Australian Government

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Understanding and working with local sources of peace, security and justice in West Africa (Ghana, Liberia).
Policy Brief

The research question and objective.

This project set out to investigate the nature and scope of non-state actors' contribution to peace, security and justice in Ghana and Liberia, and their interaction with state and international actors and institutions. It is already widely accepted that non-state actors of various kinds underpin much social order in sub-Saharan Africa and are often the preferred security providers (eg, OECD, 2010). The research explored the potential for constructive engagement among different approaches to, and providers of, peace and security. It did this through field research in (at least) two urban and two rural sites in Ghana and Liberia, through discussion with interviewees in these sites and elsewhere, and by bringing different actors together to talk about their perceptions of and relationships with each other and potentially strengthen relations. These exchanges were pursued through stakeholder workshops in both Ghana and Liberia bringing together state and societal sources of social order. The project considered whether more open acknowledgement of and linkage across different sources of social order might contribute to positive state formation and to more effective, legitimate governance arrangements. The research inquired into the accountability of non-state providers of peace and into their sources of legitimacy. In examining accountability, particular emphasis was placed on the significance of security providers (state or non-state) for the most vulnerable in a community, often women, children and disabled. Issues raised by these research questions are complex, contentious and dynamic; they can be thoroughly unpacked and resolved only over the long term. Nevertheless, the research aimed to deepen knowledge, to generate and publicise valid information and analysis, but also to stimulate more active discussion of the issues in scholarly, policy and societal arenas. The intention of stimulating discussion is to help move questions of the relations among different sources of social order from being nagging problems embedded in the fabric of socio-political and institutional life to being subjects of serious discussion. As such these relations could become sources of innovative response to the challenges of volatility and insecurity facing Ghana, Liberia and elsewhere.

KEY MESSAGES

- **Non-state actors, particularly but not only customary actors, play fundamental roles in social order in Ghana and Liberia – it is vital to recognise their significance if working with justice or security. Much social order is locally provided by networks of actors, including state and non-state bodies. Because the legitimacy of many security and justice providers is locally grounded, and because of regional variation, it is important to build viable ways of working with the grain of local dynamics, realities and actors.**

- **Accountability is valued, but there are different, sometimes conflicting systems operating together. Vulnerable groups are often not well-served by either non-state or state accountability processes. Forms of accountability can change. Supporting non-state (or state) actors does not require jeopardising human rights concerns or accepting violence or marginalisation, but demands long-term respectful engagement.**

- **Stronger social order 'networks' could be the basis of more legitimate, effective security provision. Constructive linkages need to be stronger. International actors can support and facilitate constructive linkages. When supporting state security and justice institutions international actors need to be aware of the significance of local security networks and the relevant institution's embeddedness within them.**

Non-state sources of peace, security and justice in Ghana and Liberia.

Non-state actors are fundamentally important to peace, security and justice across both Ghana and Liberia. There are significantly different kinds of non-state sources of social order across both countries, with different zones of operation and levels of effectiveness and legitimacy. While there is a range of actors, customary authorities continue to play the most consistently significant and socially wide-ranging roles in providing forms of security and justice, even in many urban areas (though to a lesser extent). In effect, much social order is locally provided by networks of actors, in which customary authorities, but also statutory criminal justice systems might play leading roles. These networks are dynamic and not institutionalised.

There is considerable variation in the organising principles, operation and effectiveness of customary systems and of particular authorities, from highly centralised, territorially expansive systems such as the Asante kingdom, to the localised, collectivist, acephalous arrangements in northern Ghana, to the powerful, cohort-based 'secret societies' of much of Liberia, to the 'town chief' system whereby Liberian governments have sought to control customary authorities through integrating them into more formalised local government. Religious bodies, courts, neighbourhood watch groups, groups such as Ghanaian 'landguards'and 'macho men', NGOs and others are all important in specific sites and particular ways. Some bodies can play ambiguous roles in security and justice (as can state actors such as the police) and their roles can conflict. The management of conflict, pursuit of crime, and provision of forms of justice and local governance depend substantially on non-state actors, often working with police, courts and other local government and service provision mechanisms. By virtue of longstanding socio-cultural legitimacy, and if they are active and competent, customary authorities have a key role in these networks. For example, a Ghanaian chief might organise (and help fund) regular patrols to his/her region by police, work with local religious figures, and be subject to both criticism by and cooperation with a local NGO.

Questions of accountability.

Significant non-state actors are subject to accountability mechanisms; this is certainly the case with customary authorities (e.g., in Ghana, most chiefs are subject to elders councils, Queenmothers and other customary and legal processes. The leading Asante authority, however, is formally accountable only to a narrow set of mechanisms known only to Asante royalty.) Where customary networks are strong, accountability mechanisms also tend to be strong. While accountability is valued it can be pursued through widely varying channels and forms – which differ from the forms of oversight put in place by statutory authorities and may not be immediately recognisable to outsiders. These mechanisms are dynamic and change in relation to events and each other – custom does not mean fixity. Non-state forms of community justice and accountability can be violent and oppressive, e.g., forms of trial by ordeal (Liberia). In this case, these mechanisms changed as a result of long-term engagement with a dedicated NGO. Given the complex system of security and justice actors, there are different, sometimes contradictory mechanisms at work, operating from different understandings of justice and accountability. While this could be the basis for exchange about appropriate justice practices, without such exchange accountability can be weakened. People upholding one system can see others as obstacles to appropriate behaviour, despite needing to cooperate. The tensions and interdependencies of these relationships are far from being worked through, even though there can be viable local relationships. Efforts to 'harmonize' systems (which could be understood as efforts at control by state institutions, in contrast to reflective exchange) have had limited success and can also weaken the legitimacy of both state and non-state actors.

