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Changing of the Guards:

Who Governs in the Security Arena, If it's Not the State?

Preliminary draft!

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Introduction

Much has been recently written on who governs the globe (Avant et al. 2010) and what the modes of governance in areas of limited statehood are (Risse 2011a). Within recent work the focus lies, broadly speaking, on the dynamics of governance beyond the state, in particular on the varying roles and activities of non-state or quasi-state actors such as international organizations, foreign interveners and financial investors, donors, transnational corporations, private military firms or local armed groups. But how exactly do these different actors contribute to rule-making and the provision of collective goods and how can they be characterized? And which actors will take over and perform governance tasks in areas of limited statehood, in particular in the security arena, if it is not the state?

Not very surprisingly, one of the major findings of our Collaborative Research Center is that various types of actors govern or at least co-govern in areas of limited statehood. In line with the vast amount of literature within international relations theory and comparative politics our research emphasizes the potential of rule making through vertical decision making (by the 'shadow of hierarchy') or horizontal coordination under participation of transnational Public Private Partnerships (PPPs).

Many studies – even within the scientific study of civil wars – neglect particularly the governance activities of non-state actors within the security arena. In contrast, I will pay attention not only to the general question 'who governs in areas of limited statehood', but also, and in particular, to the emerging security dynamics and alternative paths to security governance by various actors, such as warlords, civil defense groups, external military forces, and private military companies. The breakdown of state institutions has at least two major implications: It leads to a fragmentation of the range of actors that formulate political and/or economic claims and it opens up a security market to new actors, due to the absence of an effective monopoly of violence (Branovic/Chojnacki 2011). On the basis of empirical findings and theoretical considerations, it can be argued that even under the conditions of state failure and civil war there are times and spaces in which non-state armed actors arrive at collectively binding decisions and are interested in a minimum of governance and civilian participation.

In terms of configurations of limited statehood, our Collaborative Research Center focuses on the territorial and temporal loss of both, the monopoly of the use of force and the ability to make and enforce collectively binding decisions (cf. Risse 2011a). The ability to control the means of violence can be restricted along four dimensions: 1) territorial, i.e., parts of a state's territorial domain; 2) sectoral, that is, with regard to specific policy areas such as securiy; 3) social, i.e., with regard to specific parts of the population; and 4) temporal. The spatio-temporal lack of state authority leaves space and time for non-state armed actors to recalibrate their interaction with the civilian population and other actors. Contrary to the conventional differentiation between *strong*, *weak*, *failed* and *collapsed* states (Rotberg 2003, 2004) which uses the state as a central unit of analysis, 'limited statehood' is thus a

configurational conception reflecting variations of rule making and allowing for the analysis of specific dynamics and degrees of governance within *or* across territorial boundaries. In particular in war-torn areas of limited or even collapsed statehood one cannot assume the presence of either a state with a fully functioning regular army or a dyadic conflict structure (state vs. rebel group). Instead, these areas are characterized by the fact that the state's control of the use of force is severely limited or has broken down and several entrepreneurs of violence compete as providers of security or perpetrators of insecurity.

When states fail especially the security arena becomes more competitive. On the one hand, it can be expected that greater competition among armed actors will lead to greater investment in combat and increased information deficits, which again aggravate achieving credible commitments (Skaperdas 2002). On the other hand, empirical insights suggests that diverse non-state actors gain territorial control and offer protection functions and, therefore, engage in governance responsibilities. In order to uncover this apparent contradiction, I discuss the different actors taking over functions of security governance and, thereby, I will conceptualize different paths to governance and different actors' constellations. In line with Avant and Haufler (2010) I assume that capable non-sate actors do not necessarily seek to challenge the entire state, but rather compete over limited territorial control, valuable resources and/or protection tasks by developing islands of security, which are characterized by fractional rule making and spatio-temporal variations of violence. In contrast to more general approaches, which are interested in understanding and uncovering different actors, tasks and dynamics of "global governors" (Avant et al. 2010), I seek to explore the rise (and decline) of islands of security consisting of a variety of actors in areas of limited statehood that are characterized by different modes of governance.

The paper consists of four parts. First, it provides a brief overview of our understanding of security from the perspectives of governance and configurations of limited statehood. In the second part, I discuss the different types of actors involved by emphasizing those armed and non-armed, state and non-state actors that become engaged in rule-making in areas of limited statehood, and, thereby, affect the security arena. The third part refers to the degree to which armed actors provide security or invest in insecurity, or both. The forth part offers a closer look on Somalia where mostly non-state armed groups compete over territorial control and get involved in fractional rule-making without the state.

Defining Security Governance

The scientific discourse on changing patterns of war ('new wars') as well as the international responses ('peace-building') to mass crimes and terrorism contributed to broaden the concept of security from state to non-state actors and threats. Meanwhile, theoretical arguments, stressed the emergence of new forms of security coordination, involving both state and non-state security actors. 'Security Governance' became the magic word for denoting the changing security relations at different levels (international, national, sub

national), between different actors (state and non-state actors), and with regard to the management of various threats (e.g. civil war, trans-border refugee flows). Consequently, some authors link security governance to the overall developments in the fragmentation of political authority between state and non-state actors and, thereby, to a variety of forms of coordination, including regulation, collaboration and self-regulation (cf. Krahmann 2008). Other authors refer more explicitly to the function of governance structures as means of managing social relations within civil wars (Öberg/Strøm 2008: 9). Both perspectives reflect changing forms and qualities of security, but have certain limitations regarding the assessment of the character of security in failed states. While the first assessment of security governance denotes the emergence of complex security structures in Europe and North America, and is thus not easily applicable to the logics of non-state security activities in the absence of a unifying political authority, the latter uses governance simply as a synonym for the formal and informal mechanisms of conflict resolution.

