, 1996, *Problems of democratic transitions and consolidation*; Kohli, 2004, *State-directed development*, 2004; Tilly, 2007, *Democracy*, and North, Wallis and Weingast, 2009, *Violence and social orders*; Kurtz, M. (2013) *Latin American state-building in comparative perspective*

<sup>5</sup> One of the very few benefits of old age is direct involvement in all of these debates since my first readings of Arthur Lewis and Paul Baran in the 1950s.

People can only 'walk the streets at night in safety', in societies where the poor as well as the rich are willing to comply with universally applicable rules that allocate wealth and power to some people and deny it to others. People in well-ordered societies often take their freedoms for granted, but they always depend on the 'the working of special institutions' (Hegel, 1821/1967: 282) whose stability depends on the extent to which everyone shares a set of dispositions, practices and endowments that oblige and *enable* them to respect each other's rights, even when they lose. Some individuals or groups are always likely to steal, kill or rebel, so no society can eliminate violence, only minimise it by creating organisational structures and normative codes that oblige rulers and officials to make and enforce universalistic laws, that people must obey, either out of fear, habit, or consent.

Thus coercion is indispensable because 'individuals given the choice between a state – however exploitative it may be – and anarchy, have chosen the former' despite the state's own responsibility for 'war, butchery, exploitation ... enslavement and mass murder' since the 'creation of settled agriculture'. (North, 1981: 24) However, violence is costly and generates resistance, so public authority and social order depend on the existence of a state that can persuade everyone to accept the justice of the rules and procedures that determine the allocation of power, wealth, and social status, however unequal they may be. Public authority depends of inequality in all societies, but different *kinds* of societies at different stages of development – segmentary bands, traditional empires, totalitarian states, and liberal or social democracies – depend on different institutional arrangements and normative principles to sustain it.

North, Wallace and Weingast, [NWW] (2009: 13) provide us with a simplified but powerful model to understand the nature of these differences by articulating 'the underlying logic' of the two distinct 'patterns of social organization' that characterise pre-modern and modern societies. They refer to them as 'closed' or 'limited', and 'open' access social orders and provide us with a wide-ranging historical review of how developed societies have made the transition from one to the other. They argue that these differences between social orders are a function of 'the way societies craft institutions that support specific forms of human organisation', (p. 1) and how this, in turn depends on the nature of the authority, incentive, and accountability mechanisms that different social orders use to facilitate, reward, and sanction their behaviour. (Brett, 2009)

The 'open' societies that dominate the international order prioritise consent rather than coercion by giving states the power to enforce the law, firms the right to fire workers, and social organisations the right to exclude or discipline members, but oblige them to legitimate their authority by creating political and economic markets that enable people to punish them when they fail. These arrangements have evolved over centuries and depend on the existence of impersonal rules and costly juridical and enforcement agencies that give each person ... an equal right to ... basic liberty', and arrange 'social and economic inequalities ... so they are ... reasonably expected to be to everyone's advantage ... and attached to positions and offices open to all.' (Rawls, 1970: 60; MacPherson, 1962: 78)

However closed or limited access orders prioritise direct coercion and normative rules based on ascription, religion, or other collective loyalties that give elites monopoly powers and create what Tilly (2007) calls 'categorical inequalities' that allow them to subordinate their subjects, lock them into inferior roles, and use religious and/or other ideological systems to persuade them to accept their inferior status. (Haida) These create vertically integrated dependency relationships and unconsciously acquired social norms that are embedded in 'concrete personal relations and structures (or "networks") of such relations'. (Granovetter, 1985: 60)

Thus open access orders invoke rules that are legitimated by individual freedom and equality, while closed orders depend on collective obligation and hierarchy – but people in both accept their contradictory demands because they exist as systems of 'practical belief' or 'habitus' that justify the inequalities that sustain the societies in which they live. (Bourdieu, 1994: 68/9) These are not simply 'a state of mind, still less a kind of arbitrary adherence to a set of instituted dogmas and doctrines (beliefs), but have been unconsciously internalised since childhood, and exist as 'a state of the body', that is shared by all social groups and strata that enable them to participate in any 'collective social enterprise' in appropriate ways. These unconscious belief systems then interact with *consciously* formulated knowledge systems that enable people to explain and manage their relationships with

their natural and social worlds and respond to changing conditions in all societies, but do so in different ways in closed, open and transitional social systems. Hence -