Accountability is patchy for more vulnerable groups, often women, children and disabled. Merely overlaying exclusionary customary practices with state justice practices does not in itself produce better outcomes, however, as state accountability is weak and often does not rest on a strong basis of widely understood, shared and inclusive values. Both state and non-state justice processes can in practice be exclusionary. It is important therefore to recognise that both state and non-state actors and systems have the potential to evolve in ways that provide better access and support to marginalised groups.

Relationships among providers.

Relationships between non-state and state providers, and among different non-state providers, are complex and fluid. In general terms, levels of distrust are considerable – in Liberia to an almost crippling degree. In Ghana all parties tend to consider others in general as corrupt, but good working relations can be cultivated at local levels, and to varying extents are. Across Ghanaian sites studied, relations between state and non-state actors underpinned community peace and security. Where such connections were poor, security and well-being were relatively poor. Despite need for each other, and good, localised linkages, levels of mutual understanding and reflective exchange across providers was relatively weak. Viable working relations depend on the drive and dedication of individuals or groups, generally chiefs, customary councils and senior police, although others (NGOs, assemblymen, judges) also make important contributions to the broader network. These networks require constant maintenance.

Despite significant commitment, many actors in Ghana considered their efforts insufficient to manage predictable security challenges. Central political elites and their competition for power, interpolated into local disputes, were seen as a key threat. Deteriorating economic conditions, lack of central leadership, uneven distribution of mining income and the cross-border

pressure of groups such as Boko Haram, Al-Qaeda in the Islamic Maghreb (AQIM) and ISIS were equally problematic. State-based management of chiefly disputes, often through delayed and manipulated court processes, was seen as undermining local governance capacities and contributing to violent conflict (e.g., in northern regions such as in mid-2015).

By contrast, in Liberia the gulf between local actors and central elites was profound, and the level of distrust deep, leading to weak capacity to work productively across sectors and providers. Networks able to underpin community security and link nationally were less evident, weakening local capacities to achieve goals. Anger at the level of socio-political division, political dysfunction and impoverishment is clearly evident. There was a rhetoric of cooperation and reconciliation, often carried by 'internationals', but this remains thin in practice. Management of the Ebola crisis indicates breakthrough in the health field on this question. It is not clear whether this will have broader or long-term implications. Some individual actors or agencies – state, non-state or international – have built creative linkages, mainly through long-term, low-key, grassroots commitments. These connections will remain 'thin' if there is little contextual support. Scope for building upon such linkages remains, however. The interview and workshop processes themselves indicated the value of providing contexts for greater exchange among security, peace and justice providers in both Ghana and Liberia.

Facilitating relationships and supporting networks

The fundamental significance to social peace of workable linkages across different providers of peace, security and justice became extremely clear throughout the research. Yet little considered attention is given to this in discussions within the socio-political and institutional life of the state. State/non-state interactions in peace and security are a thorny, complex issue, embedded in and affecting deeply the fabric of socio-political life in Ghana and Liberia, but they are rarely the subject of considered exchange. This 'overlooking' gives scope to problems of impunity, corruption, violence and disempowerment. By contrast, the research suggested that networks of 'peace agents' could over time become the basis for more effective, legitimate and inclusive security and justice provision.

The nature and quality of relations among different security and justice providers raise pressing political, economic, ethical and practical issues. These need to be worked through over time by the people who will live them, although nuanced international engagement, able to work with the grain of local realities, remains highly pertinent. It cannot be assumed that state bodies will uphold human rights goals, while non-state bodies will not, or that state bodies will eventually prevail. Customary actors, for example, can be in many respects 'modern' people, as state institutional actors are also part of traditional society. Similarly, what is referred to as non-state can act and be perceived as very state-like in

METHODOLOGY

The project aimed to generate knowledge but also social exchange about the kinds of peace, security and justice people sought, experienced and wanted. Research was based on qualitative, ethnographic fieldwork in several urban, peri-urban and rural locations in different regions in Ghana and Liberia. It began with individual interviews and focus group discussions at community and institutional levels. A selection of discussants then came together to be part of one or two of three 2-3 day workshops, where they discussed perceptions of each other's roles and contributions to social order, and their broader patterns of relations.

The workshops provided a structured opportunity for different actors representing different approaches to providing social order to reflect on and reconsider their interactions and respective roles, to challenge each other and themselves, to shift perspective, and to build relationships. It provided insight into prevailing relations, but also helped spark real interest in more exchange into state/ non-state relations and building stronger networks that might enable security and peace. The workshops also generated community follow-up enabled by the project's KAIPTC researchers. Project researchers have actively discussed issues raised in various media outlets, also encouraging community discussion. Outcomes and insights from the research were (and will continue to be) taken to scholarly and policy exchanges in Ghana, Liberia, regionally and internationally.

areas where government institutions do not reach or provide succor. The goals of pursuing peace, security and inclusive justice may need to be sought through networks of providers; this need not be a 'second best' option.

There is significant scope for international actors to support the strengthening of constructive linkages and networks and to also be part of exchanges about security, peace and justice, without expecting to dominate these exchanges. There are examples of these efforts (eg, the Carter Center in Liberia – see reference list). International support for state institutions, such as the rule of law architecture, needs to be able to take into account those institutions' embeddedness in and their relations with broader security networks. The stakeholder workshops indicated the importance of structured exchange on relations among security and justice providers, the roles of international actors in these relations, and potentials for cooperation. Discussion explicitly recognising the significant roles played by non-state actors, particularly customary authorities, generated

intense interest, as did opportunities to speak directly with each other in an open (but supportive and safe) forum. There was keen desire to build on these workshops. More locally focused workshops – or other means for considered exchange on the nature of relations – could over time contribute to greater cooperation and more effective and legitimate networks for social peace, security and justice.

Further reading

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