In extension to these concepts, the research center operates with a definition of governance, which incorporates the regulatory structures and processes by means of which the security is intentionally provided as a collective good for a defined group of recipients. This perspective reflects the various activities of non-governmental armed actors in failed states as 'new' or 'alternative' forms of governance (cf. Duffield 2001; Jackson 2003) and allows for the analysis of specific security dynamics within *or* across territorial boundaries. Since security as a governance function must meet at least the criteria of a collective good, the territorial domain of the provision and the inclusiveness of its consumption are crucial. In failed states the breakdown of state institutions usually leads to a societal fragmentation and the emergence of different violent groups that formulate political or economic claims. Organized violent groups might exist and challenge the state even beforehand (Vreeland 2008), but the complete collapse of state authority bears a special structural characteristic, which marks the point in time that opens the window of opportunity for different sets of actors. With the absence of an effective central government, very different groups within a state (ethnic, national, political, religious), are forced to provide their own security or at least to built up the capacities to do so (cf. Roe 1999).

If security is defined as the absence of physical force and an increasing reliability on protection, then violent groups such as rebel organizations or warlords, can produce internal and external security in a defined territory, just as states can. More precisely, this perspective includes the specific strategies of militarily potent actors who invest in the establishment of a monopoly on the use of force, and advance processes of governance formation, i.e. the establishment of institutionalized political and economic systems of rule vis-à-vis a civilian population. Military survival may be of central importance for most state and non-state armed groups, but it is insufficient to determine both their relations with civilians and the maintenance of public order (cf. Kasfir 2005; Arjona 2008).

Taking security governance and configurations of areas of limited statehood seriously also enables us to overcome a state-centric perspective of armed conflict and civil war. In a

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country affected by violent contests violence does not take place all across its territory. Quite to the contrary, some parts in countries experiencing armed combat are almost secure and the population can invest in more productive activities. In the Democratic Republic of Congo, for example, the majority of fighting takes place in the eastern provinces of North and South Kivu. And using a micro-level approach, Kalyvas (2006) concludes that even neighboring valleys in the Greek civil war (1946-49) were differently affected by violence depending on the level of territorial control executed by the parties in the conflict. Another example for varying levels of territorial control within a civil war setting was Liberia's Nimba County, 'home' of Charles Taylors' NPFL, over which control was established shortly after the begin of the NPFL's insurgency (Reno 1996: 178-182). The same applies to Peru's Ayacucho and Upper Huallaga areas, which were controlled by Sendero Luminoso for a period of approximately four years after the onset of the civil war (Koc-Menard 2007: 185-188). Thus, explaining these local and regional differences is important to understand both the dynamics of violence in ongoing armed conflicts and regional variances in the conditions of security.

Who Governs?

Theoretically, any political, societal or corporative actor who provides collectively binding rules and collective goods can become a governance actor. In areas of limited statehood the set of actors varies and includes state actors, international actors, and various types of non-state actors. The latter group encompasses traditional (local) authorities, private sector firms (e.g. transnational corporations, TNCs) , 'not for profit' organizations such as non-governmental organizations (NGOs) as well as social movements, and a diverse spectrum of armed groups. All these groups can be they from a national/local level or part of transnational co-operations. And to complicate matters further, often there is no clear cut line between 'public' and 'private' actors. This becomes evident in the case of hybrid actors such as Public Private Partnerships (PPPs), in which non-state actors cooperate in an institutionalized way with state actors for the provision of public goods.

The question who governs in areas of limited statehood – if it's not the state – could also be answered, simplistically stated, in quantitative terms: Even in war-torn areas of limited statehood and in the absence of a functional government at least one actor exercises power and is engaged in rule-making within a defined territorial domain. More often, however, a wide variety of actors such as armed groups, private military companies, neighboring states and foreign powers, multinational corporations, humanitarian NGOs and international organizations become involved in the competitive (un-)making of security governance and, thereby, relying on different sources of legitimacy and authority. All these different actors may become governance actors if they provide collectively binding rules as well as collective goods. Or if they at least contribute to institutionalized modes of social coordination, in the sense that they 'co-govern', performing governance roles or tasks in situations where the government of a state is unable or unwilling to take over responsibilities (cf. Risse 2011a;

Schäferhoff et al. 2009). With regard to the security arena, a further distinction can be drawn between (non-)state armed groups and (non-)state unarmed groups. Or to put in more qualitative terms: within the security arena the ability to control territory is basically based on violent means and becomes a precondition for regulating the use of force and engaging in the provision of public goods. Table 1 provides a closer look at the governance actors involved in rule-making at different levels and with their respective scope and institutional capabilities.[1]

Table 1: *Typology of governance actors*

		local/national	transnational	international
state-based	armed	governmental security forces (military, police)	transnational policing organizations	international organizations (UN, NATO), foreign states
	non-armed	governmental agencies	public-private partnerships	donor agencies
non-state	non-armed	civilian committees, Non-Governmental Organizations (NGOs)	transnational organizations, social movements, diaspora assistance	International Non-Governmental Organizations (INGOs)
			multinational corporations	
	armed	rebel groups, warlords, militias, paramilitary forces, self-defence units	military corporations, resistance movements (e.g. Hezbollah)	rebel groups and militias operating across borders (e.g. al Qaeda)

These actors vary in many respects: not only with regard to their material/organizational capabilities and their power relations vis-à-vis competing actors and the civilian population, but also in terms of modes of governance. One of the key findings of our Collaborative Research Center applies to the fact that we can distinguish broadly between different paths to governance involving different actors at different levels, even with the security arena: 1)

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[1]   For a similar mapping of governance actors see Risse (2011b: 4).

governance through *hierarchical configurations of control*, 2) governance through *transfer by external interveners*, 3) governance through *transnational activities* where local actors adapt, reinterpret, or reject foreign initiatives, 4) governance through *delegation*, and 5) governance through *self-protection and minimal security provision.* It should be noted however, that the involved actors are not located exclusively at one particular analytical level and that the identified paths to governance may take place simultaneously.

