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Local Government and Decentralisation in post-conflict contexts

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Abstract

This collection is designed to partially address a gap in the academic literature. Whilst decentralisation is frequently included in peace agreements, the actual scope and role of local government is far less frequently discussed. This gap remains despite a considerable literature on local government in developing countries more generally, particularly with regard to decentralization; but also despite a considerable and growing literature on post conflict reconstruction. Despite this, very little has been written specifically on the politics of local government and post conflict. This collection aims to fill that gap, providing a mixture of case study and conceptual material and also perspectives from both academics and policymakers.

This collection examines the role of local government in post-conflict contexts. Its origins lie in an ongoing research programme of the Commonwealth Local Government Forum (CLGF), which recognised a need to bring together work on the relationship between local government, decentralisation and post-conflict environments. While decentralization is frequently included in peace agreements, the role of local government is far less frequently discussed by those involved in post-conflict reconstruction of governance. This gap remains despite considerable and expanding literatures on, firstly, local government in developing countries more generally, particularly its relationship with decentralization; and, secondly, post-conflict reconstructionⁱ. Yet there has been little specifically on local government and post conflict beyond individual case studiesⁱⁱ, although exceptions include Brancati's work on decentralization and peace, and broader work on local governmentⁱⁱⁱ.

The subject of local government and post-conflict reconstruction sits at the intersection of several interrelated research areas, notably conflict/peacebuilding, governance and political economy. At the same time, the relationships are far from simple and there have been significant developments in specific sub-fields, particularly urban conflict and municipal governance^{iv}; the incorporation of traditional authorities^v; and hybrid systems and ideas around the 'post-liberal peace'^{vi}. The intersecting concerns of demobilisation, communities and service delivery, for example, or ethnicity, conflict sensitivity and political participation, make it perhaps even more surprising that there is not more work in this area.

What is clear is that local government is directly affected by, and can directly affect, interventions that commonly take place in post-conflict environments. The construction of a road, for example, or repairs to infrastructure, create foundations for later governance interventions and build capacity within local government. However, entry points for international actors are rarely clear cut^{vii}.

This collection provides a series of case studies, cross-case studies and practitioner reflection on the function of local government in the context of decentralisation in post-conflict countries. Local government has been poorly prepared and resourced in many states experiencing conflict, at least partly because they tend to have been highly centralised or authoritarian. However, in a post-conflict environment or a situation requiring conflict management, local government can play a key role. Literature on this specific subject is sparse and dominated by case studies – not necessarily within the Commonwealth – but there are interesting lessons to be drawn.

Evidence from Lebanon and Uganda illustrates the experience of municipalities responding to war needs in terms of recovery of services, local planning and decision making, and community reconciliation and peacebuilding^{viii}. International actors commonly assume local government is incapable of delivering services and therefore avoid local government structures entirely and rely on non-governmental organisations (NGOs) to deliver services. Research on Colombia similarly concludes that local governments need to play a significant role in post-conflict reconstruction and peacebuilding, but are ill equipped to do so^{ix}. At the same time, Colombia clearly illustrates the core problem of local government in post-conflict contexts: decisions over peace agreements are frequently centralised and exclude local government officials, yet it is these local officials who are expected to bear the burden of small arms control, the reintegration of former combatants and the associated social issues.

Despite pre-existing administrative and institutional weaknesses, local government can play an important part in post-conflict rehabilitation, reconstruction, and recovery^x. Supporting local government directly can therefore contribute to the long-term sustainability of post-conflict recovery efforts. There are several concrete ways that local government structures have served as channels for post-conflict relief and development assistance including rubble removal, rehabilitation of key municipal infrastructure,

assessment of post-war damage, and rehabilitation of livelihoods. Local governments have also served as channels to revive economic activity and encourage inter-communal peace building.

Further, crisis situations call for rapid and flexible interventions at the community level, but speed and participation are not mutually exclusive. Local governments are prime candidates for working with development agencies as implementation partners and vehicles for exercising local ownership. This may be particularly significant in processes that directly affect local communities, including the resettlement of former combatants and displaced civilians. Such large movements of people tend to result in depopulation in some municipalities, or rapid urbanisation in others, particularly in capital cities. This exacerbates existing issues of urbanisation, including rising crime rates, unemployment, illegal building and pressure on local services including water and planning. All this places extreme pressure on the limited skills and capacity that exists at a local level.

