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Decentralized local governance in fragile states: learning from Iraq

Derick W. Brinkerhoff and Ronald W. Johnson

Abstract

This article examines the role that local governance plays in creating an effective state and in building constructive state—society relations. Reconstruction efforts in fragile, post-conflict states have focused largely on central government, yet decentralized local authorities offer a number of positive features. Looking at the governance reconstruction experience in Iraq, the analysis explores the extent to which these positive features have characterized Iraqi sub-national government. The article draws lessons for governance reconstruction more generally, addressing decentralization choices, capacity-building, and political factors.

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Introduction

For fragile and post-conflict states, rebuilding governance is a key step toward stabilization, reconstruction, and ultimately the transition to socioeconomic recovery and growth (Brinkerhoff and Brinkerhoff 2002). This article examines rebuilding governance in Iraq. It sheds light on how decisions to decentralize authority (made first by the US during the occupation year and since by the Iraqis) have, to a degree, stabilized Iraqi society and built some confidence in citizens in their ability to select and hold accountable their political leaders. Iraq reconstruction puts into high relief some of

the key issues in rebuilding governance. As an ongoing case, it affords an opportunity for continued observation and study to understand what governance features may or may not prove workable over the long run.

Ultimately, all states need to fulfill three core governance functions: security, effective and efficient delivery of basic public goods and services, and managing political participation and accountability (Brinkerhoff, 2007). In cases of large-scale, country-wide conflict that results in replacement of the previous regime, successful performance in these three functions is necessary in order for the newly formed state to achieve legitimacy in the eyes of its citizens. The imperative to fulfill these core governance functions reflects the need for capacity and the political will to meet citizens' expectations for security and service delivery. Meeting these expectations fulfills the social contract between the state and society (OECD/DAC, 2008).

This article examines the role local governance plays in creating a state that can perform its three core governance functions (our shorthand definition of good governance). Local governance strategies alone do not create or ensure good governance, but we believe case studies such as this one support an argument for the importance of including decentralized governance as part of rebuilding government in post-conflict and fragile states. As Grindle (2007b) has argued, the agenda for good governance reforms is ambitious and overloaded. This is acutely the case in fragile and post-conflict states. Grindle's contention is that governance reforms in developing countries should aim not for a comprehensive idealized vision of good governance, but for a selected set of changes that are good enough to create critical improvements in political and administrative systems and that fit country contexts. The case study of Iraq is based on the authors' participant observation while assisting in the creation and strengthening of a system of local governance in Iraq. Our conclusions are also informed by comparative examples from several other conflict and post-conflict settings and by the literature on governance and decentralization. We argue that balanced attention to governance at the central and sub-national levels may lead to better outcomes than a centrally focused approach alone. In several recent reconstruction efforts, actors' views have differed regarding a number of national/sub-national questions, including starting points, sequencing, appropriate forms of decentralization (deconcentration versus devolution), and intended outcomes. In Iraq, for example, reconstruction advisors in the Coalition Provisional Authority were divided on whether rebuilding central ministries should take precedence over local institution-building (Brinkerhoff, 2008; SIGIR, 2009). In Afghanistan, the donors' initial focus on Kabul and the central government neglected the regions, which allowed the under-filled governance space to be occupied by warlords and later by Taliban

insurgents (Lister and Wilder, 2007). Belatedly, the Karzai government and the NATO coalition recognized this gap and have sought to increase outreach and service delivery at the local level under the leadership of a new agency the Independent Directorate of Local Governance (Gall, 2008).