- Closed orders depend on belief systems that legitimate categorical inequalities and norms that adapt 'the economically most deprived' to their situation, and create the dispositions that 'lead them to accept the negative sanctions' resulting from their weaknesses, 'that is, their deprivation'. (Bourdieu, 1990: 64) Their practices are inherited from the past, interpreted and enforced by rulers, landlords and priests, and change incrementally until they are disrupted by natural disasters civil strife or external invasions.
- Open orders depend on consciously created principles and practices that formalise these unconscious belief systems. They are constantly recreated by structured interactions between the scientific community, the elites that manage their social, economic and political institutions, and their stakeholders. Foucault (1980: 131-3) calls them 'regimes of truth' that acquire an autonomous status, are constantly contested, but provide both elites and citizens with the models and information they need to control the natural world, create social cohesion, and manage social change.

Orthodox political and economic theorists deal with the rules and procedures that sustain open orders, while anthropologists described those that sustain closed 'traditional' orders.<sup>6</sup> However, LDCs undergoing transitions from closed to open orders are characterised by dualism or hybridity, or the coexistence of both, and therefore by *contradictory* 'conditions of existence'. As a result, their 'practices [are] objectively ill-adapted to their present conditions' and their belief systems have outlived 'the conditions in which they were produced and become 'a source of misadaptation as well as adaptation, revolt as well as resignation'. (Bourdieu, 1990: 62) *They are therefore far more prone to political disorder and social violence than stable closed or open orders.*<sup>7</sup>

Now 'misdaptation' caused by dualism has characterised the global south since the colonial era, and explains the conflicts and violence generated by successive attempts to impose more complex institutions on local communities unwilling to forego their existing beliefs and practices, and unable to create viable modern institutions overnight. Hence asking these societies to make an immediate transition from a closed to an open order –

... cannot, in and of itself, produce political and economic development. Indeed, to the extent that these institutions are forced onto societies by international or domestic pressure but do not conform to existing beliefs about economic, political and social systems, the new institutions are likely to work less well than the ones they replace. Worse, *if these institutions undermine the political arrangements maintaining political stability, the new institutions may unleash disorder, making the society significantly worse off.* (NWW, 2009: 264/5, Emphasis added)

These processes therefore always create tensions that can only be understood and managed using conflict rather than organic societal models that treat institutional transformations as the outcome of struggle between the supporters of closed and open systems that coexist in the same society, rather than a peaceful transfer of more efficient and inclusive institutions from DCs to LDCs as liberal theorists claim.

Classical dualism emerged to understand the structural changes produced by the colonial imposition of modern but illiberal institutions on societies governed by less effective traditional ones. They recognised that these relationships involved different levels of coercion, assumed different institutional forms, and generated different kinds of categorical inequality and patterns of conflict or mutuality during different periods and in different regions, countries and communities. These relationships now involve far more complex and therefore 'hybrid' forms than

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<sup>6</sup> The states that concern us here are variously referred to as informal, (neo)-traditional, or illiberal institutions and their formal, modern or liberal alternatives. These all take different forms that we cannot address in detail here. However, they all depend on hierarchical and collective authority and accountability mechanisms that contradict the individualistic and egalitarian principles that govern liberal systems.

<sup>7</sup> Fox & Hoelscher's (2012) study of 120 cases found that 'countries with 'hybrid' political orders - weak democracies or autocracies - 'experience higher rates of social violence than those with strong autocratic or strong democratic regimes, and that weakly institutionalized democracies are particularly violent'. They also found a strong link between 'poverty, inequality and regressive ethnic diversity and social violence.' (2012: 1)

they did during the colonial period, but they still continue to transform class, ethnic, regional, and cultural systems and local social and political movements in both metropolitan and peripheral societies<sup>8</sup> in ways that 'have profound implications for 'the characteristics of the previous nondemocratic regime' ... and for 'the transition paths available and the tasks [LDCs] face when they begin their struggles to create stable democratic states'. (Linz & Stepan, 1996: 55; also see Kohli, 2004: 9ff)

Now these the interaction between illiberal and evolving liberal regimes take very different forms in societies based on large-scale traditional empires, modern totalitarian and post-totalitarian regimes, and in the weak conflicted states characterised by patrimonial belief systems that concern us. Their colonial rulers entrenched rather than replaced authoritarian traditional institutions in order to deliver services and maintain public authority and compliance, while their local successors have failed to create modern state-based alternatives.

