

Statebuilding: Core concepts and institutions

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OBJECTIVES

Present a model, not the model

- State-building
- Legitimacy
- Institutions
- Conclusions / Questions

I: FRAMEWORK

- Why do we care?
- Framing critique
 - SB is not a normative response – mostly pure realpolitik
 - Not a serious response
- Nonetheless
 - Formation of ‘legitimate effective and resilient states’
 - Through ‘good governance’

I: ISSUES

- Problems
 - No agreement on how good, or how to accomplish
 - No agreement on what terms even mean
- No operational definition of legitimacy or governance
- No coherent set of tools - development, political or military
- Not cheap. Billions of dollars

II: STRATEGY VS. TACTICS

- Interventions that claim to support statebuilding should have a single strategic goal:

**Building a legitimate, effective
and resilient state**

- All other objectives are tactical and therefore subsidiary

II: WHAT IS THE STATE?

- Solution to collective action problem. Common attributes:
 1. Capital
 2. Coercion
 3. Legitimacy
- Rests on a social contract w/ many manifestations
 - political
 - security
 - human
 - social/cultural
 - economic

III: WHAT IS LEGITIMACY?

(WITH RESPECT TO THE STATE)

Three key ideas:

1. Embedded legitimacy

2. International legitimacy

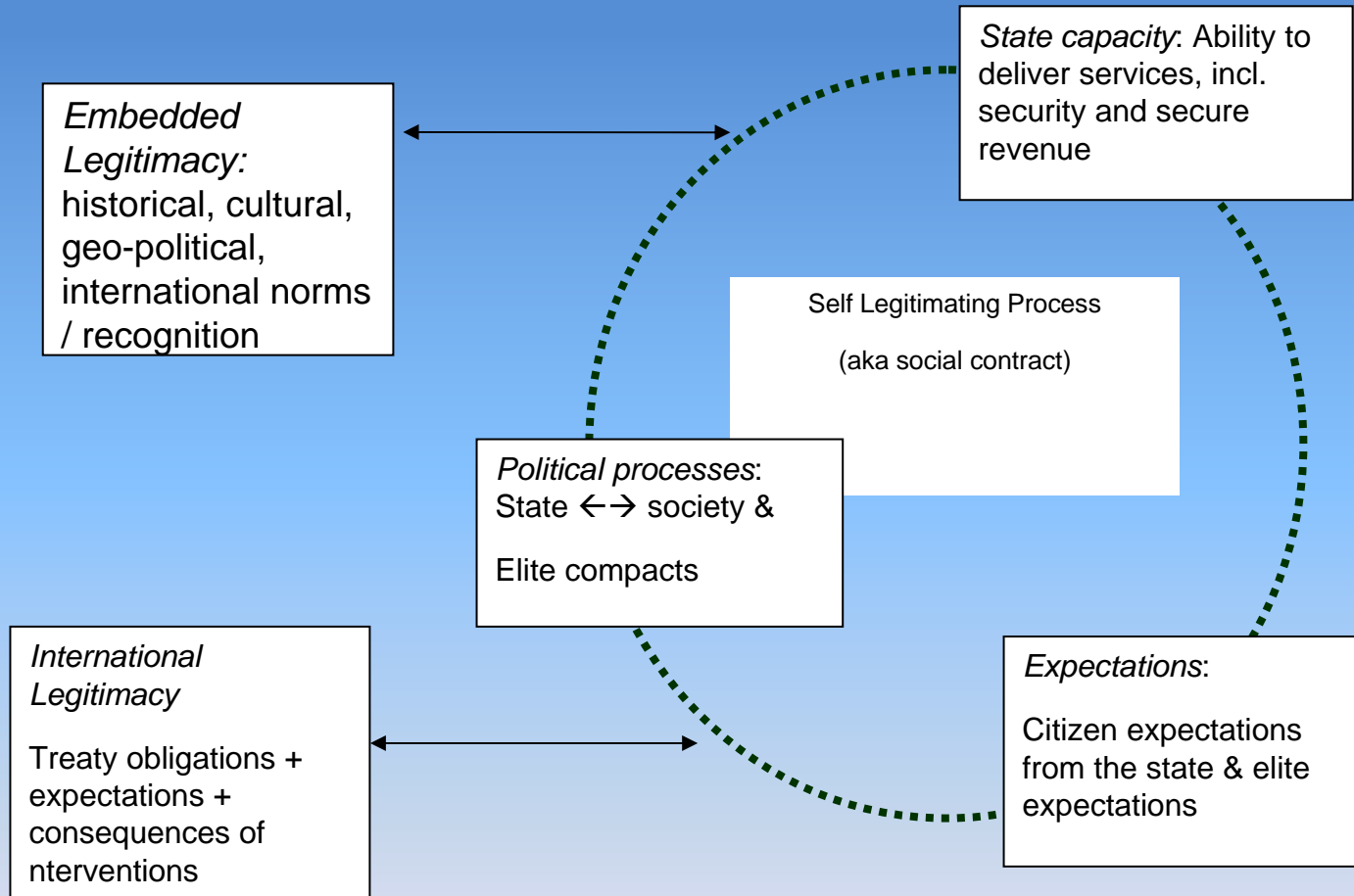
3. Self-legitimation

III: FORCE IS STILL PRIMAL

- Basic precept of statehood: the monopoly on violence
- Misnomer. Monopoly on legitimate violence
- Seeks to secure and enforce compliance with the rules of the game