Center—periphery relations affect conflict resolution and the societal pacts that are central to achieving stability. Our analysis examines local governance in terms of state—society relations, not simply as a set of changes intended to improve institutional performance (see OECD/DAC, 2008; Moore, 2001). We aim to contribute to research and practice regarding governance restoration by highlighting how decentralized authority has contributed to the progress that has been made in Iraq in achieving security, improving public services, and developing a set of governance arrangements that attract citizens to public discourse on the responsibilities of government and to opportunities for leadership selection. We recognize that participant observation of a ‘live’ case such as Iraq does not allow for the kind of research design, hypothesis testing, data collection, and model-building associated with standard scientific research. Nevertheless, we consider that such observation and policy-relevant storytelling can contribute to the international post-conflict reconstruction community’s search for good practices by identifying issues and offering some potential analytic avenues useful for those with the opportunity and the resources to conduct more rigorous research than our circumstances allowed.¹

Framing the issues: fragile states, decentralization, governance

Given the tangled terminology, clarification of fragile states, decentralization, and governance is in order. Here we offer some amplification.

Fragile states

Most conceptualizations treat fragility as a continuum with state failure and collapse at one extreme, and states characterized by serious vulnerabilities at the other. Fragile states have governments that are incapable of assuring basic security for their citizens, fail to provide basic services and economic opportunities, and are unable to garner sufficient legitimacy to maintain citizen confidence and trust. Fragile states have citizens who are polarized in ethnic, religious, or class-based groups, with histories of distrust, grievance, and/or violent conflict. They lack the capacity to cooperate, compromise, and trust. When these capacity deficits are large, states move toward failure, collapse, crisis, and conflict.²

The category fragile states contains a significant amount of variation, which limits efforts to generalize across the category. Fragile states are also dynamic and move along trajectories from stability toward conflict, crisis, and/or failure; and emerge from crisis toward recovery and stability. Thus static analytics have limited ability to provide an accurate assessment beyond a given point in time, much less offer an accurate projection of the future. The application of general lessons for reconstruction and for good enough governance need to be contextualized in light of a given country's historical trajectory, distinctive circumstances, and institutional endowments and path dependence.³

Decentralization

Decentralization deals with the allocation between center and periphery of power, authority, and responsibility for political, fiscal, and administrative systems.⁴ As a tool for restructuring governance architecture, decentralization has been the topic of extended international attention and debate (see, for example, Rondinelli et al., 1989; USAID, 2000; Smoke, 2003; Rodden, 2004; Sharma, 2006). While evidence of its desirability and effects is mixed, country policymakers, often supported by international donors, have pursued decentralization actively for technical, political, and financial reasons. The fields of political economy and political science, respectively, have examined decentralization as a service delivery strategy for tailoring the quantity and quality of services to citizens' demands and willingness to pay and as a democratic development strategy for enhancing citizens' ability to participate in governance and to hold public officials accountable.⁵

On the technical side, it is frequently seen as a means to improve administrative and service delivery effectiveness. Politically, decentralization usually seeks to increase local participation and autonomy, address distributional inequities, redistribute power, and reduce ethnic and/or regional tensions. On the financial side, decentralization is invoked as a means of increasing cost efficiency, giving local units greater control over resources and revenues, and sharpening accountability. Thus decentralization often combines a complex blend of purposes that includes improved efficiency and equity, better governance, maintenance of political support, and poverty reduction.⁶

Governance

In any society, the governance system fulfills a set of core functions: assuring security, delivering basic public sector services efficiently and effectively, and providing for political participation and public sector accountability. The governance system can be divided into sub-systems, highly interconnected, that address the three functions (Brinkerhoff, 2007):

I Security governance: provide security by use of the instruments of the state, including ultimately its monopoly on force to maintain border integrity and to uphold the laws and norms of the society. The desired end result of the security governance function is the preservation of law and order, and the protection of people and property.

I Administrative-economic governance: provide effective and efficient services delivery. The desired end result of administrative-economic governance is that the state produces and/or provides the types of services at the level of quality and quantity that are generally agreed upon by at least a majority of citizens as a state responsibility.

I Political governance: generate and sustain legitimacy through separation of powers, responsive and accountable government, representation and inclusiveness, and protection of basic rights for all citizens.