If we measure governance actors and their performances on the basis of the intentional rule-making and the provision of collective goods, obviously the first type, *governance through hierarchical configurations of control*, is qualified to be considered as a mode of governance, at least to a minimal extent. It implies a certain degree of institutionalization within a given territorial space as well as a minimum level of internal control (e.g. police functions) and the protection of borders. Since territorial control is a precondition for rule-making in a very rudimentary form, the configurations vary both with respect to the scope and scale of security that is provided by armed groups and in terms of ruling strategies towards the local population, from 'minimal rule' or 'warlord configuration' to 'comprehensive rule' or 'quasi-state' (Arjona 2008; Bakonyi/Stuvøy 2005). From the perspective of governance, thus, it is important to notice that even under the conditions of violent conflict and civil war, there are situations in which non-state armed actors arrive at collectively binding decisions, and are interested in designing and implementing structures of security provision that govern their relationship with the civilian population (cf. Kasfir 2005, 2008; Arjona 2008; Branovic/Chojnacki 2011). In a first stage, dominant and sanction approved armed actors may use their abilities to control territory in order to build up internal and external protection systems. At a later stage, however, at least some potent military actors no longer finance themselves by racketeering, i.e. means of organized looting, but rather through institutionalized taxation systems intended to generate civilian participation and to supply public goods.

As long as these monopolists assure that the provision of security in their territory is not challenged or substituted by others, this system of rule can be treated as security governance. Prototypes beside the state are cases of secessionist wars where rebel organizations such as the *Sudan People's Liberation Army* (SPLA) in southern Sudan or Tigray People's Liberations Front (TPLF) in Ethiopia have developed a competing system of political rule as well as administrative structures of governance. As our own research indicates, the same holds true for local warlord factions in Afghanistan or in Somalia. In these cases local armed groups have invested in the build-up of territorial control, infrastructure and social regulatory structures. Based on charismatic leadership, traditional authority or clan ties they produced collectively binding decisions for a defined group as well as forms of control and institutions to manage the relationship with the civilian population (cf. Jackson 2003; Menkhaus 2007). In his comparative study on 'rebel governance' in Uganda, Peru and Mozambique Jeremy Weinstein (2007) provides additional empirical evidence that rebel groups either developed power sharing structures in cooperation with the civilian population or re-established structures of hierarchical control by returning power to traditional

authorities (in case of RENAMO). The latter case, however, may be better interpreted as a form of unilateral, hierarchical governance with limited participation by civilians and local authorities; only in the last stage of the rebellion RENAMO started to provide public goods (Weinstein 2007).

Our own research further suggests that the success or stability of such non-state control systems depends on the quality of formal and informal decision-making rules related to the system of protection and taxation, the credibility of deterrence of internal and external military challengers, and the reliability of agreements between the military leadership and the civilian population. Over time even violent actors have to engage themselves in processes of legitimization. Theoretically, it can be assumed that orders of territorial control intended to govern the local population tend to establish an endogenous or exogenous frame of stabilization over time. Related to the former, an expansion of public related services into other sectors (finance, health or education) characterizes the development of quasi-state structures (e.g. Somaliland) that generate a minimum of output-legitimacy (cf. Bakonyi/Stuvøy 2005). In case of exogenous stabilization one has to consider the benefits that come along with statehood and multilevel cooperation (e.g. licensing, credits, development aid). It is not surprising, that hierarchical modes of security governance may possibly change into government (as happened in Liberia with Charles Taylor) and make use of externally guaranteed sovereignty.[2]

In addition, but usually in competition to hierarchical rule-making by non-state armed actors, areas of limited statehood are often characterized by governance through *transfer* by external interveners. International armed and non-armed actors (United Nations, the European Union, donor agents) become engaged in rebuilding and reforming governance institutions, in particular in post-war settings where multinational UN-peacemaking take place. Their logic of action is to govern hierarchically, both to counter security threats from non-state veto players and to provide a wide range of public services. However, as recent developments and research provided by the SFB 700 indicates, building protectorates or modern trusteeship systems in general, security sector reform missions in particular (e.g. in Liberia, Timor Leste or Iraq), either have failed or have led to only fragmentary and incoherent reforms. But this is not the only challenging development. Cases become problematic where international security actors and institutions are considered illegitimate by the civilian population and local elites. As postcolonial criticism reminds us, externaly imposed governance modes performed by UN- and US-led peace-building missions may reinforce both power asymmetries (within and across local actors and vis-à-vis foreign interveners) and a dominant Western discourse on 'who governs effectively', but without creating space for the subaltern and marginalized groups respectively (Spivak 1988).

Not all of the external actors, however, are able or willing to implement governance tasks in the security arena, nor are they capable to develop control over a particular territory, even if

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2   Empirically, this pattern often can be found in cases, in which former rebel groups or warlords take part in elections to run for office.

it's highly problematic. Transnational governance activities where local actors adapt, reinterpret, or reject foreign initiatives are usually found in sectors such as health services, water supply and sanitation, financial stability, and the assurance of property rights. Across several projects of our research center it becomes obvious that several actors shape the security agendas and opportunity structures of local authorities at least indirectly (in case of multinational corporations) or evaluate and scandalize fragile security environments (aid agencies, transnational advocacy networks) – and in doing so drawing on the currency of 'soft' power. And as the Kimberly Process Certification Scheme suggests (see Kantz 2007), Public-Private Partnerships might become, at least to some degree, a transnational arena that influences interests and behavior of armed actors. The same holds true for bilateral or multilateral donor agencies, whose activities in the fields of macro-economic support, trade, development, or cooperation with development banks affect not only the implementation of governance tasks in general, but also shape foreign policy and security objectives of state actors as well as the opportunity structures on non-state (armed) groups. In other cases, security governance must be seen as a transnational activity *per se*, since the security problems in question occur across borders, and external actors are involved in processes of security provision (e.g. the fight against drug-related crime in Mexico involving U.S. support through the Mérida Initiative).