Lack of capacity may also be exacerbated by the deliberate targeting of local government officials during some conflicts. The fighting in Nepal was partly characterised by the regular kidnapping of local government officials in an attempt to degrade local government, something mirrored in the widespread targeting of government figures in wars in West Africa and Uganda^{xi}. Staff shortage may be worsened by an unwillingness of staff to relocate from capital cities to those regions in need, particularly if reconstruction is accompanied by severe financial crisis. At the same time, posting people out from capital cities might not generate mutual respect between local government and communities, a key relationship in peacebuilding. In particular, local governments play a critical role in determining the outcome of land disputes, one of the most common forms of localised conflict, and an ability to control and allocate land is key to economic reconstruction. Ongoing land disputes frequently undermine other efforts at reconciliation as their expense draws funding from other activities. Better intervention aimed at improving the capacity of land management committees and area planning units could alleviate some of these issues. At the same time, disputes between central government, international investors and local groups who claim they do not get a say in land allocations, are a critical source of anti-state sentiment and a source of conflict. This pattern is repeated in many areas where there are local-international business interests (e.g. diamonds in Sierra Leone)^{xii}.

Co-ordinated and well-planned efforts to boost the capacity of local government to resolve these issues must recognise that it is the local government that is best placed to do this. A local conflict resolution plan would not only act as a means of including those groups who feel excluded, but would also be able to take local conflicts over land into account, unlike a centralised system. Conflicts are frequently driven by local issues within post-conflict environments and can eventually accumulate into broader violence. The rather thin evidence certainly suggests that local government can and should play a significant and critical role in these post-conflict negotiations and activities but is rarely well placed to do so.

This collection shows that there is no fixed recipe but that the level of success or otherwise is determined by the politics of local government and the political framework in which it operates, including the dynamics of the initial conflict itself. Furthermore, it shows that local government is most successful when embedded in local contexts and the nature of the peace agreement itself. If there is an outright winner to the conflict local government reform is unlikely to destabilise peace and so can proceed immediately, but in 'mediated cases' (where there has been a peace settlement but high mistrust remains) or in 'conflictual cases' (where there is a military victory but no peace settlement so the causes of the original conflict remain), local government reform involves the political allocation of resources and power, which can reignite conflicts in fragile environments. Despite the clear importance of this issue, there is much disagreement on the basic assumption of using service delivery to build legitimacy. In addition, other entry points in the post-conflict process could be the reinsertion of former

combatants to local contexts, police or justice reform, or even the central appointment of senior local government staff^{xiii}.

The contributions included here focus on local government in post-conflict contexts in the knowledge that 'post-conflict' is a highly controversial term and remains contested. This is primarily because there is blurred line as to when an environment transitions from conflict to post-conflict. The authors acknowledge this difficulty but also recognise that the local government frameworks they are discussing operate where conflict has subsided to a greater or lesser degree, but is "...ongoing or recurring in some parts of the country."^{xiv} Peace is therefore perceived as a spectrum that ranges from insecure to secure, with no clear marker to indicate that an environment is 'post-conflict'. For this reason, "post-conflict recovery efforts have to be seen as extended conflict prevention strategies"^{xv}.

Decentralisation and local government

The focus of this collection is local government, but the nature, powers and capability of local government are partly determined by decentralisation, specifically the overall political context and levels of autonomy and resources that have been decentralised. In post-conflict environments, decentralisation is also frequently used to institutionalise peace following intra-state conflicts (Brancati, 2009). Decentralisation is held to have specific benefits for countries emerging from conflict because of its inherent democratic character and the idea that regional and local groups can have a direct say in the state. At the same time, groups who felt previously isolated from centralized political regimes can be incorporated into a political system at a local level where they can take decisions over their own governance.

