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Hybrid security governance in Africa: rethinking the foundations of security, justice and legitimate public authority

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ABSTRACT

This article asks whether the concept of 'hybridity' offers a more convincing account of security governance in Africa than the standard state-focused models. It seeks to clarify the complex intersections between formal and informal, state and non-state security actors, and the varied terrains on which hybridity is constructed, instrumentalised and recalibrated over time. Rather than romanticising informal or 'traditional' institutions, it suggests that they too embed their own power hierarchies, become sites of contestation, and do not work equally well for everyone, least of all for the weak, vulnerable and excluded. Thus the focus is placed upon the real governance of security in hybrid systems, and the patterns of inclusion and exclusion (including gender biases) they reinforce. Finally the paper considers how policy-makers and shapers can work with the grain of hybrid security arrangements to create more legitimate, broadly-based and effective African security governance.

KEYWORDS

Security; justice; SSR; governance; hybridity; Africa; informality; exclusion; state; fragility; authority

Introduction

Although African states claim authority within the boundaries of their internationally recognised territory, non-state institutions of governance have survived or emerged in large parts of the continent. As Scheye puts it, the post-colonial state is 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'.¹ Sometimes these non-state systems effectively function as a 'second state' delivering public goods and services in a continually negotiated relationship with the formal institutions of governance. 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.

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However, prevailing approaches to state-building and to security governance have continued to follow Weberian paradigms, which characterise the state by its monopoly of legitimate violence, its assertion of effective public authority and its legal-rational norms and institutions.² African states have frequently been stigmatised as ‘failed’ or ‘fragile’ because they do not live up to these standards. At the same time the goals of policy have largely remained unchanged: that is to rebuild them in the Weberian mould as authoritative states with the capacity to deliver security, development and other public goods to their citizens.

In particular, security sector reform (SSR) more often than not has concentrated on the formal arrangements of the state and its security and justice institutions, focusing on tangible policy goals such as stronger mechanisms of civilian control, parliamentary accountability, budgetary management, training and professionalisation, police and court reforms. In practice, however, it has proved extraordinarily difficult to implement even modest programmes of reform, let alone significant transformations in security governance.

Such approaches have been fundamentally at variance with the underlying realities of the African context, where state authority and hence security is not only exercised but also contested by a vast array of different actors: some active within the formal arenas of the state; others in informal arenas outside the state; and others co-operating or carrying their disputes across state and non-state, formal and informal divides. Whilst references to the informal security and justice sector have crept into the SSR and state-building toolkits, thus far they have been based upon incomplete empirical understanding of how this sector actually functions, and in particular of the complex interplay between formal and informal actors and institutions, which determine how policies play out on the ground and impact (or not) on the lives of citizens and communities as well as on the security of the state. In sum analysis and policy have so far barely touched upon the deep politics of reform. Nor have they drawn in any systematic way upon the critical literatures on the state, hybrid political orders and security that we will consider below.

This paper proposes a framework for empirical analysis of how security governance works and for whom, based upon a critical understanding of how formal and informal, state and non-state systems overlap, interrelate and interpenetrate at complex levels. We use the term ‘hybridity’ in this context to capture these intersections of formality and informality; to illuminate the complex nature of security governance in Africa. Our goal is to promote a more informed and realistic understanding of decision-making processes and power distribution in African security sectors, where a variety of actors draw on varying sources of authority and legitimacy. We argue that the concept of ‘hybridity’ is particularly appropriate for understanding security governance in countries in conflict or emerging from it. Non-formal institutions often are the only ones left standing after conflict. They can play a valuable role in providing security; in sustaining the resilience of local communities; and in building more legitimate and effective security governance.

Formal, informal and hybrid security governance: analysis and definitions

The African predicament

From African independence analysts have been commenting on the vast gap between the official narratives of ‘nation-building’, ‘civil-military relations’, ‘the developmental state’, ‘state-building’, ‘post-conflict reconstruction’ and (latterly) ‘security sector governance’

and the apparently chaotic, fractious and violent realities of statehood on the ground.³ In response there has been a florescence of shifting terminologies—among them ‘neo-patrimonialism’,⁴ ‘prebendalism’, ‘the politics of the belly’, ‘the postcolony’, ‘instrumentalised disorder’, ‘the criminalisation of the state’, ‘warlord states’⁵ and more recently state ‘failure’ and ‘fragility’.⁶ But there has been little analytical consistency and clarity.

Certain common themes stand out, however, and are relevant to our discussion below. First is the idea that formal state structures have been informalised, instrumentalised, captured or (at the most extreme) dissolved by African social actors and modes of social interaction. Writing about the evolution of the formal institutions of state exported by the French colonial power, Bayart claims that the end of colonialism opened the way for a reassertion of the historicity of African societies, rendering Western notions of liberal democratic statehood mostly irrelevant. African political elites, he argues, have appropriated the colonially imposed structures to serve their own purposes and more widely to reconfigure state authority at multiple different levels reflecting the hybridity and social complexity of African social formations.⁷

These trends have accelerated since the end of the Cold War. Many African states found themselves released from the military grip of external powers, but also lost the military aid and budget support, which had sustained their security spending. Moreover, they were increasingly exposed to new forms of globalisation. Their exposure to shifting market forces together with the neo-liberal policies insisted on by international financial institutions and donors reshaped their national economies, constrained their budgets and reconfigured their state structures, including their security apparatuses.

Hence these states lost leverage over their national economies at the same time that their monopolies of legitimate violence began to fragment. Myriad external actors increasingly moved into African political and security marketplaces:⁸ including resource-extracting firms, private security companies, international NGOs, aid agencies, peacekeeping forces, diasporas, criminal mafias, transnational jihadist networks and others. These external actors presided over flows of surpluses and political goods (arms, security assistance, aid, conflict resources, illicit commodities etc.), which they have converted into the currency of influence within and across African political systems.

Direct links have formed ‘between, on the one hand, deregulation and the rise of the market and, on the other hand, the rise of violence and the creation of private military, paramilitary, or jurisdictional organizations.’⁹ Power and resources have more and more been networked through informal channels, which tend often to transcend state boundaries, making it all the harder to determine how and by whom political authority is exercised and security determined.

An influential yet controversial line of analysis contends that this apparent informalisation of the state and the emergence of new forms of disorder and conflict should not necessarily be considered regressive.¹⁰ They may instead catalyse the emergence of new forms of political regulation and authority with arguably deeper African roots. As we shall see similar claims are made about the potentially innovative nature of the hybrid political and security systems considered later in this paper.

The informalisation of the state has seldom, however, been a peaceful or a socially inclusive process. The tendency has been for political power to be grasped by the ruthless, the strong, the venal and the violent—above all by those controlling the means of violence and able to instrumentalise disorder. Hence it continues to be extremely difficult to establish

a stable and broadly accepted basis for legitimate public authority and security in many African countries.

The social contract between states and citizens has in many cases been seriously eroded if it ever existed in the first place.¹¹ On the one hand citizens have found themselves alienated from a distant state, with which they scarcely identify. On the other hand states and elites have lacked the commitment and the means to deliver the public goods, which might ensure the loyalty and participation of citizens. Above all they have been unable to deliver basic law, order and security. This has opened wide security and policing gaps, often filled by the informal and local providers scrutinised in this paper.

This reading of the African predicament adds up to a fundamental critique both of established models of state-building and of current aid and security governance paradigms—although for reasons that will be explained later, we do not endorse it in every respect. What is crucial for our purposes is that it heralds crucial shifts in the way scholars and policy analysts are now framing the issues.

In the first place it calls attention to what may be termed the ‘real politics’ or ‘real governance’¹² of African states and their security and justice systems: how authority is continually negotiated and disputed among powerful groups within and outside the state in contrast to the ideal-typical models of well-functioning states which governance reform and aid policy have tended to take as their starting point. Second, it calls attention to the informalisation and the privatisation of power and of security—including their decentring beyond the formal confines of the state. Third it leads to an interest in how non-state or informal institutions can in principle and do in practice substitute for failing states, exercising de facto public authority, providing services and assuring security alongside or instead of formal state agencies and structures. All of these are dimensions of what we discuss below under the heading of ‘hybrid political and security governance’.