State—society relations and decentralized governance

Effective governance is a product of the ability of the state to negotiate with — and mediate among — the different interests of its citizens. Not all states, however, demonstrate the quality of state—society relations that lead to the evolution of equitable and stable social pacts where the majority's interests are represented, minority rights are protected, and rulers respond to a broad range of citizens' needs and desires. Creating an institutional architecture that allows for the inclusion and integration of multiple interests while also responding to the particularities of sub-national regions and groups can be elusive for any society, let alone resource-poor and conflict-Affected ones.

Yet all nations need to address this fundamental challenge of state—society relations. The need to produce public goods that solve common problems creates pressures for larger, closely integrated, and

centralized jurisdictional and administrative units, while meeting the particular needs and demands of regional, ethnic, and/or religious groups within their boundaries pushes for smaller, more autonomous, and decentralized units more capable of handling diversity, flexibility, and distinctiveness. In many developing countries, political leaders have opted for centralized command and control strategies in response to both sets of pressures, often choosing to rule through patronage networks to generate political support, and through repression to limit opposition. Failure to manage these center—periphery tensions effectively has proven to be among the key sources of state fragility, and in some cases violent

conflict. The good governance agenda assumes a form of state—society relations that results from a covenant between citizens and their government, yet historically most states arose through conquest. The evolution of the kinds of pacts enumerated above has taken a substantial length of time in most societies, and frequently governments representative of a dominant minority and capable of maintaining order have endured for long periods. Thus, particularly for fragile states, the perspective on decentralization and governance we present in capsule form here should be seen as aspirational. The outcomes and end results are normative targets to be aimed for, rather than immediate objectives to be fully achieved through post-conflict stabilization and reconstruction.

Central government issues and fragile states

Several government tasks are only possible or are best pursued at the central level: the state's monopoly on the use of force, major economic regulatory functions and fiscal and monetary policy requirements, and large-scale infrastructure programs that affect much of the country, or most of a region. However, there are numerous other governance issues that do not require exclusivity at the central level, and indeed may be addressed better through some degree of decentralization. Broad generalizations, of course, oversimplify the issues, as both fragile states and sub-national governments contain significant amounts of variation (Picard et al., 2006). Several generic problems associated with central government in fragile states have been identified in the literature and in various case examples.

Weakly rooted national government

The inability to integrate regions and minorities into larger polities is a key source of fragility and conflict (see Brancati, 2009). Illustrative of this inability is Sierra Leone, where central-level actors concentrated

power and resources in the coastal capital, Freetown, and ruled the interior indirectly through traditional chiefs. Disaffected communities in the hinterlands provided an opportunity for the Revolutionary United Front to launch a civil war, leading to a decade of violence and the collapse of the state (Jackson, 2007). Similarly, in Afghanistan, the limited reach and weak legitimacy of the national government beyond Kabul constitutes an ongoing source of fragility (Goodson, 2005; Lister and Wilder, 2007).

Poor distribution of services and resources

Particularly when coupled with ethnic tensions, fragile states' inability to provide public goods and services to all can be an important contributing factor to fragility. Centralized governance regimes in fragile states generally do poorly at equitable and inclusive resource allocation and redistribution, negatively impacting service delivery, economic opportunity, welfare, and legitimacy. Distributive mechanisms tend to operate based on patronage, promoting economic inefficiency and heightening social and ethnic tensions. For example, in Solomon Islands, many citizens perceive that the government serves mainly the population of Malaita (the largest island), is beholden to Chinese economic interests, and ignores the plight of the rest of the country (see Oxfam Australia and Oxfam New Zealand, 2006). Weak national integration Where sub-national entities (e.g. tribes, ethnic or Religious groups) are sufficiently powerful to resist and operate autonomously, achieving an integrated sense of national identity is difficult.⁷ For example, in Afghanistan, reconstruction efforts to create good governance are having difficulty finding a firm footing in the shifting sands of provincial governance space dominated by warlords (Lister and Wilder 2007). In Papua New Guinea, the national government's failure to improve the country's economic situation and create jobs has led to a vicious cycle of crime, insecurity, unemployment, and loss of faith among citizens in the efficacy and legitimacy of the state (Windybank and Manning 2003).