Literature on decentralisation remains inconclusive and is dominated by the outcomes of a very varied set of case studies. One school views decentralization as retaining great pro-poor potential as it increases representation and voice, generates more accountable and effective services, reduces centralised state control and improves political participation and local ownership^{vi}. In contrast, another body of literature takes an entirely contrary view that the empirical evidence does not back up this positive picture^{vii}. Schou and Haug in a comprehensive overview paper state that: '...there is no consistent evidence to document that decentralization has improved efficiency, equity or service delivery as promised in the development discourse on decentralization'^{viii}. In most cases, decentralization has been politically subverted by elites who use it to project their own power through political manipulation of local political systems or as an extension of political control^{ix}. Conyers goes on to identify a critical issue at the local level, namely the lack of capacity, which along with lack of funding, goes a long way to explain the severe constraints on many African governments in delivering services^x.

Lack of local government effectiveness within decentralization is further hampered by elite capture of decentralized systems. Ahmad et al. cite evidence from Indonesia and India that shows the impact of political capture on local services^{xi}. Conyers also backs up this evidence in Africa and states: "The problem stems from the manner in which elected local government representatives achieve and maintain their political power, which in turn reflects the 'patronage-based' nature of both national and local politics."^{xii} If services are being delivered in an environment of political patronage then decisions that could benefit efficiency and equity will be corrupted, and instead be made in favour of a few elites for personal financial or political reward. Ahmad *et al*/note the irony that

...political agents at appropriately decentralized levels may have greater credibility to voters at large because of their proximity, or reputation developed through community interactions over an extended period of time. However, these same features may allow clientelist promises to be

easier to make and fulfil at more local levels due to closer social relations between the elected representatives and their clients, at the expense of broad public goods.^{xxiii}

Indeed, there is considerable consensus amongst analysts that there is a critical political dimension to decentralization that must be incorporated if the process is to be successful. While advocates of decentralization emphasise its positive politico-social benefits, and those who espouse decentralization as a conflict prevention strategy stress political involvement at the local level, much of the evidence seems to point towards hidden agendas and unspoken motivations in decentralization programmes, including centralised parties pursuing additional votes^{xxiv}.

Within the discussion on decentralisation there is remarkably little on the capability or topography of local government and its ability to carry out the aims of decentralisation. When discussing local government within this collection we are making a conscious decision to discuss the institutions and organisation of government, as opposed to local governance, which implies a broader set of actors that may or may not play a role in providing government itself. What we mean by this is that decentralisation usually devolves power to a named local structure that is normally either a local government organisation, like a municipal or city council, or a non-state provider with some degree of recognition such as a traditional chief. These providers are critical actors within the broader pantheon of governance at the local level and, indeed, in a post conflict environment the relationship between these formal local government organisations and non-state providers – that may include armed actors – is critical in terms of providing services like security.

The lack of research specifically on local government is surprising and unsurprising at the same time. It is surprising because local government is clearly present in many areas of insecurity. Most people within conflict states do not live in capital cities but predominantly interact with government through local institutions. Brinkerhoff argues that “the inability to integrate regions and minorities into larger polities is a key source of state fragility, failure and conflict across the globe”^{xxv}. If this is true then the inability to take local government properly into account is beyond neglect and risks a return to conflict. This is reinforced when one considers that the predominant form of prevailing conflict is intra-state rather than inter-state^{xxvi}. Given this, it is surprising that local government has not had a more prominent role in peacebuilding and post-conflict reconstruction discussion and has been largely neglected within the mainstream literature until the advent of the so-called ‘local turn’^{xxvii}.

Critical issues within local government

There is clear consensus in the literature that there are strong links between local government and conflict but the nature of these links is contested. Some authors assert that local government has the potential to mitigate conflict, arguing that it provides a non-violent platform to manage inter-group tensions, increases representation and participation, and improves service delivery, all of which reduce the likelihood of conflict^{xxviii}. Other authors emphasise the ways in which local government can exacerbate conflict, primarily arguing that ineffective, corrupt, partisan local political institutions cause frustration, resentment and feelings of exclusion^{xxix}.

Ultimately this discussion translates as ‘effective local government makes conflict less likely whereas ineffective local government increases conflict risk’. Virtually all empirical case studies seem to show that local government (or decentralization) exacerbated conflict as a result of political rivalry, or at least had not been able to play a positive role in conflict mitigation and recovery^{xxx}. Bigdon and Hettige, for example, find that the Sri Lankan “local government system is not yet capable of contributing to conflict

resolution but is rather aggravating tensions through politicization”^{xxxii}. This was also the case in Sierra Leone and Afghanistan where the local system was subject to political manipulation and score settling^{xxxii}.