We can only understand these processes by using and revising the dualistic intellectual tradition.

### (b) Understanding Conflict and Cooperation in Transitional Societies

Classical dualists treated development as a transition from 'traditional' institutions based on ascriptive authority relationships, collectivistic economic incentives and theocratic belief systems, to western market-based, individualistic and science-based alternatives.<sup>9</sup> Their work was subsequently criticised because it undermined the status of local cultures and practices, and was used by western elites to justify the racist stereotypes and authoritarian hierarchies created by the colonial encounter and the systems that succeeded it.<sup>10</sup> It was rejected by the nationalist movements that challenged the colonial project, and side-lined by neo-liberalism that turned individualism into a hegemonic ideology that ignored the role of collective and solidaristic institutions altogether.

Now we no longer accept the racist stereotypes embedded in classical dualist theory, but we cannot ignore the normative claims of the liberal and social democratic project, nor the hierarchical nature of its authority structures and the limits of its pre-scientific knowledge systems. However, we must also recognise the critical but ambiguous role they continue to play in weak states with marginalised communities where –

Customary law, [and] traditional societal structures ... determine the social reality of large parts of the population ... [so] the only way to make state institutions work is through utilizing kin-based and other traditional networks.... that follow their own logic and rules within the (incomplete) state structures. This leads to the deviation of state institutions from the ideal type of 'proper' state institutions.... [and the] usurpation of imported formal governance structures by indigenous informal societal forces. (Boege, et. al., 2009 xxx)

While conflicted states are

characterised by 'the rule of the "intermediaries", a series of networks and polities that substitute and compensate for the lack of authority of the central, legally constituted state and its ability to deliver essential public goods and services'.... Nowhere is this more striking than in regard to the core security, policing and justice functions of African states. Far from possessing an effective monopoly of force, states and their security institutions operate alongside a diverse array of non-state bodies, some violently challenging state authority, others working alongside or co-operating with it. (Bagayoko et al.: p. XX)

<sup>8</sup> Lipsey; 2005; Pomeranz.; 2000; Kohli, 2004; Rodney, 1973

<sup>9</sup> Parson's 'pattern variables' provide the classic formulation. (1951/1964)

<sup>10</sup> Lord Lugard, a leading colonial administrator and theorist claimed that the "the defects of [the African] race-type are those of attractive children, whose confidence when once it has been won is given ungrudgingly as to an older and wiser superior, without question and without envy. " Valiant, clever, and lovable, they bear no malice and nurse no grievance. (XXXX)

Thus traditional and modern institutions still coexist and block the liberal project in dysfunctional ways. However, they are no longer characterised by the clear distinction between technologically complex imported systems and manifestly less effective local ones as a result of the structural changes in the global system. They have not only liberalised the developed countries that still dominate the global system, but also provided many local elites with the skills they needed to take power and use western organisational and technological innovations to generate unprecedented growth in the most successful countries like China and Botswana. Conflicted states have also gone through similar processes, but their weak initial endowments and dysfunctional traditional institutions have produced disastrous reversals in conflicted states like Afghanistan and South Sudan.

Hence dualist theories continue to emphasise the dominant role played by imported liberal institutions in managing progressive transitions, but they also recognise that they also depend on building complementary relationships with traditional ones. Hence -

Liberal democratic capitalism evolved in complex and disruptive ways by utilising 'an immense variety of institutions and forms', and in conjunction with diverse non-capitalist elements, or 'impurities'.<sup>11</sup> (Hodgson, 1999: 148) It was initially based on authoritarianism, imperialism and national monopolies in DCs, then on social democratic planning, and now ... on liberalisation and globalisation. These shifts at the centre have altered the goals and methodologies that are transferred to the periphery, and will continue to do so as new hybrids evolve in response to the conflicting demands generated by accelerating processes of technical and social innovation.<sup>12</sup> (Brett, 2009: 252)