Benefits of focusing on local government in fragile states

Research and practice reveal a number of arguments that identify the benefits that decentralized local governance can deliver, addressing some, but not all, of the problems associated with centralized governance. Table 1 summarizes these potential benefits, each of which is discussed below.

The ability of local government to deliver these benefits depends upon a set of facilitating governance conditions. Azfar et al. (2001) characterize these as 'institutional disciplines', which serve to shape the incentives for local officials. The study found that these disciplines mediated the actual outcomes that decentralized local government can achieve. They are: (a) civic disciplines, concerning the ability of citizens and civil society organizations to exercise voice and to choose alternate sources of services (exit); (b) intergovernmental disciplines, the extent to which higher levels of government impose constraints and exercise oversight vis-à-vis lower levels; and (c) public sector management disciplines, which involve the rules and procedures that govern the behavior of public employees and officials (e.g. anti-corruption provisions, civil service regulations).

In numerous developing countries, these institutional disciplines are weak, and even more so in fragile and post-conflict states. Thus, in terms of contributing to the restoration of governance, a focus on local government needs to be complemented by attention to the facilitating conditions necessary for their effectiveness. Nonetheless, local governments, for the reasons recounted below, can contribute to moving conflict-affected countries toward recovery and stability.⁸

Local governments can increase speed of service delivery to citizens

Research shows that the timeframe for creating a sustainable governance system is much longer than most donors have anticipated (Chand and Coffman, 2008). In the short run, citizens want a state that can provide security and basic public goods. Building from the local can address citizens' day-to-day needs and priorities, and help to promote stability. In countries with an existing if dilapidated or conflict-damaged infrastructure base, basic public service delivery improvements can be achieved quickly through rehabilitation and extension of services to unserved or underserved populations. Small-scale projects can be rapid and can be carried out with local labor, both enhancing legitimacy as well.

Local governments can address ethnic and/or regional inequities

Although there is a danger that decentralization can exacerbate territorial or ethnic group inequities unless accompanied by equalization measures, a number of countries have sought to address pressures for local control and autonomy through increased devolution to local authorities or the creation of new sub-national entities (see, for example, Crook, 2003). Particularly in states that contain regional

enclaves rich in oil or mineral resources, both central redistribution of revenues and some degree of autonomy are key to stability. Nigeria and Indonesia are examples. To the extent that decentralization provides local governments with sufficient resources and authority, ethnic and/or regional inequities can be addressed. In Indonesia, for example, what He et al. (2007) term a quasi-federal solution to the long-standing secessionist conflict in Aceh has emerged, which grants special autonomy to the province. The Indonesian government has granted a similar status to the province of Papua, ending decades of repression of separatist movements in both provinces. Effective implementation of the special autonomy provisions for Aceh and Papua, as well as of the ambitious decentralization measures in the rest of the country, will determine to what extent Indonesia can manage the forces of sociopolitical, ethnic, economic, and territorial fragmentation it confronts (see Sukma, 2003).

Local governments build democratic and conflict management capacities

Decentralization that devolves decision-making authority, plus revenue-raising capacity and intergovernmental transfers, creates the conditions for local governments to become institutional arenas where citizens learn democratic skills (Brinkerhoff with Azfar, 2006). Participatory local government encourages dialogue, problem solving, and conflict resolution on a manageable scale around issues of common community concern. The experience of deliberating in public forums and voting on issues such as education, street lights and garbage collection, making tax and budget choices and monitoring the results can expand citizens' skills. Devolutionary decentralization gives local residents opportunities to develop democratic leadership skills. In some cases, these individuals pursue local political office, and thus contribute to an expanded pool of local government leaders. In addition, there can be a trickle-up effect in cases where leaders who have gained democratic skills and experience in decentralized local government seek elected office at higher levels of government. These skill and capacity gains, however, are mediated by local and national power structures.