Defining formality and informality: a neo-institutionalist approach

The study of informal institutions is hardly new either in general or in an African context. Forty years ago Ekeh outlined an influential analysis of the ‘two publics’ in Africa, which can be regarded as a precursor of recent accounts of informal institutions and hybridity.¹³ The first public, that which constitutes individuals as citizens of the post-colonial states, has shallow roots and is easily subverted through corruption and abuse of power. The second public of traditional authorities, local communities, kinship groups, religious faith groups and so forth includes more intimate and at the same time more compelling moral communities, which resonate more with the day-to-day lives of most Africans. People who would not dream of defrauding a neighbour would feel fewer qualms in defrauding the state. Conversely those who feel helpless in dealings with abusive agents of the state or predatory elites, enjoy much more agency in the context of their local communities.

There are dangers, however, in romanticising the second public, which as we shall see is more complex and more unequal than Ekeh’s analysis might suggest. Moreover the bifurcation of the two publics tends to skate over the relationship between them, including the ways they are mutually constituted and share common origins in the colonial and post-colonial state.¹⁴ Nevertheless the narrative is compelling and crops up again and again in accounts of Africa’s informal security and justice institutions.

Whilst the distinction between ‘formal’ and ‘informal’ institutions is often made, the terms are defined in varying and not necessarily compatible ways.¹⁵ Making the distinction in a non-tautological and mutually exclusive way is indeed tricky. It is related to but quite distinct from the state-society divide. As good a way as any of defining the distinction is Helmke and Levitsky’s formulation, namely:

*formal institutions are openly codified, in the sense that they are established and communicated through channels that are widely accepted as official [...]. Informal institutions are socially shared rules, usually unwritten, that are created, communicated, and enforced outside of officially sanctioned channels.*¹⁶

We propose our own definitions:

- Formal institutions are institutions, whose boundaries, authority structures and ways of working are for the most part codified through publicly recognised rules, regulations and standards (constitutions, laws, property rights, charters, organisational blueprints and so on).
- Informal institutions are largely structured around implicit practices, social understandings, networks of interaction, and socially sanctioned norms of behaviour (conventions, customs, traditions etc.)—relying on expectations of reciprocity, which are neither officially established nor codified, but are commonly and widely accepted as legitimate.

We caution, however, that the application of these definitions to real world situations is by no means straightforward. Institutions that are commonly categorised as ‘informal’ such as chiefly institutions, traditional courts or even mafias may sometimes have highly codified (and indeed written) standards and procedures. Many seemingly prototypical Weberian structures are regulated and indeed held together by complex informal understandings and unwritten precedents. The British state, its constitution and its common law system is an especially notable example, contrasting with the far more codified constitutional and juridical frameworks of France and of its former dependencies. Our interest is precisely in such ambiguities.

Our analysis of hybrid security orders below draws upon a neo-institutionalist theoretical approach¹⁷ under which decision-making processes are not exclusively based on rational choices or nested in formal institutions: a wider variety of institutions operate alongside or within formal political institutions and are at play in decision-making processes and public policies, many of which are informal in essence. Political institutions and their constituent parts, including security bureaucracies, have their origins in the (often unintended) outcomes of purposeful choices and historically unique initial conditions, which develop over time following the logic of path-dependence.

In Africa it is above all the institutional legacy of colonialism which still continues to have a deep impact on how the security sector is governed, including the bifurcations between centralised and decentralised despotism, direct and indirect rule, civil and customary power. African states and state elites continue to be propped up, often precariously, by their formal military, police and security establishments and at the same time to draw upon the old strategies of indirect rule: forming alliances with local elites; codifying ‘traditional’ law and sources of legitimacy; formalising traditional chiefs and justice bodies; and subcontracting security provision to local policing bodies and militias etc. How formal security institutions work is dependent on how informal institutions operate¹⁸ and both are

intricately linked to the structure, distribution and legitimation of power within existing governance arrangements. African states and informal networks are embedded one into the other. The instrumentalisation of informal relationships gives access to the less tangible forms of power and the legitimacy of custom and tradition.

The analysis of hybridity

It is thus in order to analyse and observe both the informal within the formal and the formal within the informal that we use the concept of hybridity.¹⁹ For our purposes hybridity denotes 'the multiple sites of political authority and governance where security is enacted and negotiated' including 'the multiple ways traditional, personal, kin-based or clientilistic logics interact with modern, imported, or rational actor logics in the shifting historical conditions of particular national and local contexts.'²⁰ It belongs within a wider family of concepts, which emphasise the contingent, constructed and contested nature of governance, public authority and security. Other related formulations include the notion of 'governance without government', 'real governance', 'negotiated states', 'mediated states', 'twilight institutions' and 'institutional multiplicity'.²¹ We prefer 'hybrid' to such formulations, however, since it places the emphasis squarely upon the complex and shifting interrelations and interactions amongst formal and informal institutions.

The term 'hybrid political orders' was initially popularised by scholars to analyse state formation and peace-building in small political communities like Somaliland, Bougainville and East Timor.²² Their principal focus was on local approaches to conflict transformation (including the use of traditional authorities, customary institutions and informal intermediaries) and on the interface between these and Western liberal approaches to peace-building. They deliberately chose to 'stress the positive potential rather than the negative features of so-called fragile states—de-emphasising weakness, fragility and collapse, and focusing on hybridity, generative processes, innovative adaptation and ingenuity'.²³ As Debiel and Lambach contend, far from being cultural remnants as orthodox state-building approaches portray them, hybrid political orders are vibrant mechanisms of governance.²⁴

Other analyses have extended analysis of hybrid political orders still further by linking them specifically to situations of political disorder and violence. In contrast to those who have characterised violent conflicts primarily as state-building and development in reverse,²⁵ they portray them like Duffield as potential 'sites of innovation and reordering resulting in the creation of new types of legitimacy and authority'.²⁶ In line with Tilly's deliberately provocative analysis of state-making as organised crime,²⁷ it is argued that non-state armed actors, including guerrilla formations, paramilitaries, militias and even criminal mafias, have to legitimise their control in order to survive and prosper. In so doing they seek to translate their initially predatory grip upon regions falling outside the control of the state into more durable and legitimate forms of local-level governance, constructed around alliances with local business and public sector elites. In the process they may become law-makers as much as law-breakers.²⁸ Similar arguments about conflict situations as a matrix for the creation of viable alternatives to existing state and security institutions are put forward in recent studies of 'rebel' or 'insurgent' governance.²⁹

Such critiques present a fundamental challenge to prevailing notions of state fragility and failure, which view the latter as a one-way process reversible only by restoring the normality of a well-governed Weberian and preferably liberal democratic state. They are

equally a challenge to the neo-patrimonialist analyses of African political systems referred to earlier, which tend to reduce states and their security institutions to the ‘politics of the belly’,³⁰ i.e. to the informal politics of tradition, patronage, plunder and ethnic solidarity, disregarding the possible synergies between informal institutions and the formal structures of African states.

Hence we shall not confine our own analysis of hybridity to traditional, customary or informal institutions alone, nor do we assume a priori that they work better for the citizens of African states than state delivered security. For as Meagher has cogently argued, the rush to embrace the ‘traditional’ obscures the potentially regressive and violent features of governance beyond the margins of the state.³¹ Recognition of the potentially transformative aspects of conflicts should not blind one to their destructive impacts and the challenges they pose to legitimate public authority. Even when political disorder ‘works’ for national and local elites as Chabal and Daloz have argued,³² it may not work so well for the majority of citizens, including the poor, marginalised and insecure.

Contrary to those who hold that the formal organs of African states lack roots in African soil and are incompatible with the informal systems of power, which prevail throughout the continent, we see them as both complementary and contradictory. Informal institutions undergird the state, supplement and subsidise the functioning of its institutions, and provide it with a modicum of resiliency, but at the same time they erode its rational-legal norms. What emerges are dual, overlapping hierarchies and systems of power in which both modern and traditional elites are invested, but which are to a very large extent regulated (if at all) by norms emanating from outside the ‘rational-legal’ sphere. How and for whom hybrid institutions work; the precise nature of the relationship between formal and informal; and the relationships to political violence on the one hand and security on the other are all issues to be investigated empirically rather than assumed in advance.

Towards critical analysis of hybrid security governance

Our focus is upon the security dimension of African hybrid political orders. *Hybrid security governance*, we argue, is characterised by the coexistence and interaction of multiple state and non-state providers of security, as the state shares authority, legitimacy and capacity with other actors, networks and institutions across the formal/informal divide.

However, security itself is a deeply problematic and contested concept, which has two contradictory yet complementary faces: (1) as a process of political and social ordering, which stabilises state and local power structures; (2) as an entitlement of citizens and more universally human beings to protection of their safety, livelihoods and welfare.³³

Our concern is precisely the interface between hybridity and these two dimensions of security. Do hybrid security arrangements in reality stabilise the national and local power structures of African states, or do they weaken them? Are they more legitimate than formal state security provision in the eyes of African citizens and communities; and do they in reality protect their safety, livelihoods and welfare?