Hence dualism or hybridity sustains the collective and solidaristic relationships that *stabilise* both strong and fragile social systems, but they also disrupt conflicted states still undergoing *uncompleted and contested transitions* from pre-scientific belief systems and/or closed social orders that *reject the liberal project and persuade communities to accept authoritarian belief systems* that prioritise *hierarchy* over freedom, and collective obligation over individual rights. *These societies are characterised by institutional dissonance, or the antagonistic coexistence of incompatible belief systems that take 'combative and competitive' rather than 'cooperative, and complementary' forms.* (Swenson, 2018: 1) Liberals treat markets as transferrable systems based on formal rules, and ignore the fact that the ability to function as 'an individual' in what Polanyi (1944/2001) calls 'market societies', is not inherent, but must be created 'through social learning .... in conjunction with specific structural changes in social life. ... [and] only forms in conjunction with specific human situations, with societies having a particular structure.'<sup>13</sup> (Elias, 1950/2001: 141) Thus attempts erase entrenched beliefs and practices have either driven them underground or been met by open resistance.

However, people who wish to benefit from the immense advantages offered by open systems will never do so unless they are willing to change their own cultures, as Parsons (1951/1964: 178) claimed:

... we may say, with considerable confidence to those whose values lead them to prefer for kinship organisation the system of mediaeval Europe or Classical China to our own, that they must choose. It is possible to have either the latter type of kinship system or a highly industrialized economy, *but not both in the same society.* Either one requires conditions in the corresponding part of the social structure which are incompatible with the needs of the other.

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<sup>11</sup> 'The 'impurity principle' is ... a general idea applicable to all socio-economic systems.... [Every] system must rely on at least one structurally dissimilar sub-system to function, There must always be a coexistent plurality of modes of production, so that the social formation as a whole has the requisite structural variety to cope with change.' (Hodgson, 1999: 126)

<sup>12</sup> For example, liberalisation, feminism, 'post-modernism', privatisation, 'new public administration' have all begun as critiques of current practices in DCs, and then been turned into policy conditionalities for LDCs.

<sup>13</sup> Marx argued that it is only 'bourgeois society, the society of free competition' that is constituted by a social network made up of individuals who remain indifferent to one another.' Marx, (1857/8//1972: 17, 65/6).

Yet individuals and communities in conflicted societies have never been free to choose between traditional and modern social orders, but have always been confronted by choices between systems imposed on them by the irresistible demands of modern capitalism and the equally imperative demands of the beliefs and practices that have sustained their own societies for generations. Violent struggles between incompatible civilizations – traditionalism and modernism; Islam and Christianity; Catholicism and Protestantism; capitalism and socialism; democracy and dictatorship – have been going on since the start of the modern era. Their incompatible demands have produced the zero-sum conflicts that have fuelled the ideological contestations and wars that have transformed the world, so developmental outcomes in particular societies can only be understood using conflict and evolutionary, rather than equilibrium and context specific models that take account of their cultural and institutional endowments and colonial and post-colonial experiences, as Linz & Stepan (1996) point out.

However, societies based on these traditional social structures and rules are unable to offer their members the freedoms, security and prosperity available in modern ones, so they, too, are constantly challenged by demands for reform from excluded elites and subordinated classes in their own systems. Hence developmental transitions in LDCs have been driven by the attempts of contending social movements and classes to find ways to resolve these contradictions that have taken different shapes in feudal or patrimonial empires, simple segmentary societies, or command economies; in regions colonised by more or less authoritarian powers; and, by the changing norms and demands from the global system as it has shifted from authoritarian to liberal or social democratic capitalism, producing a world in which the most successful LDCs now play an increasingly decisive role in the global system, while others are confronting devastating reversals.