Local governments can mitigate conflict by avoiding 'winner-takes-all' situations

Local government creates multiple arenas of contestation for power. Groups that would be unlikely to win in national arenas can score local wins, and even if this leads to some elite capture, it can be good enough to lay the groundwork for a new social pact. Rather than a single 'game' at the center, decentralized governance creates multiple political 'games'. Decentralization allows opposition

leaders to remain in government at the local level, and it can also provide a check on centralized, singleparty dominance (and possibly increased authoritarianism) if opposition leaders are able to maintain a power base from where they can challenge the central government.

This feature can contribute to political stability in post-conflict societies where the multiplication of arenas of political power avoids the zero-sum, winner-takes-all dynamics that can destabilize a new government. Bland (2007) explores this dynamic in El Salvador, Colombia, and Guatemala, for example.

Local governments allow for natural experiments

Working with decentralized authorities allows many experiments to be undertaken (Johnson 1978). Local governments cover smaller jurisdictions and involve fewer actors, thus the feedback loops are relatively quick, which can enhance the speed of learning (Wunsch, 2005). As learning accumulates, reformers can refine strategies and tactics. For example, in Rwanda, which is pursuing an ambitious decentralization policy, the local government ministry encourages local authorities to experiment with administrative and service-delivery options. Experimentation is rewarded through a nation-wide competition with prizes awarded to winning local governments on National Innovations Day (MINALOC, 2008). Promising innovations are publicized as ‘best practices’ and some have been replicated in other jurisdictions.

Local governments can provide a reservoir of legitimacy

Post-conflict stabilization and reconstruction efforts often see the return of elites from exile, a feature shared by Iraq, Afghanistan, and Liberia, among others. Depending upon their orientation and interests, these diaspora returnees can be: (a) reformers, seeking to create a ‘new order’; (b) preservers, looking to maintain or reinstate elements of the previous regime; or (c) spoilers, seeking political and/or economic advantage, sometimes through violence, trafficking, and/or smuggling (Debiel and Terlinden, 2004). Diaspora reformers with political ambitions in some cases lack both connections and legitimacy in the eyes of the homeland population, and may be resented for having left for more comfortable and safe surroundings and/or for finding employment with international salaries and benefits. Targeting governance restoration at the local level increases the likelihood of identifying and working with newly emergent leaders (and/or resurrected long-time traditional leaders — tribal, religious, etc.) who did not leave the country and who have strong local links. Generally

these leaders are committed to improving conditions locally rather than taking revenge on individuals in the previous regime or amassing personal wealth and influence.

Conclusions

The decentralization approach in Iraq can be summarized as beginning with deconcentration in the short term while creating the building blocks for an institutional architecture that will enable devolution in the long term. Striking the right balance between attention to both local- and central-level governance is not simple. As noted, capacity and incentives for decentralization among national-level actors may be weak, at best, particularly in fragile states. These gaps can lead donors to pursue bypass strategies that rely upon external resources and capacity, which are unsustainable in the longer term (Rondinelli, 2007). Donors may favor support to the center, as a function of ease of access, perceptions of existing capacity and appropriate starting points, and/or security considerations. Stability at the center may emerge prior to that in local areas, reinforcing ease of access and the possibility that power there may become established and entrenched before local actors are supported and are able to participate. Yet experience suggests that getting good enough governance requires looking beyond the center to the critical role of sub-national levels of government in post-conflict reconstruction. Political processes in Iraq appear to have been fundamentally affected by choices between centralized and decentralized systems. Generally, elected provincial officials have exhibited more skills than their national-level counterparts at reaching consensus across sectarian and other divides, achieving legislative results even at a national level. Provincial elections have been more openly contested and more focused on policy issues and responsiveness to citizens' demands for improvement in basic living conditions. National elections to follow provincial ones within a year will reveal whether candidates for national office exhibit these same tendencies. Governance restoration efforts in Afghanistan are also dealing with the tradeoffs between a strong center and some decentralization of authority. That case should further inform strategies for rebuilding government and balancing centralization and decentralization. For scholars, the research agenda is to expand the comparative base across countries and over time by focusing on ways in which the three core governance functions of security, public goods and services, and participation and accountability are fulfilled in systems more or less centralized, or less or more decentralized.

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