What People Fight Over: Arenas of Contestation

Maintaining a peaceful pathway entails the constant management of underlying grievances and the monitoring of shocks that could trigger violence. Where risks accumulate or intensify, they can overwhelm a society's coping resources, with violence as a frequent result. As chapter 4 argues, certain risks deserve special attention because they underlie most violent conflict. These risks relate to perceptions of injustice deriving from social, economic, and political exclusion.

This chapter explores the accumulation and intensification of risks and opportunities in critical spaces, called *arenas of contestation*. These arenas involve what groups care about in their relationships with each other and with the state and thus what they tend to fight over—access to power, land, and resources, equitable delivery of services, and responsive justice and security.

These four broad arenas are by no means an exhaustive list, but they have been selected because they have consistently recurred in violent conflict in various contexts.[1] Competition for power, for example, is an age-old source of conflict, while balances and imbalances of power can put a society in danger of violence. Experience shows that more inclusive and representative power-sharing arrangements increase the likelihood of peaceful pathways. Land and resources, too, are traditional sources of friction, and this arena is now under more stress with the effects of climate change,

population growth, urbanization, and the expansion of large-scale agriculture. The service delivery arena is critical because state legitimacy hinges, in part, on whether the population deems that the processes of service delivery are fair. In this arena, again, inclusiveness and *perceptions* of fairness matter as much—perhaps more—than the quality of services. Finally, security and justice institutions that operate fairly and in alignment with the rule of law are fundamental. Conflict in this arena that is not managed can have long-term impacts on a society's pathway.

The salience of these arenas is demonstrated by the changing profile of violent conflict, as described in chapter 1, and by influential global trends that may increase risk or open opportunities in these arenas, as discussed in chapter 2. Moreover, contestation in these arenas is shaped by the degree of inequality, exclusion, and unfairness in a society, as noted in chapter 4, and can increase the risk of violence.

The arenas of power, resources, services, and security are defined by the interaction of the unique structural factors, institutions, and actors in a society. The state is critical in each of the arenas. While the state may not exercise full authority in all the arenas, it does bear ultimate responsibility for coordinating the actions of other actors there. Through its actions or inaction, the state can reinforce a broad-based belief that social, economic, and political

arrangements and outcomes are accessible to all. Alternatively, it can reinforce perceptions of exclusion that deepen tensions among groups.

The 2030 Agenda for Sustainable Development includes various goals and targets related to these four arenas. For example, Sustainable Development Goal (SDG) target 10.2 addresses political inclusion, while target 16.7 addresses responsive, inclusive, participatory, and representative decision making at all levels. With regard to access to services, targets 1.4, 5.4, and 11.1 address basic or public services, targets 3.7 and 3.8 address health, and targets 4.2, 4.3, and 4.5 address education. Targets 5.2, 16.1, and 16.2 address security and violence. In the area of resources, targets 1.4, 2.3, and 12.2 address land, target 6.5 addresses water, SDG 14 addresses oceans, seas, and marine resources, and SDG 15 addresses terrestrial ecosystems.

Targeted, flexible, and sustained attention to these arenas is an important component of governance in general (World Bank 2017c) and is particularly critical to prevention. The more strategically that risks are addressed and shocks are managed, the better the chances for peaceful pathways. Policy changes alone are insufficient; even the most technically sound actions often fall short because they cannot, by themselves, address the underlying incentive structures that drive behavior. Measures are needed to assess and address risk, especially by fostering incentives and norms for peaceful bargaining and negotiation within the arenas.

This chapter begins by introducing the concept of arenas of contestation as areas for risk and opportunity. Next, it discusses each of the arenas of contestation in more detail, exploring the risks of violence and opportunities for peace that can build up there, the trade-offs that are present when managing them, and the conditions that may amplify risk (for example, attempting major reform during the transition to a more inclusive political system). As substantially broad fields in themselves, it is impossible to treat the arenas in a comprehensive manner here. Instead, key messages and ideas are summarized, with examples drawn from the case studies where appropriate. Chapter 6 contains a more detailed description of the experiences of different societies in managing risks and opportunities in the arenas.

Risk and Opportunity in the Arenas of Contestation

Conflict that arises in the arenas of contestation is especially prone to escalate to violence. Risk is high chiefly because the stakes are high. As the sites where, ultimately, people and groups bargain for access to the basic means of livelihoods and well-being, exclusion from one or more arenas can, often literally, become a matter of life or death.