Now these reversals have been used to discredit the liberal state-building project and the democratic principles that legitimate it. The success of strong authoritarian East Asian states, and the failure of many weak democracies have been used to problematise the democratic imperative (Kohli, 2004; Landes, 1998; Olson, 1997; Evans, 1995) and to call for political settlements based on elite bargains rather than democratic competition.<sup>14</sup> (Khan, 2010) However, we cannot treat liberal democracy as a western imposition since it may have emerged in the west, but it has been appropriated and forcibly spread across the world by excluded groups since the American and French revolutions. Thus, the question we have to ask is not 'whether one could obtain aristocracy or democracy, but rather whether one would have a democratic society advancing ... with order and morality; or else a democratic society that was disordered and corrupt', as de Tocqueville argued long ago. (1835/1971: 149)

Many failed states have been able to shift from disorder and corruption to order and morality in the past. How can a dualist methodology help us to understand what this entails?

### III Conceptualising Institutional Progress and Reversals in Hybrid Societies

Initiating structural change only occurs when existing institutions are in crisis, an alternative system is available, and powerful social groups actually exist with an interest in promoting it, and even then, progressive reforms are likely to be blocked by elites and groups that benefit from existing illiberal institutions. Thus we can only explain the success or failure of attempts to change existing 'institutional configurations' by adopting 'a society-centric historical approach to long-run state building outcomes' to model these process that attributes path dependent change to 'the over-time development or diminution of social actors who either have vested interests in the expansion and improved efficacy of governmental institutions or, alternatively, have a lot to lose should effective political development take place. (Kurtz: 2011: 230)

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<sup>14</sup> Putzel and Di John's (2012) work on crisis states showed that democracy has 'neither secured peace or even the beginnings of a development trajectory' in many fragmented states, since bringing new groups into political contention that threaten prevailing political settlements are 'at best likely to be ineffective or at worst to provoke violent conflict'.



We can then identify the actual political, economic and social interests that exist at the start of a revolutionary era, and how the resulting struggles between radical and conservative forces promote or block their policy reforms as they unfold. Outcomes then depend on the constellation of social forces that shape these struggles at particular periods and by 'countervailing forms of informal de-facto power that preserve the core of ex-ante practices and norms'. (Ibid: 33/4) These day-to-day struggles first produce incremental changes in power relationships, belief systems and economic and cultural capacities that produce radical shifts 'at critical moments [that] generate institutional patterns that become self-reinforcing over time'. (Ibid: 33/4)

We have already shown how the disruptive impact of the capitalist encounter has initiated a long-term process of creative destruction that has incorporated these societies into the global state and economic system, albeit in unequal and unstable ways. However, we also need a methodology that enables us to show how these interactions also transform cultural and socio-economic relationships at every level from the personal to the national by creating 'real' societies in which modern and traditional belief systems do not occupy separate spheres, but fuse and interpenetrate in complex ways. Malinowski's late work on cultural change in Africa (1945/61) provides us with the seminal account and critique of the role of the colonial encounter in creating new societies of this kind.

Malinowski challenged both the functionalist methodologies of mainstream anthropology, and the civilizing claims of the European elite by not only focusing on 'how institutions work' but also on how they had been 'transformed' (p. 8) by the impact of a 'contact situation' created by the impact of a higher, active culture on a simpler, more passive one'. This meant that traditional societies could not be understood using the 'concept of a well-integrated community or culture',<sup>15</sup> (15/6) that dominated mainstream anthropology, while 'European agents' dominated the change process by using their superior power to subordinate African institutions to their needs. (14/15) Hence an exclusive focus on the internal variables that enabled traditional communities to survive ignored the fact that 'there are two cultures to deal with instead of one' and change occurred because of 'the modifications wrought on the recipients by the aggressors, and also *vice versa*.' (17) Thus change does not simply involve 'indiscriminate give and accidental take but is directed by definite forces and pressures on the side of the donor culture and well-determined resistance on the part of the recipients.' (19)

This produces contingent, but not random change, shaped by the dialectical interaction between dominant and recipient cultures that can only be understood using 'three-column anthropology' (p. 26) that starts with an analysis of the principles that govern each culture, but recognises that their interaction will produce hybrid solutions that are –

*... not a mere fusion or mixing but something oriented on different lines with definite purposes, which are not quite integrated with each other, and which therefore do not act in any simple manner; above all do not simply mix or fuse with African cultures but modify them in a much more complicated and dynamic way'. (p. 21 Emphasis added)*

This seminal proposition treats development as an evolutionary, not linear process that produces hybrid systems that 'are not a mechanical joining of the original influences' but the outcome of asymmetrical encounters that produce 'conflict, cooperation and compromise' and eventually produce 'entirely new products'. (Ibid. p. 26/25) He also shows that these processes continuously inter-penetrate both formal agencies like states, armies, and magistrates' courts, and traditional agencies like chiefs, witchcraft, and local justice so they all actually operate in hybridised ways.