To answer these questions we draw upon the conceptions of human and citizen security, which have in recent years been incorporated into mainstream analysis by the United Nations and the World Bank.³⁴ But we also share the concerns of critical security studies.³⁵ As Booth eloquently argues:

*we can decide to study (security) in ways that replicate a world politics that does not work for countless millions of our fellow human beings; or we can decide to study in ways that seek to help to lift the strains of life-determining insecurity from the bodies and minds of people in real villages and cities, regions and states.*³⁶

To simply adopt conventional accounts of human security without taking into account non-material considerations such as culture, religion, ethnicity and gender, is academically and in practical terms, incomplete, inconclusive and deeply flawed.³⁷

From a methodological perspective, we hold that critical security analysis can be enriched with the methods used by anthropology, for which informal rules and institutions have always been a central object of study. Fortunately, there is already a substantial body of anthropological research on informal or local-level security, justice, policing and vigilantism on which we draw in the second half of this paper. The relationship with anthropology potentially runs in two dimensions. However, anthropologists themselves have been suspicious of anything that goes under the label of ‘security’—perhaps for good reason given the murky history of collaboration by anthropologists both in the colonial enterprise of indirect rule and in the counter-insurgency programmes of the Cold War era. The tide has been turning, however, and now anthropologists like Goldstein call for a critical ‘security anthropology’, that recognises the significance of security discourses and practices to the global and local contexts in which anthropology operates. In a post-9/11 world, he argues, ‘many issues that have historically preoccupied anthropology are today inextricably linked to security themes, and anthropology expresses a characteristic approach to topics that today must be considered within a security rubric.’³⁸

Hybrid security governance in Africa: a framework for research

Our core argument can now be summarised as follows:

Security in Africa is seldom in practice delivered in accordance with authorised scripts by security institutions following bureaucratic and rational-legal rules and acting on the basis of official mandates. Instead there tend to be complex amalgams of state and non-state security providers whose decisions tend to be influenced by prevailing power relations, by the social networks in which they are immersed and by norms and codes of behaviour framed in the language of ‘custom’, ‘tradition’ or ‘religion’. These various dimensions of informality are not separate from formally recognised security institutions, and indeed acquire significance through their interactions with the latter.

Whilst there is now a growing body of scholarship on different forms of hybrid or non-state security provision, this has tended to neglect the latter’s interactions with the state and with formally constituted security structures. Both formal and informal security institutions are constituted through their own norms and rules; both are animated by a diversity of social actors; and both are held together and also divided by criss-crossing social networks. Informal institutions often have ambiguous, double-edged, and even counter-intuitive effects.

A useful approach to analysing the interactions between formal and informal institutions is proposed by Helmke and Levitsky, who categorise these interactions in four stylised ways: (1) as complementary, with informal institutions reinforcing formal institutions to achieve shared goals; (2) as mutually accommodating, with informal institutions diverging from formal institutions without necessarily undermining them—not violating the letter of the law even if violating its spirit; (3) as competing, when informal institutions not only diverge

from formal ones, but also undermine them; (4) as substituting, when informal institutions fill in for absent or ineffective formal institutions, by doing what the latter should have been doing—for instance when non-state actors provide public goods, including health, education, justice and security in place of an absent or under-achieving state.³⁹

Building on these analytical perspectives we identify four key sets of issues for research and policy, explored in greater detail below:

1. How are the official security institutions of African states ‘hybridised’ through (a) their instrumentalisation by political and economic elites and (b) their penetration by informal norms, solidarities and networks?
2. What role do ‘non-state’, ‘informal’ or customary actors and institutions play in security provision beyond the confines of the state? Do they complement, accommodate, compete with or substitute for official security provision?
3. What is the impact of hybrid security arrangements on the security and entitlements of citizens in African states, in particular those who are vulnerable and excluded?
4. How can more accountable, responsive and inclusive security provision be negotiated in contexts of hybridity and informality, so as to foster new forms of public authority better suited to African realities?

The ‘hybridisation’ of state security institutions

An enormous amount of time and effort has gone into attempts to reform Africa’s military, security and justice institutions, to curb their abuses and to bring them within frameworks of budgetary and democratic accountability.⁴⁰ This has sought to reverse a trend under which Africa’s formal military, security and justice institutions have found themselves comprehensively ‘hybridised’, or as Hills puts it more pointedly in the context of the Nigerian police, ‘lost in translation.’⁴¹ These institutions do not necessarily deliver according to their official mandates. They tend to suffer from indiscipline and internal conflict, sometimes violent. They tend to be penetrated by patronage networks and social hierarchies and to enjoy close ties to political elites. They can hardly ever be considered wholly neutral players in the political game. They have the capacity to spread insecurity, but also to restore security. They can bring about the fracturing of states, but also contribute towards their rebuilding.

All these problems have long been recognised in research on African military, police and security apparatuses, which stretches back almost as long as their emergence as major political players during the early years of independence.⁴² Yet in recent years the roles played by formal military and security apparatuses have been neglected by researchers. In part this has reflected a decline in the more overt forms of military politics, including the military coups and military regimes that used to dominate the African political scene until the 1980s. This does not mean that military and security establishments have ceased to be important political players. Rather it means that their influence has become less visible. They still remain a crucial part of the ‘deep state’ that continues to distribute power and patronage and shape security, even under formally democratic regimes.

At the same time formal security institutions operate within political and security spaces in which a range of non-state military and security bodies are more active and influential than ever before. These non-state actors have received the lion’s share of attention in recent research literature. Insofar as state military and security institutions have been scrutinised

in any depth it has been in the context of no more than a handful of African states, most prominently the Democratic Republic of the Congo (DRC), and has focused mostly on the complex ways they have interfaced with international peacekeepers and with militias, paramilitaries and rebel groups.⁴³ In contrast, however, there has been a more considerable amount of scholarly research on the interface between formal and informal policing in several conflict and post-conflict situations.⁴⁴

State security elites have never been purely passive players in the games of political patronage and identity politics. Since colonial times they have instrumentalised ethnic, religious and other identities to cement their grip on power, to ensure the loyalty of their military and security establishments, to divide their opponents, to 'map' threats, to marginalise dissenting voices and generally to manage the complex security problems of multi-ethnic states. This manipulation has had profound impacts on how state security institutions work and for whom. In a seminal analysis more than three decades ago Enloe argued that colonial states and their post-colonial successors not only created the fiction of 'martial races' but also developed cognitive 'ethnic state security maps' to define who was loyal, who was not to be trusted and who was seen as a security threat. In the process they sowed the seeds of enduring division and social inequality.⁴⁵

Thus the starting point for any analysis should be a mapping of the rules and social hierarchies and 'socially embedded forms of reciprocity',⁴⁶ which penetrate security institutions and shape their interactions with elites, with patronage systems and with social networks. These can cover a wide range of social relationships, including those among socio-economic classes (for instance caste systems), 'traditional' hierarchies, ethnic categories or religious communities. Depending on the particular national context, the following informal solidarities may be salient:

- Caste systems, for instance within the highly stratified societies of the Sahel
- 'Joking relationships',⁴⁷ for instance the *sinankunya* system in West Africa
- The Korugan Fuga Charter⁴⁸ and similar sets of orally transmitted norms and principles shaping interactions between rulers and formal structures
- Informal forms of reciprocity and social capital, including mutual help, family and community assistance, which may form bonds bypassing formal hierarchies
- Social bonds created through the initiation rituals and membership of hunters associations, secret societies, lodges and so forth
- Links between military and security personnel and traditional hierarchies including elders, chiefs and other local notables
- Religious allegiances to faith communities, religious sects, brotherhoods and militant bodies
- Networks and alliances formed around ethnic, kinship, clan, 'home town' or regional solidarities
- Inter and intra-generational networks, for instance old school or young men's associations
- Patron-client ties, including relationships between 'big men and small boys' inside and outside of military and security hierarchies
- Gender norms and relationships and in particular the patriarchal forms of authority embedded in military institutions themselves

- Linkages of military and security personnel with the informal economy, including both legitimate business and mafia or criminal networks
- Informal peer groups within security institutions themselves, based on bonds developed in military academies, shared careers and common political goals

Few of these relationships have been systematically probed in literature on African military, police and security establishments and much of this literature is dated.⁴⁹ Amongst these, ethnicity has received the most attention from researchers, tending to oversimplify the intricate norms and webs of relationships around which informal solidarities are created and reinforced within military and security structures. We argue that there is both a normative and a transactional basis to all of the solidarities listed above. Networks of social interaction are reinforced by and in turn reinforce social norms, which in an African context draw at least part of their strength from tradition, which itself is constantly reinvented.⁵⁰

More attention needs to be paid to the micropolitics of security institutions themselves and in particular how they are penetrated and influenced by these informal norms and social ties; and how once embedded in state structures, informal solidarities become the focus of power struggles between competing social groups and their leaders. Conversely, the formal constitutional and legal resources available to African state security apparatuses tend to be deployed on behalf of informal social solidarities, patronage networks, and most significantly of all political interests.