Violations of certain rights are 'acceptable' in defense of order.

III: COMPLEX PROCESSES



III: CHANGE IS LEGITIMATING

- Process is deeply dynamic. Expectations and capacity continually change
- Multiple triggers – elections, disasters, prices, politics, regional dynamics...

Effective response legitimates.

Failure weakens.

III: CORE ARGUMENT

- Ability to cope with change defines resilience
- Ability to cope is a function of
 - Legitimacy (embedded + international)
 - The interaction b/w capacity and expectations
 - The political mediation that sets the terms of the bargain

III: ANOTHER LENS

- Process legitimacy
 - The form of the process confers legitimacy
 - Some known ‘goods’ for processes
 - Participation
 - Inclusion
 - Responsiveness
 - *Political processes and state capacity*
- Output legitimacy
 - The output of the process confers legitimacy
 - *State capacity*

IV: RIGHTS AND RIGHTS BASED DISCOURSE

- No earlier mention of rights
 - IHR plays a role in external legitimacy. It's not that big a role (cf. Hathaway et al)
 - Notion of 'duty-bearing' and 'rights-holders' fundamental to the idea of contract
 - Thos notion as a tool of discourse is devoid of content – any agreement goes
 - Institutions are mechanisms for structuring and embedding discourse – in form and in function

IV: INSTITUTIONS - DEFINITIONS

- Competing definitions beyond our scope
 - **“A set of formal and informal rules of conduct that facilitate coordination or govern relationships between individuals. “**
 - Much wider than development in practice
 - International intervention largely limited to ‘formal’
 - next to no understanding of changing social networks
 - Separation of ‘formal’ from state – codified set of regulations, non ad-hoc. Can be non-state
 - Doesn’t mean informal institutions don’t matter. Just that we don’t matter so much to them.

IV: INSTITUTIONS MATTER

- Manifestation of capacity and legitimacy
 - More you can institutionalize (i.e, exclude from political mediation, greater your legitimacy)
 - more widely, are manifestations of social contract
- In practice:
 - Political
 - Order / Security
 - Economic Management + Infrastructure
 - Human development and security
 - Social / cultural
 - Boundaries are imprecise -- welfare payments?

IV: INSTITUTIONS EXECUTE AND SECURE

- Execute on the promise of the social contract
 - the terms of the bargain
- Secure the rules of the game
- Effective when they can cope with change
 - More efficient than non-institutionalized mechanisms
 - Not all change can be handled through institutions
- Institutions can fail yet endure
 - Function of other forms of legitimacy
 - Function of historic patterns of legitimation

IV: MANIFESTATIONS, THREATS, RESPONSES

Type	Structures	Threat	Response	Threat	Response	Threat	Response	Threat	Response
Political	Institutional	Private violence	Security and political governance	Subversion	Rule of Law; Security	Exclusion	Political Governance	Organized Violence / Unrest	Security Sector
Order	Institutional			Corruption	Rule of Law; Security	Injustice and impunity	Rule of Law	Organized Violence / Unrest	Security Sector
Economic	Institutional + Infrastructure			Corruption	Rule of Law; Security	Black market / exploitation	Economic Framework; Rule of Law	Organized Crime	Rule of Law; Security
Human	Institutional			Natural risks: disease or disaster	Disaster Prevention and recovery	Man-made risks: war, unemployment	Social Risk Management	Economic risks: systemic shocks	Social Protection
Social	Interpersonal			Violence	Security sector; political governance				

IV: UNDERLYING SOCIAL CONTRACT

The social contract does not work without its non-contractual underpinning (Durkheim)

- The value of a system is built on a shared understanding – rule of law, to dinner party obligations
- Key implication: **institutions are not portable**
- Key implication: **rights can be understood in different ways**
- Links to broad Weberian fallacy
 - Assumption that bureaucratic system is most effective emerges from very particular history and structure, both social and institutional

CONCLUSION

- Rights-based discourse is the process of state formation
- Rights institutionalise as a function of context
- World has changed
- Still scope to use IHR as means of governing interventions. Just less credible