Malinowski acknowledged the superiority of 'the European culture' but rejects the idea of African inferiority by providing many examples of how 'African genius' resisted these threats by simultaneously using and adapting

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<sup>15</sup> He uses culture in the broadest sense, to include language, technologies, beliefs, and rules, which he also refers to as institutions. He defines the latter 'as a group of people united for the pursuit of a simple or complex activity; always in possession of a material endowment and a technical outfit; organised on a definite leger or customary charter, linguistically formulated in myth, legend, rule and maxim; and trained or prepared for the carrying out of its task'. (50) The parallel with Bourdieu's concept of *habitus* is very clear.

their traditional cultures to meet them. He recognised that imported changes could benefit the weaker party, but was dominated by the interests of the stronger, and not by rational technical choices, but it was 'in this clash of interests and greeds, [and in] the intrinsic difficulty of piecemeal and institutional change, [where] the real dynamic issues of contact and change reside'. (p. 71) He also recognised that the coercive and contested nature of these processes might not 'bring about a common existence of harmonious cooperation', but 'lead to temporarily suppressed but powerful forces of coming disruption, upheaval and historical catastrophe on an unprecedented scale'. (p. 3) 75

Malinowski's concept of 'three column anthropology' provides us with the methodological tools we still need to address the contradictory interactions between liberal and illiberal institutions that still dominate conflict societies. It was subsequently introduced into development economics by Boeke, (1953: 4/5) who also defined dualism as 'the clash between an imported and an indigenous social system of a divergent character', and argued that 'generalizing them in an "ideal-typical" way' requires 'three economic theories combined into one: 'the economic theory of a precapitalistic society ... the economic theory of a developed capitalistic or socialistic society ... and the interactions of the two'.

The same model dominated political systems in countries characterised by

two political cultures, the Western system ... and the pre-Western system or systems. In countries such as India there are many traditional political cultures which intermingle with the Western system' that impinge on each other in varied ways to produce 'a third type of political culture' which frequently erodes traditional cultures, so the 'rejection of habitual routines' releases feelings of rootlessness, directionlessness, and 'a large potential for violence.' (Almond, 1956: 401)

And Almond also calls for what could be called 'three column comparative politics' involving an analysis of the relationship between 'the old or the traditional political culture, or cultures, the new or the Western-rational political culture, and transitional or resultant political phenomena of one kind or another'. (p. 401) Like Malinowski, he recognises that large groups in these political systems 'have fundamentally different "cognitive maps" of politics and apply different norms to political action. Instability and unpredictability are not to be viewed as pathologies but as inescapable consequences of this type of mixture of political cultures'. (p. 402) He also notes that researchers in Indonesia or Thailand should 'not only have in mind the Western conception of political process and system', but should 'look for the particular pattern of amalgamation of these roles with the traditional roles ... and be able to 'grapple more quickly and more adequately with political phenomena which he might otherwise overlook, or treat as pathologies'. (p. 403)

These insights and the complex methodologies that they provide us with enable us to generate theoretically informed empirical analyses of the political and economic variables that produce successful or unsuccessful state-building programmes that in LDCs at different levels of development and inherited capacities, belief systems and endowments. We can now conclude by providing a brief 'three column' analysis of the challenges that confront modern conflict states, backed by some empirical cases documented by scholars involved in ongoing research on these issues at the London School of Economics.

#### **IV Creating Public Authority in Weak and Fragmented States**

To recapitulate. The crisis of public authority in these states is caused by the contradictory demands of the new market based political and economic institutions introduced in response to the demands of local political movements and the donor community, and the continued existence of clientelism, coercive labour relationships, ascription, theocracy, patriarchy and/or ethnic essentialism that disable democratic elections, distort impersonal bureaucratic and judicial processes; subvert science-based knowledge systems, and fuel zero-sum economic and political conflicts. (Meagher, et. al., 2014: 4/5) These regressive systems cannot be eliminated overnight, but nor can we ignore the demands of modern statehood and return to a reinvented traditional past as the destructive role of DAESH clearly shows. We therefore need hybrid solutions that recognise both the strengths and weaknesses of both by helping local players to adapt their local practices to its demands in in progressive ways.