In the context of Afghanistan, Lister adopts Robert Jackson’s concept of *de jure* and *de facto* states to understand political power and legitimacy in post-conflict countries^{xxxiii}. *De jure* states are those that exist because the international community recognises them as sovereign states, regardless of whether or not they are capable of providing governance, welfare and security throughout their territory. Their legitimacy therefore comes from recognition by the formal international political system. In contrast, *de facto* states are those that actually administer a territory, through formal or informal systems, and gain legitimacy from their military power and control of governance and administration.

Lister and Wilder therefore warn that good political economy analysis is vital as “...technocratic interventions to strengthen subnational administration that fail to understand the political context could actually result in strengthening *de facto* power holders rather than the *de jure* state”^{xxxiv}. Focussing on technical service delivery or tax collection misses the critical point that local government political dynamics are part of broader political processes that affect the distribution of power and the legitimacy of the state itself. Lister goes on to argue that the policy approaches of the international community also fail to adequately engage with sub-national government in Afghanistan and because of assumptions about ‘trickle down’ effects and the difficulty of engagement at the local level, policy interventions tend to be concentrated in capital cities^{xxxv}.

This is a recurring theme across many post-conflict countries as the international community generally fails to think beyond the capital city and appears unwilling to engage with politically ‘messier’ regions where the state is more likely to lack legitimacy and capacity. This may also be a function of more pragmatic reasons related to programming rather than a general reluctance. Despite donors’ reluctance, national governments are often extremely aware of their need to engage in local-level governance: “the reach of government outside the main cities is weak or non-existent and post-conflict governments, understandably, are anxious to extend their reach to the entire country”^{xxxvi}.

Academic research and literature, however, questions some of these assumptions. Manor, for example, in summarising the findings of a major World Bank research project on aid in fragile states, concludes that “at the local level, much greater constructive potential survives conflicts and other complex emergencies than we had expected or than we found at higher levels in most political systems”^{xxxvii}. Local government is therefore an overlooked, but potentially crucial, factor in successful post-conflict reconstruction.

Romeo builds on this, arguing that local government engagement is important because it is a vehicle for simultaneously re-establishing the presence of the state in the regions and for demilitarising politics in divided societies^{xxxviii}. However, this simple causal relationship is questioned by McLoughlin and Batley, who unpick the technical assumptions of local government service delivery and analyse the politics of service delivery at the local level^{xxxix}. Their data shows that the politics of delivery is far more influential than the actual structures themselves. This is echoed by Brancati who concludes her study by stating that decentralization is most effective when state-wide political parties are in control and integrate regional aspirations in to national approaches, but decentralization is least effective when regional parties are in control and deliberately encourage regional disparities. Politics, therefore, holds the key^{xl}.

The literature also emphasises the importance of *de facto* power at the local level and the role of elites in influencing local decisions. Post-conflict environments typically have weak formal political environments coupled with weak oversight mechanisms. The emergence of strong political networks,

particularly where they have been formed within conflict environments, result in significant patronage networks. In addition, formal networks are often entwined with informal political networks^{xi}. Powerful patrons frequently have violent resources at their disposal and understanding these actors is critical to a sustainable peace.

Central-local government relations are often characterised by misunderstanding, miscommunication and mistrust^{xii}. The politics of centre-periphery relations are heightened in post-conflict environments and include a general lack of trust, weak central authorities, financial pressures, political rivalry and creeping centralisation of power. One of the ironies of decentralization, however, is that it requires a functioning and capable centre to make it work. The strength of local government is usually contingent upon the strength of the centre in so far as local government is usually reliant on both central government finances, but also on central government oversight^{xiii}. Whether local government structures have been extraordinarily resilient or not, the question faced by those seeking to move on from conflict is whether to reconstruct the previous systems or start afresh, and whether to work with what is there or carry out significant reforms. Time pressures and the international community usually provide an incentive to simply rebuild what existed before. There may be a danger in cases where reconstructing previous systems of local government can recreate the political system that led to conflict in the first case, but creating new systems can also be risky^{xiv}.