Moreover, the broader balance of power in society is defined and defended in these arenas (World Bank 2017c). This balance of power has an impact on the incentives that are so critical for prevention. Actors who are already at the table must agree to change the rules, institutions, or structural factors that define the balance of power in the arenas, and they may see little benefit in altering the status quo. Leaders who perceive reform as an unfair loss of power for themselves or their group, then, have few incentives to propose or support any change in the existing arrangements. Exclusion and inequality often persist, not because leaders lack the technical knowledge or capacity for reform, but because they have insufficient incentives to allow greater access to the arenas.

Contestation here is fraught, too, because exclusion and inequality among groups, the precursors of grievance, often manifest most visibly in the arenas. As the evidence presented in chapter 4 suggests, an identity-based group that perceives itself unfairly deprived relative to other groups—whether because of unequal access to political representation, unequal distribution of basic services, insecure tenancy of land, exclusion from justice and security, or some other exclusionary situation—may develop grievances. Both perceived exclusion and objective exclusion are important.

Finally, the arenas overlap substantially, such that any shift in one arena can trigger ripple effects in others. An election that upsets the political balance of power can trigger a land reform, or judicial reforms aiming to address legal discrimination against one group may increase their claim on political power. Measures to mitigate a crisis in the short term can affect the conditions needed for lasting reforms. For example, the relocation of a community after a natural disaster can complicate efforts for land reform over the long term. Côte d'Ivoire illustrates how conflict can spill over from one arena and activate conflict in another (box 5.1).

At the same time, the overlap of the arenas means that actions taken in one arena can mitigate risks in another. For example, more inclusive political arrangements have been shown to decrease the risk of violence associated with the "resource curse" around extractives, as discussed in detail in this chapter (Drew 2017). In West Africa, there is evidence that power sharing has had a "mediating effect" on the relationship between natural resources and stability (Vogt 2012).

The state plays a key role in governing the arenas by embodying constraints and opportunities to influence different actors. The state bears ultimate responsibility for setting the rules that govern relationships and access in these important policy arenas, which it does through laws and the system of formal institutions. Its overall legitimacy in the eyes of citizens is determined by how well it does this. In this way, governance of the arenas is central to the social contract.

This does not mean that, in practice, the state must be active and present in all the arenas. As chapters 2 and 3 note, non-state actors generally fill the void where the state is unable or unwilling to provide needed services. In many cases, community organizations, traditional leadership, the private sector, and civil society are better placed than the state to mediate and address risks as they manifest. In others, armed groups and organized criminal networks may supplant the state and undermine its legitimacy. Ultimately, however, the state needs to exert a minimum presence as a credible facilitator in the arenas if it is to maintain a modicum of legitimacy.

BOX 5.1 **Conflict across Arenas of Contestation: The Political Crisis and Civil War in Côte d'Ivoire**

During the civil war in Côte d'Ivoire between 2002 and 2011, conflict in the political arena spilled over to the arena of land and natural resources. While some localized land conflicts were prevailing in the country, they have been exacerbated by the conflict in the political arena. Violence came about initially in response to attempts to exclude specific groups from central power by denying a northerner the opportunity to participate in presidential elections. These attempts aggravated long-standing resentments related to the political exclusion of northerners. The conflict quickly revived resentments related to an influx of migrants and the contestation of their rights to access, own, and benefit from land and its related resources. Rents from trade in natural resources, from coffee production to timber and diamonds, provided sources of financing to all sides of the conflict. A fall in the price of the country's main export crops, particularly cocoa, exacerbated competition for these resources and further fueled conflict. Regional disparities in poverty and access to services between the north and south also played an important role.

Sources: Marc, Verjee, and Mogaka 2015; McGovern 2011.

The Arena of Power and Governance

Since the beginning of recorded history, blood has been spilled over who holds the proverbial keys to the castle. Political power gives individuals and the groups they represent those keys or at least a seat at the table inside the castle. Political power largely determines how economic and other resources are distributed, and therefore, it is difficult for actors to increase access to the other policy arenas unless they have some presence (and relative power) in the political realm.

Greater inclusion and representation of different groups in the political arena tend to be associated with reduced violence over the longer term. However, as discussed in chapter 2, the transition to a more open and democratic political system is often fraught with risk of violence because it can disrupt power dynamics and bring forth new groups seeking influence.