To do this we will first identify the demands and limitations of the liberal model, the tensions it generates with traditionalism, then at the often problematic outcomes of attempts to restructure relationships between them.

#### **(a) The Strengths and Weaknesses of the Liberal Model**

Excluded local groups and donors have expected their liberal democratic reforms to stabilise conflicted societies, but we know that they have often intensified conflict and economic inequalities instead. Understanding why this is so raises two key issues - first, their relevance in conflict states that lack the representative organisations and resources needed to manage their technical demands and the unsustainable expectations generated by free elections, and second, their inability to create the that they need to create accountable and inclusive governance systems the threat that free markets pose for weak domestic producers.

First, the neo-liberal assumption that 'procedural' democracy based on universal suffrage and multi-party elections, ignores the existence of the categorical inequalities and segregated trust networks that enable dominant elites to exclude the poor from public politics, and the weakness of their capitalist class, parties and pressure groups, media and research organisations encourage corruption and unsustainable populist policies produce disruptive results in societies that lack the needed to sustain them. Hence the growing emphasis on the need for elite settlements rather than competitive elections referred to earlier (p. 8) and Tilly's (2007: 7-15) call for a gradual and far more comprehensive 'process-oriented approach' to democratic state-building that recognises the need build the socio-economic capacities both before and after elections formal democratic institutions.

Second, poor countries depend on global markets, but the neo-liberal commitment to laissez faire ignores the tendency for uncontrolled competition to destroy jobs and increase uneven development and economic fragility in weak states, as we have seen. Premature liberalisation and radical austerity programmes have destroyed jobs and intensified inequalities and created new opportunities for corruption in many weak states, fuelling ethnic and sectarian antagonisms, reducing state capacity and destroying public authority and social order. intensifying pThese weaknesses have been exposed by critical structuralist theorists since List and Marx, and been adopted by virtually every now-developed society during their developmental transitions.

These failures have now initiated a radical critique of both the political and economic neo-liberal projects that are producing new policy agendas that have transformed failed states like Uganda and Ethiopia as we will see.

#### **(d) The Ambiguous Roles of Traditional Institutions**

We have already explored the ambiguous role of traditional institution that sometimes validate regressive practices and block progressive reforms, but also provide poor people with essential services like justice, social insurance and health, enable them to create solidaristic organisations to protect themselves from economic and political exploitation, and to use the 'weapons of the weak' to defend themselves by subverting the formal rules. These processes produce undermine public authority when they lead to anomic criminality or terrorism, but they can also undermine oppressive regimes and contribute directly to the social and political movements that have put democratic demands back onto the agenda. (Brett, 2009: Ch. 13) Hence the critical challenge is not to eliminate traditionalism but find ways to integrate them into public politics, and formal economic markets and supply chains. (Hickey & King, 2017)

Many recent studies have documented their critical role in maintaining public authority in excluded communities.

- Jones (2005: 193) shows how a marginalized Ugandan community recovering from an insurgency used evangelical churches and burial societies to re-establish 'ideas of propriety and seniority, of living a respectable life, and of making younger men show due deference to the courts or churches' at a time when hierarchies were challenged and old certainties overturned.'

- Martinez-Gomez (2006) shows how traditional gossip networks and local notables acting as 'development brokers' enabled local Mexican villagers to manage externally imposed social development projects;
- Faguet (2012: Ch. 3) shows how a traditional Guarani association in a remote Bolivian municipality obliged the formal political parties to deliver the best local government services in the country;
- Heald (1999) shows how the Bagishu in Uganda reverted to traditional vigilante groups when formal judicial and police procedures, broke down, and the Kuria created 'Sungusungu groups' in Kenya and Tanzania to deal with the same problem, 'creating in so doing new forms of political unity and consciousness'. (2006: 2/3);
- Meagher, (2006) shows how informal producers in Nigeria depend on networks built on religion, locality or ethnicity to guarantee contracts and maintain solidarity.
- Allen (XXXX; XXXX) shows how formal local government processes in Uganda also depend on witch-cleansing and witchcraft to create public authority in Uganda.