Still other governance actors operate only on the *principle of delegation* such as Private Military Companies (PMCs) or pro-government armed groups (militias, paramilitary groups, irregular forces or vigilantes). Highly specialized PMCs not only offer a wide range of tasks (protecting individuals, institutions or businesses), but also operate according to free enterprise calculations and, therefore, are not identical with the regular state security forces (police, military forces). Internationally operating companies like *Xe Services* or *DynCorp* are the visible expression of a system that delegates selected security functions to commercial enterprises (e.g. Avant, 2005; Branovic 2011). From the point of view of governance consumers, security here is strictly selective, since only those who can pay for security services receive the benefits of protection. Examples are multinational corporations (securing access to resources), humanitarian organizations (protecting the humanitarian space from looting), or international organizations (e.g. protection of persons or buildings, mine-clearing). The activities of PMCs are clearly defined functionally (protection of an oil field or of governmental buildings) and directed toward a narrowly defined group of beneficiaries (members of a company, or the public employees of a transitional administration). Certainly, the delimitation toward the public-security structures is often fuzzy. For example, PMCs engaged to protect buildings may produce positive externalities for the immediate neighborhood and extend the range of the protection services they provide. The protection of administrative facilities and the construction of security structures in Iraq and Afghanistan, including the training of police, can also benefit all potential consumers of security, and thus become an integral component of governance strategies. But even if firms from the commercial sector act on behalf of third parties in order to implement governance tasks and may produce positive externalities for the civilian

population, security here remains selective, since only those who can pay for security services define the range and quality of the tasks. Security remains a private commodity. To put in other words, the outsourcing of security tasks may contribute to security governance as long as the clients intention is to use the contractor to provide a public good, but it is highly questionable whether PMCs are the accurate instruments since the involvement of the private military industry affects not only the power relationships and local conflict dynamics, but also indicates a tendency towards the commercialization of the security arena by supplementing, substituting or compensating public forces (Branović 2011).

Governance through delegation may also occur in situations where state authorities are too weak to enforce rules or to provide public goods alone. Under certain conditions the provision of governance may also be established through forms of cooperation or contracting with local authorities or armed actors such as militias and paramilitaries. Within the security arena the outsourcing of security tasks to community-based militia groups or 'indigenous mercenaries' (e.g. the Mayi-Mayi in the DR Congo) or to paramilitary groups, which act on behalf of political or commercial elites as national counter-insurgency forces (in case of the AUC in Colombia) are a widespread phenomenon.

In case of governance through self-protection, local armed actors build on available societal networks and rely on different modes of action. In Mozambique, for example, self-protective resistance against Renamo was carried out by a traditional army, *Parama* (named after its leader, who was believed to hold the power to "vaccinate" his troops against physical harm), which fought across large parts of the country (Nordstroms 1997: 58-62). In northern Uganda, local self-defence groups against the Lord's Resistance Army were formed to protect single communities (see Olsen 2007). In case of Sierra Leone, the *Kamajors* originally consisted of a very small group of hunters and fighters, whose task it was to protect their village or a collection of villages "from human and animal dangers with their weapons" (Ferme/Hoffman 2004: 75). During the civil war they became mobilized into a major self-protective movement. Common to all these forms is that self-protection becomes an intentionally mode of governance in situations where attacks by looting violent groups against peasants or villages occur regularly (in particular, freelance militias often became engaged in merely opportunistic plundering). The military capacities of these units, however, vary with the type of strategic alliance and civilian collaboration. While alliances between village units and self-defense groups usually promise only a lesser degree of security, collaboration with governments or strong rebel groups may promise greater levels of security, at least temporarily. The frame of reference for the recipients is the protected area. Security here takes the form of a *pool good* in which resources and capacities are merely mobilized for the purpose of providing security to the groups involved in the coordination. Such situations might therefore better be considered as transitional phenomena, which only qualify as security governance when the provision of security intentionally includes all groups in the protected area.

From an actors' perspective, thus, an important distinction can be made between non-state armed groups which are able and willing to control some territory and those who delegate security tasks from inside or outside the country to internal or external specialists for the use of force and the countering of security threats. Within the security arena non-state armed groups can either be understood in terms of 'anti-state sovereigns' (Mampilly 2008) or as alternative governance actors in the absence of a functioning state monopoly on the means of violence (Chojnacki/Branovic 2011). Anti-state sovereigns interact with the formal state in struggles over policies, territory and authority, and, thereby, become governors or co-governors within a defined terrain. In the latter case armed actors control discrete territorial spaces and become engaged in governance tasks beyond the state – without being threatened by the shadow of a juridical state. Depending on the focus of analysis, such processes may also be interpreted as paths to proto-sovereigns or quasi-states. Alternatively, new forms of security governance are not linked to the formation of state, but rather as alternative formations of territorial control alongside the state (cf. Jackson 2003).

Security or Insecurity – or Both?

Governance may be strengthened by external actors, whether they are armed or unarmed. Particular tasks or forms of governance might also travel across borders or within regions (Risse 2011). It would be naive and simplistic, however, to assume that the involved actors will always have good intentions and will do no harm. In particular in war-torn areas of limited statehood and in situations where internal, transnational and external actors compete over rule-making and the provision of public goods, things become more complicated.

With regard to the security arena and the actors' strategic decisions, the effect of the active number of competing non-state armed actors is underestimated in recent studies (Azam & Hoeffler 2002; Kalyvas 2006; Weinstein 2007). This literature remains state-centered and focuses mostly on conflicts between governments and one rebel group. But the state's control of the use of force is often severely limited, or has broken down, and *several* entrepreneurs of violence compete as providers of security or perpetrators of insecurity. Assuming a multiple actor setting, a decrease in the number of violent groups should, over time, imply an increase in the relative power position and the organizational size of other actors, which in turn should positively affect the probability of coercive security (cf. Branovic/Chojnacki 2011) and hierarchichal configurations of control. The function of violence again changes in such situations. Whereas fighting and battles are used to signal one's own military capabilities and gather information about the adversary, the strategic use of violence might switch to the defense of territory and attacks against enemies who attempt to conquer already controlled areas.