State elites almost invariably deploy military, police and security apparatuses in ways that are compatible with the informal rules and practices of power, which best suit their interests and those of the communities and networks from which they derive support.⁵¹ Although the command and control structures and professional duties of military and security institutions are supposed to be autonomous, they are seldom insulated from the contested social and political arenas in which they function. At the same time their personnel—soldiers, police, intelligence operatives, court personnel etc.—tend to be bearers of multiple identities, which extend beyond the boundaries of security institutions in which they serve.

It is hardly surprising that African regimes and political elites instrumentalise these chains of solidarity to assert their control over the contradictory terrain between the formal and informal orders, to consolidate their power and to keep security institutions loyal. They do so through a variety of mechanisms: through recruitment and promotion policies which favour particular clans, localities or ethnic groups; by introducing the mechanisms of political patronage and influence-buying inside security institutions themselves; or by establishing parallel security structures including presidential guards, paramilitaries and militias linked by particularistic ties to the regime.

In certain countries like Togo, Gabon, Sudan, Zimbabwe and (formerly) Côte d'Ivoire these hybrid security arrangements have stabilised autocratic or in some cases quasi-democratic regimes over long periods of time. In others the intersection of ethnic politics with professional, peer group, officer-soldier or interservice rivalries, has spawned coups, revolutions and prolonged periods of instability, as previously in countries like Nigeria, Ghana, Uganda or Ethiopia. But in a growing number of African states the boundaries between state and non-state security institutions have eroded to the point where they have become almost indistinguishable and their personnel are virtually interchangeable. One finds armies, police forces, paramilitaries, militias, insurgents, militants and even peace-keeping forces all competing for power and economic rents within the same political and

security marketplaces,⁵² most notably in countries like the DRC, South Sudan, Central African Republic (CAR), Mali or Côte d'Ivoire.⁵³

Political elites tend to co-ordinate formal state with informal security policies to control policing, power and representation down to the most local levels.⁵⁴ Hence neo-patrimonial patronage and other forms of networked influence tend to usurp governance structures at the expense of public interests and thus to corrupt security systems, degrade their capacity to deliver security and justice, and to damage public perceptions of their fairness and impartiality.

Nevertheless it would be an exaggeration to say that formal security, policing and justice institutions are in all instances subverted, corrupted or made incapable of performing their security functions. Even in the most inauspicious circumstances, as in post-conflict Sierra Leone and even Somalia, they can sometimes match baseline standards of 'good enough' security governance.⁵⁵ Political elites would not seek to co-opt them in the first place if they were not at least minimally effective. Analysts of African military institutions point out that they are just as prone to fracture around organisational as on identity-based cleavages; indeed it is the combination of both which tends to be most dangerous.⁵⁶ Some African military establishments (but rather fewer police organisations) maintain high professional standards yet remain politically close to the existing regime, as in Ethiopia, Rwanda or (in a different way) Botswana. Many have participated with varying degrees of success in peacekeeping forces in Africa and elsewhere. Even the most tattered and ineffective security institutions sometimes contain pockets of professionalism as well as reform constituencies of officers and men that can potentially be mobilised in support of security sector reforms. In some cases indeed informal networks and relationships may be essential to the functioning of security agencies within the hybrid political and social spaces in which they have to operate. In Sierra Leone for instance the Office of National Security has created a reasonably effective and responsive intelligence system, which draws upon linkages with local and traditional institutions in rural areas.

There are in sum two key issues for those who would seek to reform African security governance. The first is how to draw upon informal social solidarities in order to build more effective and responsive state security institutions—without them becoming too enmeshed in dysfunctional patronage networks. The second is how to maximise the ability of state security institutions to 'work with the grain' of traditional and other informal institutions so as to make their security policies and programmes more effective and legitimate on the ground—without reinforcing local oppressions or unleashing destructive power struggles. Both of these require a more detailed understanding of the micropolitics of security institutions themselves and of their interface with local as well as national systems of power, patronage and representation than is currently available in the African research literature.

The roles of 'non-state', 'informal' and 'customary' actors in security provision beyond the confines of the state

From colonial times state elites in Africa have pursued strategies of indirect rule: forming alliances with local elites; codifying 'traditional' law and sources of legitimacy; formalising traditional chiefs and justice bodies; and subcontracting security provision to local policing bodies and militias. The role of non-state security actors—tied into networks of social

relations and webs of mutual obligations—remains enormously important and has given rise to a rich literature over the last few years.⁵⁷

This flowering of interest in security and justice provision beyond the confines of the state stems from the perception that state institutions are failing in their core functions and lack legitimacy and public support. In many African countries, as Ebo observes:

*the Westphalian assumption that monopoly over the means of legitimate coercion lies with the state and its institutions meets a veritable challenge in the face of the wide support and legitimacy enjoyed by non-state security institutions. [...] [The] security sector has [...] typically manifested both formal and informal tracks. Even in states which are ostensibly stable, statutory institutions have been unable to provide security to all categories of its citizens at affordable levels, with supplementary roles being played by an array of traditional security actors.*⁵⁸

It is argued that local-level, and in particular ‘traditional’, security providers are seen by local communities as more effective and efficient than those of the state, and as more legitimate. Official procedures enforced by the state are often barely understandable or accessible. The way in which traditional security providers deliver security seems more congruent with norms and historical legacies of the communities and populations who rely on their services. All the more so in conditions of ‘state fragility’ or ‘governance without government’, where formal security institutions are either absent or so completely informalised that they are almost indistinguishable from militias, gangs and other non-state armed actors.⁵⁹

Such claims have been made on behalf of a very broad range of non-state security actors, not all obviously linked to the delivery of security and justice, and not all ‘traditional’, including:

- Chiefs and other traditional authorities and clan elders in segmentary lineage systems⁶⁰
- Customary and magistrates courts and dispute resolution bodies, recognised and unrecognised⁶¹
- Community and local policing and judicial bodies, for instance the ethnic and community ‘mutualities’ which stand in for traditional chiefs in the Eastern DRC by providing security, mediation and judgements⁶²
- Hunters and similar associations including *Kamajors* or *Dozos* in Sierra Leone, Liberia and Côte d’Ivoire⁶³
- Men’s and women’s secret societies and ritual bodies⁶⁴
- Women’s associations and young men’s groups⁶⁵
- Neo-traditional ethnic, community or home town bodies, offering various forms of protection⁶⁶
- Traditional healers, spirit mediums, anti-witchcraft practitioners and practitioners of the occult⁶⁷
- Churches, mosques, religious brotherhoods and enforcers of religious morality, like the *Hisba* in Northern Nigeria⁶⁸
- Voluntary associations and civil society organisations⁶⁹
- Vigilantes, local militias or community protection groups like *Sungusungu* in Eastern Africa or the ‘Bakassi boys’ in Nigeria⁷⁰
- Civil defence forces, paramilitaries, militias and other non-state armed groups⁷¹
- Criminal mafias, ex-fighters and gangs offering or imposing protection in urban slums and unsecured borderlands⁷²

Many but by no means all of these non-state or local actors are connected to customary societal structures (extended families, clans, tribes, religious brotherhoods) and traditional authorities (village elders, religious leaders, headmen, clan chiefs, healers). Their influence tends to be particularly important in rural and remote peripheral areas, but also extends to many urban settings. It also tends to be significant in post-conflict contexts, substituting for deficient state provision when official security and policing bodies are absent, ineffective, partisan or repressive. Some are involved in the creation of disorder as well as order; some mobilise for violence as well as to build peace and security; many do both at once.