### (c) Building Strong States and Public Authority

We conclude by briefly reviewing recent studies of the way in which traditional institutions have responded to contested attempts to manage democratic transitions in conflicted states:

Lara's study of local peace- and state-building in the Philippines shows how one local authority succeeded in creating 'peace, development and state-building' by negotiating deals with traditional clans and strongmen, whereas winner-takes all elections and the 'the imposition of the rules and mechanisms of the [dominant] clan' in a neighbouring municipality almost annihilated 'rational legal authority and produced 'exclusionary and violent outcomes.' (2016: 219-25) Hence successful peace-building depended on their willingness and ability to negotiate inclusive settlements using 'processes of political legitimacy construction through the skilful navigation and bargaining with the political agents of these [traditional] institutions.' (Ibid: 263).

In 1986 Uganda was described as the 'land of darkness and death', its once well-managed colonial state destroyed by predatory authoritarian rule, destructive statist economic policies, and an international and civil war. The population had to rely on informal businesses, religions, and kinship, clan and ethnic institutions to create public authority and provide their own services. The National Resistance Movement (NRM) seized power in 1986, and initiated a successful Reconciliation and Rehabilitation Programme that included gradual democratisation, inclusive governance by incorporating former opponents into the government; and a well-supported donor driven economic recovery programme.<sup>16</sup>

Free multi-party elections were delayed to avoid an intensification of the ethnic conflicts that had disrupted its earlier political history, but the new regime created a inclusive settlement by incorporating leaders of the ousted regime and other opposition parties into a 'broad-based government'. Political participation was gradually increased through local government reforms, indirect national elections, 'no-party' direct elections, and full multi-party elections only in 2006. (Carboni, 2008) The new regime was challenged by armed resistance in regions loyal to its predecessor, but used a combination of armed pacification, political negotiation, amnesty and enlisting former rebels into the national army to incorporate all but the millennial Lord's Resistance Army into the new system through. (Brett, 1995) Donors obliged the regime to shift from a statist to a market-based economic programme, but also provided it with substantial levels of financial support and turned a blind eye to high levels of non-compliance. The restoration of formal property rights and imposition of fiscal and monetary discipline generated rapid growth in both the formal and informal economies, while international and national NGOs and formal and informal Community Based Organisations were encouraged to participate in creating public authority and inclusion in local societies. (Jones 2005; Allen, xxxx Macdonald xxxx)

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<sup>16</sup> This description is based on long-term research and consultancy in Uganda. See Brett, 1992; 1994; 1995; 1995a; 1996; 1998; 2008.

Contrast these successful attempts to use hybrid solutions in Uganda with the failed attempt to impose rigid application of the liberal project in Afghanistan.<sup>17</sup>

It had been destabilised by a Communist Coup and Soviet occupation, warlord rule, and civil war. The Taliban created an Islamic State that used sharia law to enforce public authority inside the country, but supported Al-Qaeda and was defeated by an alliance between an internal opposition and NATO forces in 2001.

Competitive elections were introduced as soon as possible, and the US provided the new-semi-democratic regime with massive military support to reconstruct its security apparatus and defeat the Taliban, and millions to rebuild its formal justice system and marginalise the traditional courts that most people used. However, the deeply corrupt regime derailed attempts to create a formal legal system that would actually hold it to account, or to use its foreign and domestic resources to rebuild state capacity and provide effective services.

Thus 'a viable, legitimate order was certainly a possibility' in Afghanistan in 2001 (Swenson, 2017: 145) but was lost because of the incompetence and corruption of the regime, and the ignorance, miscalculations, and vested interests of US aid policy, whose 'ability to promote the rule of law [was] heavily circumscribed by its entrenched commitment to the regime and an emphasis on security over justice'. (Ibid.: 147) It failed to recognise the critical role of traditional institutions in reconstruction programmes or to strengthen the civic institutions needed to produce real political accountability.

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<sup>17</sup> This account is derived directly from Swenson, (2017).

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