Competition between the various actors has many faces: the quest for controlling spaces, resources and social relationships may result in splinter factions and cause the escalation

and spatial diffusion of conflict. Given these dynamics, settings also vary *within* civil wars, both geographically and over time: i.e. one can find territories that are at a time firmly controlled by one armed group (see Weinstein 2006) as well as areas, which are highly contested either because of their wealth of "lootable" recourses or their symbolic value (i.e., state capitals). Moreover, even under the conditions of civil wars we observe spatio-temporal forms of cooperation between violent groups. In case of Somalia, for example, clan factions have developed forms of cooperation in order to jointly exploit or tax humanitarian aid (cf. Menkhaus 2007). Another possible form of cooperation between different types of actors is "governance with government". A good example for this is provided by Elisabeth Jean Wood (2008). By exploring different social processes of civil war she illustrates the emergence of "insurgent governance" in Sri Lanka by the "Liberation Tigers of Tamil Eelam" (LTTE). Since the early 1990s the LTTE draws on state administrations and cooperates with government civil services, but at the same time maintaining core functions of protection and control over territory (Wood 2008: 551). At the end of the day, all these examples indicate a fluidity of the relationship between various armed actors and refer to the blurring of the boundaries between public and private, military and civilian.

Within areas of limited statehood, in particular in zones affected by violent conflicts there is neither a guarantee that every individual or group receive the benefits of a particular governance task at any time and in any place nor is it clear whether internal or external armed actors become willing to impose rules not only effectively, but also legitimately. Under conditions of limited statehood and violent competition among two or more actors the problem arises that non-state armed groups can strategically choose between the provision of security and the maintenance of insecurity. The more promising military and economic profits become, and the more uncertain a future under the conditions of peace appears (Fearon 2004), the higher the value of insecurity strategies. Violent actors can thereby choose between the institutionalization of a political order, which guarantees ownership rights and organizes the interaction between providers and recipients of protection via a tax system, or a violence-mediated state of conflict, in which the civilian population is used as spoils, or as an extractable resource to finance the capability of these actors for violent activities. As long as rebels, local militias or warlords provide security only sporadically and in a territorially undefined context, however, security remains a rival commodity, which can be excluded from consumption (Brauer 1999: 6-7). Stated differently: by the strategic maintenance of insecurity and the simultaneous existence of various forms of security within an area, not only is the effectiveness and stability of the security system called into question, but security also does not attain the quality of a public good. Actors who intentionally maintain insecurity therefore are not providing security governance. Nevertheless, there are ways out of insecurity and the "protection screw" (Mehlum et al. 2002: 448), which permit security as a good to once again move more markedly from the private toward the public realm.

The prospect of the elimination of competitors and of the resulting greater profits, increases the value of violent conflict strategies compared to negotiated settlements. For the civilian

population this may cause fatal consequences. First, the demand for protection services rises with the increasing degree of insecurity; though, the free choice of protection providers is greatly limited. Second, the risk increases that actors in the conflict will turn to strategies of *indiscriminate* violence (Kalyvas, 2006; Olsen, 2007; Weinstein, 2007; Wood, 2008), and promote diffuse insecurity. Arbitrary violence and destruction of property are more probable in zones of strategic insecurity because of the asymmetric distribution of information and multiple material insecurities (Kalyvas, 2006; Weinstein, 2007). The ability to cause either security or insecurity (or both) becomes a political and economic resource, and hence an alternative source of power. As a result, the price for protection services increases with the military capabilities of potent armed actors (Mehlum et al. 2002). As a consequence, we consider that variables such as *the number of violent groups, the degree of territorial control* and their *material capabilities* as well as their *relative power position* are central for our understanding of the way protection services are offered This in turn is crucial to answer the question who governs in areas of limited statehood since it helps to determine if certain activities qualify as security governance or not.

Our research on external interventions and the role of private military companies (across various cases) also suggests that such an involvement affects the military power relationship and local conflict dynamics. These security dynamics turn out to have particularly serious consequences in Afghanistan and Iraq: External interventionists who support internal armed groups become themselves competitors for resources, and aggravate both the available informational asymmetries and the intensity of conflicts. From the perspective of conflict theory, the problem underlying the increase in the number of armed actors is that reliable information about competitive groups as well as mutually binding security guarantees become increasingly insecure (e.g. Cunningham 2006; Walter 1997). The greater the number of potentially violent state and non-state parties to a conflict, and the more intense the competition becomes, the more significant are informational asymmetries and commitment problems. Such dynamics not only affect the conflict behavior of armed actors, but also heighten the vulnerability of societal groups (i.e. the civilian population), which are unable to provide for their own security by private means. Furthermore, the number of belligerents and their distribution of territorial control and military capabilities are also relevant to the relative power dynamics and expected outcomes of military strategies. As the application of bargaining power to civil contests shows (Butler/Gates, 2009), particularly weaker non-state armed groups tend to invest in forms of unconventional warfare and engage in on-going fighting against other parties. Given the asymmetric power dynamics and informational blind spots in failed states, we should expect armed groups to adopt strategies of insecurity through continued military attacking of both other armed actors and the civilian population. As a given group gains in terms of relative power and territorial control, an armed actor can alter its security strategy.

Taking a Closer Look: Somalia[3]

Even under the conditions of ongoing armed contests between a wide variety of violent groups, temporary forms of security collaboration between armed groups and the civilian population are possible. These consist of formal and informal systems of rule and control over basic aspects of a community's demand for security. Somalia is a striking example for both the perpetuation of armed conflict between mostly non-state armed groups and fractional rule-making without the state. The strategies, however, vary from self-protective governance and forms of ad-hoc rule-making to comprehensive rule-making, where armed groups govern in the sense that they engage in the provision of public goods and regulate the use of violence vis-à-vis external threats and the civilian population. Examples for the latter are Somaliland, Puntland, and, at least to some extent, the Islamic Courts.

The power struggle and breakdown of the state began in the mid and late 1980s, when several clan-based rebel groups emerged throughout Somalia. The creation of armed groups and militias in opposition to the state, as well as the arming of certain clans by the government in response to this opposition, led to a huge proliferation of small arms and the decline of the state monopoly on the use of force. Economic decline as well as the collapse of the education and health systems, which already began during the 1980s, caused grievances among the most disadvantaged groups and deepened inter-clan animosities (cf. Menkhaus 2007: 80). Various rebel groups engaged in heavy fighting with the military regime of Siyad Barre. As a result, the capital Mogadishu was seized by the *United Somali Congress* (USC), and Barre was ousted from power in January 1991.