Political Settlements and Mitigation of Risk

Political settlements help to manage conflicts over political power that risk becoming violent, particularly in transitional settings. A political settlement can be an explicit or an implicit bargain among elites over the distribution of rights and entitlements. It is often viewed as a prerequisite to avoiding violence in situations of high risk or to reducing the intensity of violent conflict (Lindemann 2008). A peace agreement is a political settlement whose objective is to manage the risks of violence and reach some form of stability.

The risk of relapse into conflict is elevated where elites have not sought to accommodate or include former opponents in a political settlement, but have instead moved to exclude rivals on the basis of ethnicity, religion, or other dimension of identity (Call 2012; Elgin-Cossart, Jones, and Esberg 2012). An agreement among elites is likely to be unsustainable if it is not underpinned by policy that addresses the grievances of the populations that these elites represent or if it includes only elites and excludes the rest of the population.

While political settlements are a very important component of any peace process, their ability to contribute to sustained peace is more elusive. Many recent peace processes appear to have produced an uncertain—sometimes transitory—peace that features recurrence of violence, absence of security, and political stalemate (Bell 2017). Many of today's peace agreements are characterized as a "formalized political unsettlement," where the root causes of the conflict are carried into the new institutional arrangements without being resolved (Bell and Pospisil 2017, 1). The preeminent focus on a narrow set of elites reinforces this tendency of many peace agreements to create highly unsustainable political settlements. The absence of a discussion of longer-term development issues as a key dimension of these settlements is also often part of the problem. Translating a political settlement into a more sustainable process of constitutional change, institutional reform, and modified legal frameworks is complicated and often requires multiple iterations (Bell and Zulueta-Fülscher 2016).

Ensuring that a political settlement is genuinely inclusive is essential to steering a society on a peaceful pathway, as it constitutes an important part of the process of renegotiating access to power among different groups. Democratic instruments and the electoral process are often insufficient to bring about the inclusion of excluded groups, especially excluded minority groups, in a sustainable manner. Often, new political settlements are needed as institutions and political frameworks change. A political settlement can rarely be a one-off effort. It requires sustained, long-term attention and periodic renegotiation, even as institutions are undergoing reform and development policies are being adapted, so that the reach of the settlement extends beyond a small elite. Otherwise, the sustainability of the settlement will be uncertain (Bell 2015).

Power-sharing arrangements[2] allocate a share of political power to different groups in society and can be an important aspect of political settlements. They can regulate offices,

territorial governance, or decision making in the arenas of contestation to ensure that no single group or party has a monopoly over all government functions and branches (McEvoy and O'Leary 2013).[3]

Political power sharing can take several forms. At the national level, these forms include creating so-called "grand coalitions" of all major parties, as in Austria (Lijphart 2008); reserving political positions such as president and prime minister for certain religious communities, as in Lebanon (Bahout 2016); alternating the presidency between parties every four years, as in Colombia (Mazzuca and Robinson 2009); and setting quotas for marginalized groups in institutions, as in India (Gates et al. 2016). Inclusive elite bargains and the distribution of positions of state power among different groups in Zambia since independence has helped to avoid violent conflict over the last decades in spite of the existence of multiple fissures in society (Lindemann 2008). Other types of power sharing include secuity (military, police, or security forces), economic (access to resources or processes of decision making), and territorial (forms of territorial autonomy) arrangements (Hartzell and Hoddie 2006; Hoddie and Hartzell 2005). These arrangements are not static. Rather, they involve continual negotiating, bargaining, and contestation of relations between elites over time and mediation of relations between elites and the broader society (Putzel and Di John 2012; World Bank 2011).

While the long-term effects of power sharing on peace and stability are hard to discern, a substantial body of evidence suggests that power sharing helps to prevent recurrence of violent conflict (Putzel and Di John 2012; World Bank 2011) and is associated with greater stability overall (Gleditsch and Ruggeri 2010; Linder and Bächtiger 2005; Vreeland 2008). For example, in Africa, between 1970 and 1990, rulers faced a 72 percent chance of being forced out of office under violent circumstances, but after 1990 and owing in part to multiparty elections, the chance fell to 41 percent (Reno 2002).