What does this collection contribute?

The literature summarised above emphasises the various political struggles that provide a framework for local government including elites versus democracy, centre versus the national and the *de facto* versus the *de jure* nature of much of this struggle. Most of the contributions to this collection reflect these political considerations and apply them to a variety of contexts.

The two contributions on Rwanda take the orthodox narrative of decentralisation as a form of central control but question what this means in practice, engaging in a dialogue about legitimacy, politics and the art of the possible in a post-genocide state. Chemouni concentrates on Rwanda's use of decentralisation as a post-conflict strategy to promote popular decision-making^{xv}. However, he argues that popular decision making is largely absent, replaced by top-down policy implementation and a quasi-exclusive upward accountability of local governments. The paper then focusses on the issue of sequencing as a means of opening up debate on Rwandan decentralisation. It emphasises that the decentralisation policy was a key factor of post-conflict stabilisation so far as it avoided many pitfalls commonly encountered in African decentralisation programs. It has devolved a great amount of power and resources at local level while preventing local rent capture. In addition, it has been pivotal in promoting efficient service delivery. Given this, despite the absence of extensive local democracy, the context Rwanda found itself in following the genocide meant that the establishment of decentralised control was paramount in changing power dynamics. The paper goes on to argue that the Rwandan experience of decentralisation will be successful in the long run only if it manages to move to the next step by introducing bottom-up mechanisms of decision-making.

The second paper on Rwanda from Gaynor follows up on this theme by examining the extent of broad-based community participation^{xvi}. Drawing on extensive fieldwork, the paper discusses four main findings. First, although there is much talk among officials and commentators about bottom-up planning processes emanating from local village meetings, the evidence for this is scant. Second, a shift in emphasis within the decentralisation programme over time is evident. The current national strategy of fast-track economic development has been superimposed on the original goal of reconciliation and community building with an attendant emphasis on results over process. Third, findings from a)

comparison of local official and community priorities and b) citizens' knowledge and use of local structures reveal no evidence of citizen representation or accountability at district level. And fourth, of the three forms of participation examined, cost-sharing emerges as the most common, with increasing emphasis placed in recent years as local entities are encouraged to move toward fiscal autonomy and self-reliance. Gaynor concludes by highlighting historical parallels between the marginalising and polarising effects of pre-genocide decentralisation policies and practices and those in place today, offering reflections on how these might be mitigated and transformed to aid Rwanda's ongoing reconstruction process.

The work on Sierra Leone, Sri Lanka and Colombia, takes a different emphasis and traces the use of decentralisation for improving representation, incorporating additional information on criminality, corruption and integrating former combatants in to local communities. These studies all point towards unrealistic ambitions of decentralisation programmes which do not represent the reality on the ground. The idea that local governments at the margins will transform into beacons of good management may be misplaced. In Sierra Leone, decentralisation has been seen as a successful component of post-war reconstruction but Nickson and Cutting critically examine whether this view is warranted through an examination of progress on political devolution, fiscal reforms and local service delivery^{xvii}.

Goodhand, Klem and Walton's piece on Sri Lanka focusses on the literature on borderlands in understanding the transition from war to peace^{xviii}. This perspective builds on recent political economy literature explaining how legitimate order is established in states diverging from the Weberian norm and where coercive power and resources are more fragmented. In such contexts, brokerage relations and networks may play a more important role than formal institutions. The borderlands perspective develops these insights by focusing on how power is territorialised and the role that brokers play in mediating both horizontally between different spaces (centre and periphery) and vertically between the national and local levels (state and society). Borderlands research has found that protracted conflict frequently recalibrates power relations between centre and periphery and that borderlands may become critical sites of institutional and socio-economic innovation. As such, this approach critiques much local government literature which focusses explicitly on formal institutions and ignores broader processes of social change. The paper therefore provides an interesting insight into hybrid approaches that see formal local government institutions in the context of broader 'borderland brokers'.