It would be misleading to see the traditional and customary practices upon which these local actors draw as immutable and static. New practices, not strictly customary but rooted in customs, are emerging through highly dynamic processes, especially in heterogeneous urban centres. Far from being frozen in the past, the interventions of traditional and local actors are subject to re-formation and reinvention. For traditional and customary institutions tend to be adaptable and resilient. Moreover they are exposed to external influences, being penetrated by and penetrating within central and local state apparatuses, interacting in complex ways with economic and political marketplaces and responding to international norms and cultural influences.

A pertinent example is the hunters associations in parts of West Africa (*Kamajors* in Sierra Leone and *Dozos* in Côte d'Ivoire) analysed by Hoffmann.⁷³ Cultural memes and norms, which arose among groups of hunters and warrior-protectors in forest communities, were then reinvented and drawn upon variously to legitimise local elite social clubs, community protection organisations, civil defence forces in times of civil war, vigilante groups, armed political militants and (during neo-liberal economic reforms) private security protection bodies.

A key issue is the role of these diverse informal or customary security arrangements in equitable security governance. Scharf and Nina argue that when the state and formal justice mechanisms do not protect the poor, the latter turn to informal justice and security providers instead.⁷⁴ Ero contends that vigilantes and local militias (including the *Kamajors* of Sierra Leone in their capacity of civil defence forces) can deliver cheap, community-based forms of security provision, which are able to reach where formal security and policing bodies cannot.⁷⁵ Others emphasise the potential complementarity between state and non-state security provision, with the state able to reinforce the authority of local or community security and justice bodies, which in turn can re-establish the authority and legitimacy of the state, where formal state security and justice provision has broken down.⁷⁶

Yet by no means all forms of non-state security provision enjoy universal popular acceptance, deliver on their claims to provide protection and justice to local communities, are consistent with the rule of law and human rights, or reinforce improved state provision. The research literature cited above suggests that the realities on the ground are contradictory and complex. A major drawback of many traditional authorities and customary forms of dispute resolution is that they tend to be dominated by local elites; they often reinforce inequalities in land rights and livelihoods; and they frequently discriminate on the basis of gender and minority status. Whilst in some cases they complement deficient state provision, in other cases they compete with or even undermine the authority of the state, hence weakening its capacity to limit violence and deliver justice and security in contested political spaces. Nor do state elites themselves necessarily prioritise justice or the security of ordinary citizens when they forge local-level alliances and subcontract security to non-state bodies. In

countries like the DRC, Sudan and currently South Sudan, the central political authorities themselves have deployed local paramilitaries, tribal militias and irregulars to create mayhem, instrumentalise disorder, extract resources and head off challenges to the regime.⁷⁷

The contradictions of community-based security provision tend to be especially acute when a convergence of interests develops between criminal, vigilante or militant networks and local communities. In some cases criminal networks involved in drug trafficking or terrorist activity draw upon kinship-based and religious forms of solidarity to recruit. It is sometimes claimed that ethnic militias, faith-based militants and criminal mafias offer credible protection and are seen as legitimate by local communities in places where the state is absent or oppressive. But even in such cases the reality on the ground tends to be more complex and contradictory. Local people and communities also bear tangible costs in terms of day-to-day exposure to violence, abuses of their rights and extraction of protection payments—not to speak of the wider impacts of entrenched criminality and routine violence in eroding state authority, the rule of law and the rights and security of citizens.⁷⁸

In sum although security and justice provision beyond the confines of the state has considerable potential, both to complement state provision and to supplement it when it fails, it cannot be assumed that it always works on behalf of local people and communities or that it is a viable alternative to state provision. Instead a more complex picture is emerging from the growing body of empirical research. The main task for analysis and policy is to build on this research to provide a more complete and accurate understanding of non-state security actors; of how they work and for whom; and of when and how they provide legitimate and effective supplements to formal state provision—and of when and how they do not.

The impacts of hybrid security arrangements on the security and entitlements of citizens, particularly in situations of vulnerability, exclusion and social and gender inequity

Our interest is less in hybridity as such than in its impacts on security and justice provision and especially on how people living in insecure situations negotiate their own day-to-day safety, welfare and rights as citizens. Many studies suggest that local people and communities themselves regard informal security and justice institutions as more legitimate, accessible and effective than their formal counterparts. Yet this is not always the case and popular perceptions are not always the best guide to how informal security and justice arrangements work and whom they benefit. At the same time these arrangements fit within wider national and regional patterns of inclusion and exclusion and of violence, often linked to the functions and dysfunctions of African states.

We not only need detailed empirical inquiry into hybrid security arrangements themselves, but also into their impacts on the people who are 'secured' and into how these fit into wider patterns of inequality, insecurity and violence. Who benefits from hybrid security provision and who does not? When do non-state security and justice institutions merely consolidate the position of traditional and local elites and reinforce social and gender inequalities? When on the other hand do they draw upon the wider trust networks binding local communities, so as to legitimise public authority and provide inclusive and popularly accepted security? When do they provide mechanisms through which disputes can be resolved by peaceful and lawful means? When instead do they encourage or even depend upon intimidation and violence, as with certain forms of vigilantism and criminalised state

security provision? And when do they act simultaneously both as dispensers of security and justice and as enforcers of insecurity and inequality—and with what trade-offs between the two?

The starting point for any such analysis needs to be citizens' vernacular understandings and practical experience of insecurity and security in their everyday lives,⁷⁹ especially those who are poor, marginalised and vulnerable. This includes how they navigate the contradictory relationships between the formal and the informal. It is important to establish empirically whether informal security and justice institutions are easier for them to relate to, provide simple and speedy justice and ensure popularly endorsed dispute resolution. But it is equally important to uncover the ways that the responsiveness of informal institutions are subverted or diminished: for instance when they become politicised by national and local elites; when they are subordinated to criminal or warlord interests: or when they themselves perpetuate patterns of violence, patronage, corruption and exclusion.⁸⁰

Both of these contradictory positions find some support in the research literature cited at length in the previous section. A recent study of the descent into violence of the CAR argues that this violence needs to be interpreted in the context of long-standing and deep-rooted practices of vigilantism, vengeance and popular punishment within families, crowds, rural areas and urban neighbourhoods.⁸¹ These practices are widely regarded as legitimate and indeed effective ways of assuring local-level security as well as of pursuing political goals. Yet in the current conditions of acute insecurity they have also played a significant role in mobilising people and communities for armed violence. The relationship between popular understandings, violence and public order is far from straightforward,⁸² and has to be carefully negotiated in order to avoid trampling on the rights of vulnerable and excluded people.

Moreover in every national and local situation there tend to coexist a diversity of vernacular understandings, which vary with access to power and resources, status, gender and position in client and kinship networks within local communities. Particular care needs to be given to the voices of the individuals and groups who are most marginalised and vulnerable. These are often also the least visible to researchers and to policy-makers. Some groups are so marginal, Nordstrom argues, that even their invisibility is invisible, giving them a double invisibility.⁸³ Nor, however, is it enough to simply uncover their vernacular understandings, as if they were just passive victims of insecurity not social agents in their own right.

Important, but less extensively researched are the coping strategies and agency available to local people. How they are able (or not) to pursue their rights as citizens and as members of local communities? How if at all they can seek redress or mobilise for reforms, or exit from abusive local situations in which their rights are denied? What are the weapons and strategies of resistance available to the weak,⁸⁴ and how best can they be deployed to counteract the influence of those who continue to rely on exploitation, exclusion and violence?

Formal and informal security and justice institutions alike tend to entrench and render invisible deep gender biases, with major impacts upon the rights and day-to-day security of women and sexually marginalised groups, which are in urgent need of investigation. Official security, policing and justice hierarchies tend to be highly masculinised, more so even than other state institutions, and those in Africa are no exception.⁸⁵ Even when women are recruited into the armed forces and police they tend to be socialised into the gendered attitudes and patterns of behaviour, which permeate masculinised formal hierarchies.⁸⁶ Much the same goes for women combatants and camp followers in rebel groups and non-state military bodies, who find themselves exposed to various forms of sexual exploitation.

