

Legitimacy, Statebuilding and Conflict

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Building legitimacy is widely considered to be a central aspect of statebuilding efforts in fragile and conflict-affected states. It features prominently in the statebuilding policies of donors and the G7+ alike. In the literature, building legitimacy is seen as central to reducing violent conflict, by reducing grievances and the willingness of individuals and groups to violently challenge public authorities. It is considered to strengthen state capacity and facilitate the provision of public services by increasing compliance with state demands for resources from its citizens through taxation. With regard to external statebuilding efforts, legitimacy is thought to ensure the sustainability of state institutions once the material support of external statebuilders – be they donors or peacekeepers – declines.

The literature roots the legitimacy of a state in two broad sources in particular: first, its performance (how effectively it promotes shared norms and provides public goods); and second, its procedures for the allocation of public authority and of public services like justice, security, or access to health and education. With regard to the latter, there is a growing recognition of the importance of procedural fairness. Statebuilding efforts have sought to strengthen legitimacy through both paths – through strengthening state capacity and the provision of services, and through the promotion of open and inclusive political settlements.

While there are therefore sound theoretical and empirical grounds for seeking to strengthen the legitimacy of state institutions in fragile states, there are three challenges to making the building of legitimacy a central plank of statebuilding policy.

First, legitimacy is an inherently social concept: it needs to be claimed (e.g. by the state), and it needs to be recognised (e.g. by different social



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groups). So a state's legitimacy is not a question of degree, but is inherently contested, as the social norms and shared interests against which different social groups judge these legitimacy claims are likely to differ. In deeply divided societies (a characteristic of most fragile states), these norms and interests might be mutually exclusive, and what strengthens state legitimacy in the eyes of some might detract from it in the judgement of others. Deciding whose legitimacy judgements count is hugely political.

Second, legitimacy is often considered in the context of a direct relationship (a social contract) between the state and citizens, or between the state and different social groups. In reality, however, this relationship is frequently mediated through a range of other actors. As a result, state actions (such as improvements in service provision) do not necessarily translate into higher legitimacy: individuals or groups who benefit from these actions might not attribute them to the state, or might have had no expectation in the first place that the state would provide them. This has important implications for how statebuilders seek to support the strengthening of state legitimacy.

Third, there are questions about whether legitimacy is a cause or a consequence of a stable social order. Most of the literature – and donor policy – treats legitimacy as a cause of stability. Yet scholars like David Lake have suggested that state legitimacy is built on the back of security and stability, when such an order provides sufficient benefits to those subject to it that they have a vested interest in sustaining it. The legitimacy that both rulers and ruled attach to a social order is a consequence of the stability it provides and the instrumental value attached to stability, rather than a condition for stability. This account, which is supported by historical processes of state formation, has obvious implications for the sequencing of statebuilding reforms.

None of this means that one should not seek to strengthen state legitimacy. However, it does highlight that building legitimacy in fragile and conflict-affected states is a highly political activity that can entail prioritising the values and interests of some groups over those of others. It is also an exercise that requires a good understanding of the local political economy to identify the pathways through which legitimacy could be built, and the obstacles to such efforts.

Reading 1: Gilley, B. (2009). The consequences of legitimacy. In *The right to rule: How states win and lose legitimacy* (ch. 5). New York: Columbia University Press.
http://www.web.pdx.edu/~gilleyb/RightToRule_Ch5.pdf

Reading 2: Blair, R. (2013). *Peacebuilding and state legitimacy: Evidence from two lab-in-the-field experiments in Liberia*. <http://dx.doi.org/10.2139/ssrn.2326671>

Reading 3: Brinkerhoff, D., Wetterberg, A. & Dunn, S. (2012). Service delivery and legitimacy in fragile and conflict-affected states: Evidence from water services in Iraq. *Public Management Review*, 14(2), 273-293. <http://dx.doi.org/10.1080/14719037.2012.657958>

Reading 4: Lake, D. (2008). Building legitimate states after civil wars, in *Strengthening peace in post-civil war states: Transforming spoilers into stakeholders*. Chicago: University of Chicago Press.
<http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.419.4812&rep=rep1&type=pdf>

Reading 5: Mcloughlin, Claire (2014). When does service delivery improve the legitimacy of a fragile or conflict-affected state? *Governance*. Advance online publication. dx.doi.org/10.1111/gove.12091

Questions to guide readings

1. If legitimacy cannot be observed directly, how can we try to measure or assess the legitimacy of state institutions in fragile and conflict-affected states?
2. If legitimacy judgements are made on the basis of local norms, and we have no universal standard against we can meaningfully judge legitimacy claims, is it still useful to pursue the building of legitimacy as part of a statebuilding policy?
3. In light of these conceptual and methodological challenges, how robust do you consider the evidence about the impact of legitimacy on stability?
4. Is there a risk that by focusing on the instrumental contribution of different policies to legitimacy (e.g. inclusive political settlements, or improved service delivery), that we underplay their inherent positive effects?