Schultze-Kraft, Valencia and Alzate provides a further development on this theme from Colombia^{xix}. In November 2016, the Colombian government and the insurgent Revolutionary Armed Forces of Colombia (FARC) signed a final peace agreement. Central to the accord is what the parties call 'territorial peacebuilding', a long-term strategy to integrate Colombia's hinterlands into the nation's legal political system and economy. 'Territorial peacebuilding' follows on from decentralisation and security consolidation, which ultimately fell short of integrating Colombia. It is now imperative to devise a governance strategy for territorial peacebuilding that includes subnational political and administrative entities, enhances citizen participation and protects local governments from capture by criminal interests.

The practical implications of local actions is examined by Fontana who carries out a comparative analysis of the decentralisation of educational provision in Lebanon, Northern Ireland and Macedonia¹. This challenges the belief that the provision of services has the potential to improve legitimacy of local government itself. Fontana's evidence shows that decentralisation has been used to blame local authorities for failed policies that they have no control over, suggesting that the choice of decentralisation model and political willingness to devolve power remain critical to the success of local government provision. She observes that local governments did not decisively contribute to peace

through education. The expansion of mother-tongue education in Macedonia is an important signal in the right direction but, more often, the constraints of power-sharing and of different models of decentralisation led to de facto fragmented education systems, in which children belonging to different communities or coming from different regions have access to a different quality of education, and in which contact between students from different communities is limited. This may entrench inter-communal equality and autonomy in the short term, but does not bode well for long-term transition out of conflict.

The implications of the failure of decentralization and the struggle between central and local powers are explored in a paper on Karachi.ⁱⁱ Political will within weak institutions can have disproportionate effects, which means that there can be a process of centralisation and decentralisation that may alter with the interests of powerful individuals at the centre. Karachi is a city with the many cleavages typical of post-conflict cities and Pakistan has faced numerous challenges in establishing transparent government. Local government dissolution in 2009 led to a rapid increase in informal service provision, ghettoisation of low-income settlements, and sectarian violence that left large parts of the city ungovernable. Brown and Ahmed explore the ensuing chasm and governance mechanisms that filled the gap, examining what happens when local government fails, and how groups and communities contest political, social and physical space.

Wall raises the question of what can be done about these issues and then draws on research undertaken by the CLGF on innovative practices across four post-conflict countries: Sierra Leone, Northern Ireland, Sri Lanka and Rwanda.ⁱⁱⁱ Decentralisation has been used here to overcome historical structural grievances and inequalities, and bring decision-making closer to the point of service delivery. However, there remains a question of how many innovative projects are enough. Each of the cases remains incomplete and subject to the external political forces outlined above, which raises additional questions about how the aims of decentralisation can be attained and thereby support long-term peace building. The evidence affirms that decentralisation policy has made significant, if varied, contributions to community cohesion, reconciliation and state legitimacy, especially through greater equity of basic local services. In Northern Ireland and Sri Lanka, decentralisation has contributed to stabilising governance, though restricting local councils. In Sierra Leone and Rwanda decentralisation has helped provide basic services across the communities but in Rwanda the findings support the two earlier papers in this collection in pointing out that policy has restricted pluralism in governance.

The final contribution brings reflections from a practitioner on both the academic literature and the vast quantity of practitioner papers and approaches.ⁱⁱⁱⁱ It starts by reiterating the core issues facing local governance: incomplete transfers of responsibility to the local level; non-transfer of resources; lack of clarity on the relationship between traditional authorities and local government; and elite capture of governance institutions and the resulting political exclusion. However, Narang Suri goes on to develop a very positive view of the growth of this agenda at the global level, pointing out that the Sustainable Development Goals include one (SDG16) focussing on peace that states: ‘Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels’ – and includes at least two targets with direct bearing on local governance. The role of local government has been widely acknowledged as critical to the success of SDG16 and has led to the development of a Global Alliance for Urban Crises at the World Humanitarian Summit in 2016. At the same time, both Habitat III, the UN General Assembly and the Paris Agreement have all emphasized the importance of local governance, and associations and networks of local authorities like the CLGF are asserting the role of local authorities in sustainable development in general and conflicts and disasters in particular. As Narang Suri concludes, the

questions raised in this collection are, therefore, pertinent and timely, and merit further reflection and discussion.

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