Soon after introducing an interim government, internal power struggles began to split the USC and other rebel groups. During this second phase (1991-1992), armed factions established themselves along clan affiliations, which had already been politicized under the previous regime.[4] The fragmented spectrum of actors affected the security arena, measured by the number of violent events and the increase in armed actors, in most parts of Somalia dramatically. The newly formed armed groups, however, varied greatly in their organizational and military capacities as well as in their geographical scope and their commitment to the civilian population.

During the third phase (1992-1995), widespread looting practices as well as internal displacements led to the temporary collapse of agricultural production which caused a

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[3]   The following insights provided are based on information gathered by the *Event Data Set on Armed Conflict and Security* (EDACS). In order to analyze different dynamics of armed conflict and different forms of violence in areas of limited statehood, EDACS contains data on two types of violence: *fighting* and *one-sided attacks*. While *fighting* is defined as armed interaction between two or more organized groups, we define *one-sided attacks* as direct unilateral violence by organized groups aimed at civilian or military targets (see for details Chojnacki/Reisch 2008; Chojnacki et al. 2009). Concerning the actors' dimension, EDACS allows the differentiation between violent actors and non-violent actors. As a consequence, the dataset enables researchers to identify civilian targets and to uncover 'civilian agency'.

[4]   There are five major clan families in Somalia (Darod, Hawiye, Rahanweyn, Dir and Isaaq) and some minority, non-Somali clans. All of these are in turn divided into countless subclans and sub-subclans (see Menkhaus 2005: 24)

disastrous famine, triggering the UN peace-keeping operations UNOSOM I and UNOSOM II from April 1992 till March 1995. As is well known, the mission failed and clan warfare resumed after UN troops retreated from Somalia.

In contrast to increased fighting and one-sided violence due to the foreign intervention, the following fourth phase (approximately between 1995 and 2000) was characterized by a lack of external support and is best understood as a period of „armed peace" which was used by local armed groups to consolidate power. As the most "peaceful year", 1997 still experienced 22 violent events which took place mainly between the *Rahanweyn Resistance Army* and Hussein Aideed's faction of the USC. In some circumstances these actors even introduced elements of security governance (rudimentary taxation systems, territorial limited orders of violence). This observation hints to a decline in faction rivalries and thus a consolidation of warlord territories around the country. The dramatic upturn in South-Central Somalia and in Mogadishu as well as the increase in local violent events 1999 reflect, in contrast, a more fragmented security environment (Menkhaus 2007) with warlords losing control and local militias gaining importance. Within this period, Somaliland and to a lesser extent Puntland were able to monopolize the use of force throughout parts of their territory. Our event data also contribute to theoretical considerations provided by Kalyvas (2006) that security and violence against the civilian population are a function of the degree of territorial control. As our data show further, one-sided violence against civilians has occurred fairly rarely between 1996 and 1997, when zones of control were not or only partially overlapping (figure 1). In contrast, one-sided attacks against civilians and insecurity have increased between 1999 and 2001 in situations where multiple armed actors were able to expand or change their zones of territorial control and violence was used as a means of control or deterrence in highly contested areas (figure 2).

In the following years, neither the forming of the Transitional National Government (TNG) nor the Transitional Federal Government (TFG) fundamentally changed the character of war in Somalia. A slight decline in violence between 2002 and 2005 can be explained, at least partly, due to the regression of inter-clan fighting. Violence escalated again vertically and horizontally with the rise of the Union of Islamic Courts (UIC) which became first militarily active in 1999. A few years later, serious armed clashes between well equipped Islamist militias and the inter-clan "Alliance for Restauration of Peace and Counter-Terrorism" in January and February 2006 led to the capture of Mogadishu and the expansion of territorial control by the UIC. Feeling threatened by the UIC uprising, Ethiopia officially declared war in December 2006 and defeated the UIC by January 2007 with a massive military presence. An alliance of US-backed warlords, the TFG and intervening Ethiopian forces recaptured the city and many parts of the south (see also Menkhaus 2007).[5] Quite interesting is the observation from our data that violence in the context of the Ethiopian intervention has become more

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[5]   Since March 2007 the African Union Mission to Somalia (AMISOM) with approval of the U.N. is mandated to support transitional governmental structures and a national security plan.

diffused compared to the UN-operation, because local warlords have decided to build alliances with the Ethiopian forces and thereby boost their organizational capacities.

Using the occurrence of violent events and the number of (civilian) fatalities as well as the proliferation of armed groups as indicators, the Event Data on Armed Conflicts and Security (EDACS) show how spatio-temporal dynamics of violence as well as the rise and fall of non-state armed groups are linked to changing patterns of security. The highest number of fatalities per year is reported for 1991. A minimum of about 6000 people died from the direct use of armed force during that year. Since then, fighting and one-sided violence resulted in a minimum number of 500 to 1500 fatalities per year. In 2007, the minimum number of casualties increased considerably to almost 2200.

This violence between armed groups is not evenly distributed across the entire territory, but very often takes place close to strategically valuable locations such as cities, harbors, roads, or junctions. While some strategic hotspots experience continuous fighting and/or violence against the civilian population, other areas are differently affected by armed combat depending on the number of competing armed groups and on the institutionalization of territorial control. Mogadishu, Kismaayo and Baidoa in Southern Somalia are most affected by violence during the entire period, whereas the central and northern parts experience fighting and one-sided violence to a lesser extent. Especially the capital remains to be of considerable importance even in times of complete state collapse. The Banadir (including Mogadishu) region shows the highest number of violent actors, followed by the regions Lower Juba, Bay and Lower Shabelle. These regions are located in the most fertile area of Somalia, which makes it profitable for actors to fight there and gain control. The strategically valuable cities Kismayo and Baidoa are also located in this area. The distribution of violent events also indicates that Somalia in the course of war decayed into small zones that were controlled by clan-based militias and warlords. Not surprisingly, these are mostly the areas with the highest population density. This is related to the main modes of finance utilized by armed actors in the war economy, which are taxation of commodity flows and the collection of protection money. The fertile inter-riverine areas in the south, where most of Somalia's cash crops are grown, became a major battleground as well. The control of productive land became an important objective for armed actors, as it allowed taxation of cash crop production, which in turn financed weapons and fighters' salaries. In general, armed actors try to maintain a level of relative security in the immediate areas of agricultural production in order to not disrupt productive activities. Thus, we see more violence in areas surrounding taxable land than in the productive space itself (Chojnacki/Metternich 2008).