Coulter's insightful study of *Bush Wives and Girl Soldiers* in Sierra Leone calls attention to the agency of women combatants and camp followers themselves, including the ways they pursue their lives during and after armed conflict.⁸⁷ Sexual abuse, rape and abduction tend to be part of the DNA of formal security organisations and non-state armed bodies alike and are widely used to terrorise, humiliate and marginalise civilian populations.⁸⁸

Vernacular or popular framings of security are by no means immune from gender biases. Patriarchy tends to be rampant in many 'informal', 'neo-traditional' non-state security and justice bodies. In certain contexts (especially but not solely in Islamic societies) it is also reinforced through the law, the justice system and religious authority as well as by informal means.⁸⁹ Even women's secret societies can sometimes entrench gender roles and marginalise women as much as if not more than men's organisations. The tensions between popular, customary or informal forms of social regulation and the rights and day-to-day security of marginalised people and groups are particularly apparent in the discrimination and violence faced by members of the lesbian, gay, bisexual and transsexual (LGBT) communities in many African countries,⁹⁰ often with the support of Christian and Muslim clerics, sections of the press, traditional authorities and certain civil society groups. In some countries like South Africa this has taken place despite strong constitutional and legal protections of human rights; in others, like Uganda and Nigeria, it has been reinforced by the law and by the justice system.⁹¹

Yet these gender biases should not be seen as an immutable feature of either official or popular framings of security. Nor, as El-Bushra argues,⁹² should men be stereotyped just as perpetrators and women purely as victims or peacemakers.⁹³ Both women and men have a number of forms of agency available within situations of violence and conflict—even if it has often been left to women to act as peacemakers and struggle to cope with and contain gender-based violence.⁹⁴ At the same time conditions of violent struggle have sometimes unsettled patriarchal structures and opened windows of opportunity for women, even if they are often limited and temporary.⁹⁵

It is sometimes argued that too much emphasis on sexual violence, deplorable though it is, can divert attention from other equally pressing issues of peace-building.⁹⁶ Our argument rather is that a gender focus can provide a litmus test for the inclusiveness of security and justice frameworks, which includes but is larger than just a concern with women's vulnerabilities and rights. A gender perspective can provide a window through which to re-evaluate the relationships between formal and informal security provision and indeed more generally the nature of the social contract between African states and their citizens.

Building more accountable, responsive and inclusive security institutions in contexts of informality and hybridity

Our argument thus far has been that the concept of hybridity offers a useful analytical lens through which to understand how African security institutions (both formal and informal) work and for whom they work. We have also emphasised the need for more research and analysis of how these institutions are perceived, experienced and responded to by the citizens of African states, including those who are most vulnerable and excluded (what we have termed 'security in the vernacular'). We now ask how the concept might be used to rethink the foundations of security, justice and legitimate public authority in an African context: including what might follow for more responsive and inclusive security governance.

As we have seen, formal and informal governance systems do not necessarily feed into each other in predictable, still less democratic, ways. In Africa formal institutional, organisational and bureaucratic frameworks modelled on Western institutions established at independence have not on the whole been conducive to democratic security governance: but neither have informal or 'traditional' frameworks been necessarily conducive either. Formal legality has all too often become a resource employed by elites to advance their own interests. Security sector reform, in aiming to make security systems more democratically accountable, almost invariably challenges existing neo-patrimonial distributions of power, and is frequently politically controversial.

It is into this politically charged context that national governments as well as international actors have been trying to inject traditional, customary or informal security mechanisms into their security governance strategies. Some states like Uganda, Niger and Togo have officialised their control over non-statutory security provision, by codifying it in legislation;⁹⁷ whilst others have incorporated traditional and customary mechanisms less formally. International agencies, notably the Organisation for Economic Co-operation and Development (OECD) and the UK Department for International Development (DFID), are paying increased attention to non-state or local actors and to customs and traditional mechanisms in fragile states.⁹⁸ According to the OECD, for instance:

*Traditional systems, which may not be recognisable in Western states, may still perform the same functions and generate the same outputs as formal state institutions. Respect and willingness to accommodate such systems [...] can be helpful in restoring governance.*⁹⁹

The central issue for policy and practice is how security governance mechanisms can be adapted so as to 'work with the grain' of informal institutions and relationships, and be reinforced by them—without at the same time diminishing the rights and day-to-day security of citizens. Informalisation, and the consequent proliferation of parallel lines of influence, raises particular problems for those trying to curb abuses by security institutions and seeking their accountability. Research can provide a more accurate picture of when checks and balances rooted in traditional and informal forms of authority reinforce democratic oversight and accountability—and of when they do not.

We can also learn from existing efforts to renegotiate security and justice institutions 'from below' around customary institutions and vernacular framings of security. Somaliland's experience is of special interest because it has been held out by many as an outstanding example of locally-generated peace-building and of hybrid security governance.¹⁰⁰ It has been argued that the political settlement which created an enabling framework for the restoration of peace and security when the remainder of Somalia collapsed succeeded not only because (1) it enjoyed the backing of the region's main armed movements, especially the dominant Somali National Movement; but also because (2) it was negotiated through a protracted, and broadly based process of consultation and negotiation, which was not driven by artificial deadlines and which did not involve international actors; (3) it drew upon a wide spread of traditional and other social actors (clan elders, fighters, women's groups, diaspora groups); (4) it simultaneously negotiated a peace and reconstituted public authority and the security framework; and (5) it has enjoyed broad and durable popular support.

Some recent analyses have been more sceptical about these claims, arguing that Somali realities are at variance with idealised accounts of its traditional clan system;¹⁰¹ and that Somaliland's hybrid political order has outlived its success and is running into some of the same governance problems that face other African states.¹⁰² They contend that the

entrenchment of the elders in the heart of the political system has weakened democratic processes and reinforced gender inequities without bringing tangible improvements in governance, especially as the traditional authorities have been unable or unwilling to shoulder the work of the state. It has also been bad for the traditional authorities themselves, opening them to corruption and political influence-buying and eroding their popular legitimacy. Furthermore Somaliland is an exceptional case, as in almost no other national context have comparable spaces been opened up to rewrite the entire political settlement and its security architecture virtually from scratch.

Nevertheless rethinking security through the lenses provided by such experiments in hybrid governance can help to identify new forms of public authority and mechanisms of accountability which might arguably be better suited to the governance of security in African countries, especially at grass roots. But for these to succeed, as the Somaliland example reinforces, these must be locally based and draw upon vernacular understandings of security. The embrace by international donors of the traditional and of hybridity risks becoming an empty gesture without empirical understanding of how and for whom hybrid institutions work. Above all they must be prepared to listen to, dialogue and share responsibility with those whom they would 'empower'. Autesserre powerfully argues that they are almost systematically incapable of making such a leap unless compelled to do so by pressures from their local counterparts and from grass roots constituencies where they operate.¹⁰³

Conclusion

Our survey has brought to light a growing research literature, which fully justifies our concern with hybrid security governance in Africa. The focus on hybridity marks a distinct advance upon previous research and policy analysis, which distinguished between democratic governance and civil society on the one hand and repressive or dysfunctional military and security establishments in need of reform on the other.¹⁰⁴ It is all the more pertinent in a continent where states and their security establishments tend to be comprehensively informalised; in which civil society is weak, divided and not all that 'civil'; and in which distinctions between state and non-state security actors are fluid and in some cases virtually non-existent.

At the same time a focus on hybridity transcends the more celebratory narratives, which see informal institutions as inherently more African and better attuned to the needs of people at grass roots. In the first place, as we have shown, informal or neo-traditional institutions are historically constituted through complex interactions with the outside world, and hence are truly hybrid, not simply home-grown. Second, it cannot be assumed a priori that hybrid security arrangements are better able to meet the security needs of local people and communities. This still has to be demonstrated empirically, in order that they can be more creatively integrated into security analysis and policy. Other researchers have proposed the concept of 'practical hybridity' to describe institutions, which combine the legal authority and enforceable remedies of the modern state with the local cultural repertoires and sources of legitimacy of informal institutions to deliver public goods, including security and justice.¹⁰⁵ But how these institutions function and how and why they differ from other less desirable and developmentally effective hybrids needs further analysis.

For whilst there are many empirical studies of hybrid security and justice institutions themselves, we know much less about whether these institutions reduce or entrench existing

social, economic or gender inequalities; and whether and how they deliver security to vulnerable people on the ground. Another major research gap is (paradoxically) the shortage of recent research on official security institutions, including the informal networks around them, and the complex ways they interface with non-state actors. This gap is all the more serious because their actions or in many cases failures to act continue to have major impacts (many of them negative) on the safety and welfare of citizens; and because in practice these impacts are difficult to disentangle from those of the informal institutions with which they interpenetrate in situations of conflict and insecurity.

It is important to fill these empirical gaps because it is not enough that hybrid security arrangements be rooted in local custom and practice. They should also demonstrably benefit those whose rights and safety they are supposed to protect. Informal institutions are not fully in the public domain in the sense that they address the concerns of every citizen. To the contrary they can sometimes be just as exclusive and oppressive as formal security provision, seldom offering equal protection to all people and often ignoring those who are most excluded and vulnerable. The challenge for African countries is to effect transition towards more locally-based and inclusive systems of public authority and of security governance, without incorporating or indeed reinforcing the non-democratic tendencies inherent in some traditional, customary or informal structures.

Notes

1. Scheye, *State Provided Service*, 5.
2. Max Weber himself, however, cannot himself be held responsible for the stereotypical characterisations of the 'Weberian state' in the state-building literature and critiques thereof. His seminal essays on 'Bureaucracy' and on 'Politics as a Vocation' offer more nuanced interpretations of the state, political authority and rational-legal organisation than one finds in much contemporary analysis.
3. As early as 1968 Zolberg in 'The Structure of Political Order' made a prescient critique of the limitations of conventional political analysis in conditions of political disorder.
4. See Erdmann and Engel, 'Neopatrimonialism Reconsidered'; and Bach 'Patrimonialism and Neopatrimonialism'.
5. Seminal analyses using these terms are Joseph, *Democracy and Prebendal Politics*; Bayart, *The State in Africa*; Mbembe, *On the Postcolony*; Chabal and Deloz, *Africa Works*; Bayart et al., *The Criminalization of the State*; and Reno, *Warlord Politics and African States*.
6. Boas and Jennings, 'Insecurity and Development'; Call, 'The Fallacy of the "Failed State"'; OECD, *Concepts and Dilemmas of Statebuilding*.
7. Bayart, *The State in Africa*. A similar line of argument is pursued by Banegas, *La Démocratie A Pas de Caméléon*, in his analysis of the extreme ambiguities of African democratic transitions.
8. On African political marketplaces see De Waal, 'Mission Without End?'
9. Mbembe, *On the Postcolony*, 78–79.
10. Particularly strong in the work of French or Francophone scholars like Bayart, *The State in Africa*; Mbembe, *On the Postcolony*; and Chabal and Deloz, *Africa Works*.
11. Leonard, 'Social Contracts, Networks and Security'.
12. On the need for such an approach see De Sardan, *Researching the Practical Norms*; and Booth, *Development as a Collective Action Problem*.
13. Ekeh, 'Colonialism and the Two Publics'.
14. See especially Mamdani, *Citizen and Subject*, 18–23.
15. Discussed in Sindzingre, 'The Relevance of the Concepts'; and in De Soysa and Jutting, 'Informal Institutions and Development'.
16. Helmke and Levitsky, 'Informal Institutions and Comparative Politics', 727.

17. See in particular North, *Institutions, Institutional Change*.
18. Not just in Africa. A long tradition of organisation theory, going back to the French sociologist Michel Crozier, *The Bureaucratic Phenomenon*, has focused on informal networks and forms of power in bureaucracies. Focusing on their respective social systems—namely interpersonal relations, group relations and power relations—Crozier challenged and re-examined Weber's ideal-type of bureaucracy based on rational administration in light of the way institutional bureaucracies have actually developed. Such a theory inspired the way Luckham, *The Nigerian Military*, analysed the micropolitics of military and security institutions in Nigeria.
19. Especially influential and useful for our purposes have been Boege et al., 'Hybrid Political Orders'; and Mac Ginty, 'Hybrid Peace'.
20. Luckham and Kirk, 'The Two Faces of Security', 7. See also Bagayoko, 'Introduction: Hybrid Security Governance'.
21. On these concepts see respectively Menkhaus, 'Governance, without Government'; Raeymakers et al., 'State and Non-State Regulation'; De Sardan, *Researching the Practical Norms*; Titeca and De Herdt, 'Real Governance Beyond the "Failed State"'; Hagmann and Péclard, 'Negotiating Statehood'; Menkhaus, 'The Rise of a Mediated State'; Wenneman, 'Getting Armed Groups to the Table'; Lund, 'Twilight Institutions'; and Goodfellow and Lindemann 'The Clash of Institutions'.
22. Boege, *Traditional Approaches to Conflict Transformation*; Boege et al., *On Hybrid Political Orders and Emerging States*, 11–15; Boege et al., 'Hybrid Political Orders'.
23. Boege et al., *On Hybrid Political Orders and Emerging States*, 16.
24. Debiel and Lambach, 'How State-Building Strategies'.
25. As argued both by Kaldor, *New and Old Wars*, chaps. 1 and 5; and by Collier et al., *Breaking the Conflict Trap*, chap. 1.
26. Duffield, *Global Governance and the New Wars*, 6.
27. Tilly, 'War Making and State Making'.
28. Menkhaus, 'Governance without Government'; Boege et al., *On Hybrid Political Orders and Emerging States*; Raeymaekers, 'Protection for Sale'; Raeymaekers, 'Post-War Conflict and the Market'.
29. Mampilly, *Rebel Rulers*.
30. Bayart coined the term the 'politics of the belly' in the *State in Africa*. But he cannot in all fairness be accused of the reductionism prevalent in some other analyses of African neopatrimonial states.
31. Meagher, 'The Strength of Weak States?'
32. Chabal and Deloz, *Africa Works*.
33. See Luckham and Kirk, 'The Two Faces of Security' for a more detailed analysis of this distinction.
34. Notably in WDR, *World Development Report 2011*.
35. Krause and Williams, *Critical Security Studies*; Duffield, *Global Governance and the New Wars*; Booth, *Critical Security Studies and World Politics*.
36. Booth, *Critical Security Studies and World Politics*, 276.
37. Eriksen et al., *A World of Insecurity*.
38. Goldstein, 'Toward a Critical Anthropology', 487.
39. Helmke and Levitsky, 'Informal Institutions and Comparative Politics'.
40. Bryden and Olonisakin, *Security Sector Transformation*; Bryden and Ndiaye, *Security Sector Governance*.
41. Hills, 'Lost in Translation'. Yet this is not solely an African phenomenon. All military and security organisations (indeed all formal organisations) are an amalgam of formal attributes and informal ways of operating. All operate within, interact with and are shaped by their political environments, as Janowitz, *The Professional Soldier*, most famously analysed in the United States.
42. This paragraph draws on our own work. See Luckham, *The Nigerian Military*; Hutchful and Bathily, *The Military and Militarism*; Luckham, 'The Military, Militarization and Democratization'; and Luckham and Hutchful, 'Democratic and War-to-Peace Transitions'.