Some of the most striking patterns of vertical escalation (1992-1993 and 2006-2007), however, do not coincide with the number of local non-state armed actors or the emergence of splinter factions, but by the military interventions of powerful third parties. Both military interventions (U.S./UN in December 1992 and Ethiopia in late 2006) led to a noticeable increase in the number of violent events, and one-sided violence against the civilian population in particular. Thus, our data also provide evidence that temporal effects and

spatial dynamics of fighting can be highly dependent on third party intervention. In coincidence with theoretically expectations, the U.S. intervention and the United Nations Operation in Somalia (UNOSOM) as well the Ethiopian intervention in 2006/07 intensified informational asymmetries and threatened the interest of a number of military leaders.

From an actors' perspective, a total number of 190 different actors are coded in EDACS for Somalia for the period from 1990-2007.[6] The effects of this fragmented and divergent spectrum of actors on security and the provision of public goods, however, are ambiguous. It is worth mentioning, that the "top ten" actors are not only those that posses the largest organizational capacities, but also those that are responsible for the lion share of violent events, with an average of 95.3 percent. However, the majority of actors hardly constitute conventional, highly organized rebel groups since their involvement has only been observed in one or two violent events. Rather, the multitude of small, local actors can be seen as the result of ad-hoc organization (self-defence) or banditry. In addition, most of the armed political movements in Somalia broke up in several splinter groups, which, certainly increased informational asymmetries and hindered mutual peace agreements. These findings are reinforced by the fact that more than 50 percent of the coded actors were only active in one administrative region and during one year of the conflict. And only a very small number was active for more than five years or in more than five administrative regions. To put it in other words, in addition to the "master cleavages" (Kalyvas 2006) of the conflict or to the meta-narrative of the 'Somali war', a large number of local conflicts including different settings of non-state actors articulate themselves violently. While only a small number of dominant actors shape the course of the war, a multitude of smaller and more local actors engage in violence that is limited in scope and spatial extension. This shows a difference in scope and scale for the dynamics of violence with varying effects on the vulnerability of civilians, since they are the victims of looting and semi-organised banditry.

When allocating the Somalia regions to three main theatres of the conflict - northern Somalia, south-central Somalia, and the Mogadishu area, it can be observed that particularly the northern parts of Somalia show only a small number of armed actors. While Somaliland (1991-) and Puntland (1998-) were able to monopolize the provision of security within their territorial areas of influence, partially institutionalized networks of strategic security like the Islamic Courts in the Mogadishu area (1999-2006) both stand for the conflictual making of security governance within war-torn areas of limited statehood *and* for the failure or transitional character of such orders of violence. In the case of Somaliland and Puntland, dominant violent groups expand their territorial control and demand a more efficient resource allocation to maintain their organizational capacities. As a result, formerly roving violent groups became stationary, invested in the provision of security and developed non-

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[6] The ten most prominent actors of the Somali conflicts, according to the number of violent events which they were involved in, are: Somali National Alliance (SNA), Transitional Federal Government (TFG), Ethiopian forces, Syad Barre government, Islamic Courts, United Nations Operation in Somalia (UNOSOM), Rahanweyn Resistance Army (RRA), Hawaadle clan (Hawiye clan family), Somali National Movement (SNM), Garre clan (Digil clan familiy).

state modes of security governance. In particular, an effective reconciliation process in Somaliland (see Bradbury 2008) may have decreased the number of armed groups in the Northern region of Somalia, which in turn decreased violence. Somaliland is also a striking example for the development of modes of governance in absence of international recognition and by a lack of direct access to official development assistance. Eubank (2010) finds evidence that the relative success of the governing actors depends highly on the development of credible political institutions and their engagement for constructively building a tax-based relationship with the civilian population in order to compensate a continuing lack of external donor assistance.

In southern Somalia Al-Shabaab, an offspring of the UIC, recently challenged the TFG und the allied Ethiopian forces and even expanded the scope of its violent measures to suicide attacks. At the end of 2008 the Transitional Federal Government (TFG) was on the verge of collapse, and Al-Shabaab and the UIC had taken over control in much of south and central Somalia. In the areas under control of Al-Shabaab a strict interpretation of Sharia law was implemented and enforced draconically. The spectrum of parties to the conflict widened even further with the involvement of additional external actors (the US government added Al-Shabaab to its list of international terrorist organizations and flew airstrikes against targets in Somalia, Burundi send troops to AMISOM to strengthen Ugandan presence) and with members of alliances who fought the TFG now pursuing conflicting objectives. By contrast, Somaliland indicated its ability to successfully implement security governance, successfully holding elections in 2010.

Conclusion

Even under the conditions of violent conflict in war-torn areas of limited statehood there are times and spaces, in which security is provided to various degrees of scope and inclusiveness, and by various internal, transnational, and external actors. The variants and modes discussed in this paper indicate the co-existence of alternative structures of control and rule-making in areas of limited statehood. They also suggest that the provision of security as a governance service can be provided without a central state or government. Or to put in other words and, thereby, refer to the title of this paper, areas of limited statehood are not simply characterized by 'changing of the guards', but by multiple and changing dynamics of rule-making. The stability of such non-state control systems depends on the quality of formal and informal decision-making rules related to the system of protection and taxation, the credibility of deterrence of internal and external challengers, and the reliability of agreements between the political/military leadership and the civilian population, but also on the willingness of transnational and international actors to act along the logic of appropriateness and persuasiveness.