43. Notably Autesserre, *The Trouble with the Congo*; Baaz and Stern, 'Making Sense of Violence'; and Baaz and Verweijen, 'The Volatility of a Half-Cooked Bouillabaisse'.
44. Baker, 'How Civil War Altered Policing'; Baker, *Multi-Choice Policing*; Baker, 'Beyond the Tarmac Road'; Baker, 'State and Substate Policing'; Baker, 'Hybridity in Policing'; Hills, *Policing Africa*; Hills, 'Policing a Plurality of Worlds'; Hills, 'Policing, Good Enough Governance'; Hills, 'Somalia Works'; Mayamba, 'Mapping Police Services'; Charley and M'Cormack, 'A Force for Good?'
45. Enloe, *Ethnic Soldiers*. For a more polemical view see Mazrui, *Soldiers and Kinsmen*.
46. Hyden, 'Between State and Communities', 1.
47. In particular, a thorough knowledge of names and patronyms is needed to understand social but also professional relationships in each national and local context.
48. In the early thirteenth century, following a major military victory, the founder of the Mandingo Empire and the assembly of his wise men proclaimed in Kurukan Fuga the new Manden Charter, named after the territory situated above the upper Niger River basin, between present-day Guinea and Mali. The Charter is one of the oldest constitutions in the world albeit mainly in oral form.
49. For a general survey, see Luckham, 'The Military, Militarization and Democracy'; on ethnic links Enloe, *Ethnic Soldiers*; on business ties Adekanye, *The Retired Military*; on patronage and corruption Autesserre, *The Trouble with the Congo* and De Waal 'When Kleptocracy becomes Insolvent'; on peer groups Luckham, *The Nigerian Military*, chap. 5; on gender Mama, 'Khaki in the Family'; Baaz and Stern, 'Fearless Soldiers and Submissive Wives' and Baaz and Stern, 'Why do Soldiers Rape?'
50. Hobsbawm and Ranger, *The Invention of Tradition*.
51. For instance Mayamba, 'Mapping Police Services', shows how constitutionally recognised presidential authority in the security sector is in practice structured around particularistic, personalised, networks, which are embedded in formal institutions and legislation.
52. De Waal, 'Mission Without End?'
53. As documented for instance by Autesserre, *The Trouble with the Congo*; Baaz and Stern, 'Making Sense of Violence'; Baaz and Verweijen, 'The Volatility of a Half-Cooked Bouillabaisse'; Veit, *Intervention as Indirect Rule*; De Waal, 'When Kleptocracy Becomes Insolvent'; Allouche and Zadi Zadi, 'The Dynamics of Restraint'.
54. See the earlier discussion in this paper of the hybridity of African states, including the stress on the multilayered nature of their governance arrangements and the networking of power around them.
55. Gbla, 'Security Sector Reform'; Hills, 'War Don Don'; Hills, 'Policing, Good Enough Governance'; and Hills, 'Somalia Works'.
56. As analysed in Luckham, *The Nigerian Military*; and Luckham, 'The Military, Militarization and Democratization'.
57. See for instance Albrecht and Buur, 'An Uneasy Marriage'; Bagayoko, 'Introduction: Hybrid Security Governance'; Baker, *Multi-Choice Policing*; Baker, 'Beyond the Tarmac Road'; Baker, 'Linking State and Non-State'; Baker, 'Hybridity in Policing'; Fourchard, 'The Politics of Mobilization'; Gore and Pratten, 'The Politics of Plunder'; Heald, 'Controlling Crime and Corruption'; Jörgel and Utas, *The Mano River Basin Area*; Kyed, 'Community Policing'; Marks et al., 'Reconfiguring State and Non-State'; Meagher, 'The Strength of Weak States?'; Nordstrom, *A Different Kind of War Story*; Renders, *Consider Somaliland*; Scharf and Nina, *The Other Law*; Schlee, 'Customary Law and the Joys'; Titeca, 'The "Masai" and Miraa'.
58. Ebo, 'Non-State Actors, Peace-Building', 10–11.
59. Menkhaus, 'Governance without Government'; Raeymaekers et al., 'State and Non-State Regulation'; Raleigh and Dowd, 'Governance and Conflict'; Trefon, 'Public Service Provision'; Vincent, 'A Village-Up View'; Vlassenroot, 'The Politics of Rebellion'.
60. Eggen, 'Chiefs and Everyday Governance'; Fanthorpe, 'On the Limits of Liberal Peace'; Jackson, 'Decentralized Power and Traditional Authorities'; Labonte, 'Same Car, Different Driver?'; Sawyer, 'Remove or Reform?'
61. Crook et al., 'Popular Concepts of Justice'; and Leeson and Coyne, 'Sassywood'.

62. Mushi 'Insecurity and Local Governance', 23–24.
63. Bassett, 'Dangerous Pursuits'; Hellweg, 'Hunters, Ritual and Freedom'; Hoffman, *The War Machines*, Part 1.
64. Ellis, 'Liberia 1989–1994'.
65. Ikelegbe, 'Engendering Civil Society'; Nolte, 'Without Women Nothing can Succeed'; Medie, 'Fighting Gender-based Violence'; Nolte, 'Identity and Violence'; Ismail, 'The Dialectic of "Junctions" and "Bases"'; Leonardi, "'Liberation" or Capture'; Servant, 'Kikuyus Muscle in on Security and Politics'.
66. Such as the OPC in Nigeria: Abdulazeez, 'O'odua People's Congress'; and Guichaoua, 'How do Ethnic Militias'.
67. Ellis, 'Liberia 1989–1984'; Harnischfeger, 'State Decline and the Return'; and in creative peacebuilding roles, Nordstrom, *A Different Kind of War Story*.
68. Adamu, 'Gender, Hisba and the Enforcement'; and Harnischfeger 'Sharia and Control over Territory'.
69. MacLean, 'Mediating Ethnic Conflict'; Vincent, 'A Village-Up View'.
70. Analysed in Pratten and Sen, *Global Vigilantes*, which includes African case studies. See also Anderson, 'Vigilantes, Violence and the Politics'; Heald, 'Controlling Crime and Corruption'; Harnischfeger, 'The Bakassi Boys'; Meagher 'Hijacking Civil Society'; Higazi, 'Social Mobilization and Collective Violence'; Pratten, 'The Politics of Protection'; Fourchard, 'A New Name'; Buur, 'Democracy and its Discontents'.
71. Hoffman, *The War Machines*; Menkhaus, 'Governance without Government'; Podder, 'Non-state Armed Groups'; Włodarczyk, 'Politically Enfranchising the Non-Political'.
72. Utas and Jörgel, 'The West Side Boys'.
73. Hoffman, *The War Machines*, passim but especially Introduction and Part 1.
74. Scharf and Nina, *The Other Law*.
75. Ero, 'Sierra Leone's Security Complex', 26.
76. Baker and Scheye, 'Multilayered Justice'; Baker, 'Linking State and Non-State'; Hills, 'Somalia Works'.
77. Chabal and Deloz, *Africa Works*; Meagher, 'The Strength of Weak States?'; Baaz, 'The Volatility of a Half-Cooked Bouillabaisse'; De Waal, 'When Kleptocracy Becomes Insolvent'.
78. As argued by Anderson, 'Vigilantes, Violence and the Politics'.
79. Luckham and Kirk, 'Understanding Security in the Vernacular'; Luckham, 'Whose Security?'
80. Meagher, 'The Strength of Weak States?'
81. Lombard and Batianga-Kinzi, 'Violence, Popular Punishment and War'.
82. Berridge, 'The Ambiguous Role'.
83. In relation to poor and marginalised women: Nordstrom, 'Women, Economy, War'.
84. Scott, *Weapons of the Weak*.
85. Mama, 'Khaki in the Family'; Oshikoya, 'Who Guards the Guards'; Mackenzie, *Female Soldiers in Sierra Leone*; Baker, 'Women and Security Governance'.
86. Saferworld, *Masculinities, Conflict and Peacebuilding*; Richards, 'Young Men and Gender'; Baaz and Stern, 'Fearless Fighters and Submissive Wives'; MacKenzie, *Female Soldiers in Sierra Leone*; Bowah and Salahub, 'Women's Perspectives on Police Reform'.
87. Coulter, *Bush Wives and Girl Soldiers*.
88. Baaz and Stern, 'Why do Soldiers Rape?'; Banwell, 'Rape and Sexual Violence'; Cummings, 'Liberia's "New War"'; Bartels et al., 'Militarized Sexual Violence'; Marks, 'Sexual Violence'.
89. Lacey, 'Women for Cows'; Tønnesen, 'When Rape Becomes Politics'.
90. Husakouskaya, 'Rethinking Gender and Human Rights'.
91. Adamu, 'Gender, Hisba and the Enforcement'.
92. El-Bushra, 'Feminism, Gender and Women's Peace'.
93. Men are more often victims of violence in general, sometimes including sexual violence. See for instance Christian et al., 'Sexual and Gender Based Violence'.
94. Utas, 'Victimcy, Girlfriending, Soldiering'; Douglas 'This Hut is Working for Me'; Ikelegbe, 'Engendering Civil Society'; Medie, 'Fighting Gender-Based Violence'; Pinaud, 'Are Grievs of More Value'; Ukeje, 'From Aba to Ugborodo'.

95. Arostegui, 'Gender, Conflict and Peace-Building'; Duany and Duany, 'War and Women in Sudan'; Ingiriis and Hoehne, 'The Impact of Civil War'; Pinaud, 'Are Grievs of More Value'.
96. As argued by Autesserre, 'Dangerous Tales'.
97. Hassane, 'Autorités Coutumières et Régulation'.
98. OECD, *Informal Institutions*.
99. OECD, *Concepts and Dilemmas of State Building*, 36. See also OECD 'The State's Legitimacy'.
100. Boege et al., *On Hybrid Orders and Emerging States*, 13–15; Bradbury, *Becoming Somaliland*; Hesse, 'Lessons in Successful Somali Governance'; Leonard and Samatar, 'What Does the Somali Experience'; Moe, 'Hybrid and "Everyday" Political Ordering'; Moe and Simojoki, 'Custom, Contestation and Co-operation'; Renders and Terlinden, 'Negotiating Statehood'; Renders, *Consider Somaliland*; Walls, 'The Emergence of a Somali State'.
101. Schlee, 'Customary Law and the Joys'.
102. Hoehne 'Limits of Hybrid Political Orders'.
103. Autesserre, *Peaceland*.
104. It represents an advance on our own previous work as well, for instance Cawthra and Luckham, 'Democratic Control and the Security Sector'; and Luckham and Hutchful, 'Democratic and War-to-Peace Transitions'.
105. Booth, *Development as a Collective Action Problem*, 84–89.

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