With respect to the security arena, the establishing of minimal governance should be expected as a preferred strategy for exerting control over a defined territory and population

under certain material conditions (i.e. within economically valuable territories) and social relationships (collaboration with civilians), in order to overcome or balance the risks of survival and negative effects in zones of permanent violence (for more detailed theoretical reasoning see Branovic/Chojnacki 2011). The Implementation of governance tasks fails or becomes the unmaking of governance, if armed groups refrain from providing both a minimum of internal security and deterrence from external threats, if resources are limited or become scarce, and if support within the armed group or population decreases.

However, the co-existence of alternative structures of control and rule-making in areas of limited statehood as well as the rejection of governance tasks does not mean that the state loses its significance entirely in such areas. On the one hand, statehood may very well remain the central frame of reference for non-state armed actors. On the other hand, highly institutionalized orders of violence may not enjoy formal recognition by the international community, but may result in the monopolization of violence and the provision of public goods. As an example for the latter, *quasi-states* such as Somaliland have monopolized the provision of security within their territorial areas of influence, and get involved in rule-making and penetrating local life, as good as states can. As an example for the former, "Taylor-Land" in Liberia demonstrates that institutionalized security systems can break down again relatively rapidly if the constellations change. Aside from the ultimate fate of Taylor himself, it is clear that the state apparatus and the perspective of international recognition remain important resources, both internally (political legitimacy, advantages over political rivals) and externally (e.g. in the form of international financial aid or by access to international assistance). It can therefore be assumed that opportunity structures such as the form of a state and the norm of sovereignty will in the future continue to determine the options for action of (some) armed groups, at least as long as the Western-dominated discourse on 'peace-building' and 'governance' remains state-centered and excludes the voices of marginalized local groups as well as their knowledge.

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Figure 1:

Fighting Events and One-sided attacks against civilians
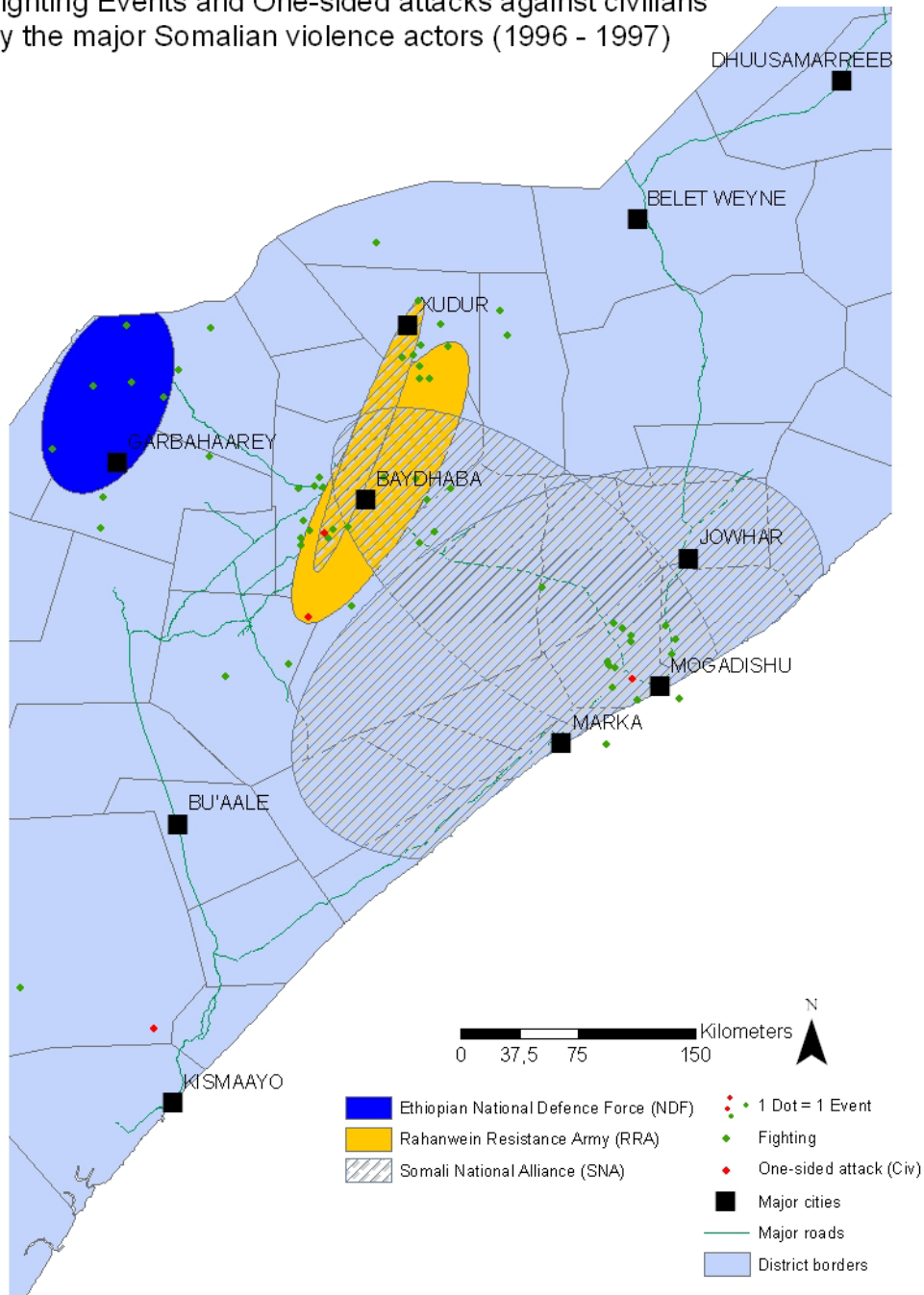by the major Somalian violence actors (1996 - 1997)

Figure 2:

Fighting Events and One-sided attacks against civilians
by the major Somalian violence actors (1999 - 2001)