However, power sharing is not a guaranteed means of addressing the underlying risks associated with exclusion. It has limitations and cannot easily adapt to changing realities, for instance, such as when a change in structural factors prompts one group to seek an increase in its share of power (Call 2012). Colombia's National Front Pact between 1958 and 1974 helped to alleviate tensions between the Liberal and Conservative parties, but its exclusion of other groups contributed to the armed conflict there (Felter and Renwick 2017). As demographics or allegiances shift, actors might be reluctant to adapt power-sharing arrangements accordingly, as in Lebanon, where power sharing has contributed to a deadlock in the implementation of policies, along with sectarian-based allocation of power and the resistance of political leaders to cede power (Bahout 2016; Rosiny 2016). If power is distributed according to group identity, the power-sharing arrangement can reinforce certain identities relative to others and thus can negate the potential of these arrangements to minimize violent conflict.

Translating a power-sharing arrangement into a new constitution after a conflict can lower the risk of violence recurrence. A cross-country study using the Comparative Constitutions Project database, which includes data on constitutions from all independent states over the years 1789–2015, finds that the process of creating a new constitution after the conclusion of violent conflict is associated with an approximately 60 percent reduction in potential recurrence of violence (Elkins, Ginsburg, and Melton 2014). The amendment of an existing constitution has no statistically significant impact, suggesting that the process of writing a constitution and the existing postconflict political, security, economic, or other conditions that enable this process are important for sustaining peace (Elkins, Ginsburg, and Melton 2014).

Other factors that could be influential include the makeup of coalitions that participate in the process, how representative they are of the groups they head up, and the duration of constitutional negotiations.[4] Many studies show that the process of writing a constitution—particularly the extent

to which different groups are consulted in a genuine fashion—is at least as important as the content of the document produced. This work also suggests that a constitutional process can serve as a means of addressing intergroup grievances and inequality, as in the peace process after the end of apartheid in South Africa (Samuels 2005). The chance of peace is enhanced when multiple forms of power sharing are adopted together (Jarstad and Nilsson 2008).

Federalism, Decentralization, and Devolution

Power-sharing arrangements often extend across multiple levels of governance through the transfer of power and resources to the subnational level. Some of the most common mechanisms for this are decentralization, devolution, and federalism, discussed here in general terms. Chapter 6 provides more specific examples of countries that have overcome violent conflict by means of devolution and government restructuring.

Decentralization refers to the process and result of structuring a system so that multiple layers share authority and deliver goods and services (Wolff, Ross, and Wee 2017). It denotes territorial-based autonomous political authority and decentralized political systems. Where ethnic, linguistic, religious, and cultural groups concentrate in distinct geographic regions, decentralization can reduce the potential for violence by addressing center-periphery tensions and accommodating diversity (USAID 2009). Subnational governance arrangements proposed as part of peace negotiations can signal moderation by the majority and temper fears of the minority (Lake and Rothchild 2005). When further institutionalized in national law, such arrangements can help to protect the rights and interests of both minority and majority groups, to manage regional horizontal inequalities, and to ensure a balance of power among groups, thereby reducing the risk of violent conflict.

Self-governance arrangements such as federalism have proven effective in many cases in reducing local violent conflict where there is horizontal inequality among groups, such as in Bangsamoro in Mindanao in the Philippines (Colletta and Oppenheim 2017). The effectiveness of self-rule is greatly enhanced when self-governance arrangements are paired with a proportional representation system that ensures that power is shared across groups (Neudorfer, Theuerkauf, and Wolff 2016) and when they are supported by sufficient guarantees against the recentralization of power (Lake and Rothchild 2005). Territorial self-governance in combination with a proportional representation system "can improve the quality of governance, make government more responsive to minorities and disgruntled groups, and guarantee minority groups' physical security and identity survival" (PRIO 2017, 14).

Power-sharing arrangements between national and subnational levels carry their own risks. Just as concentrating power in a centralized system can raise tensions, decentralizing or devolving power to the local level raises the stakes among local groups and creates new avenues for violence. Devolution can exacerbate the risks of violence where local political parties reinforce ethnic identities, foster interethnic and intergroup tensions, and mobilize groups for violent conflict (Wolff, Ross, and Wee 2017). Chapter 6 focuses more specifically on the experience of decentralization as a peacebuilding strategy.

The Risk of Election-Related Violence

The peaceful transfer of power is regarded as a cornerstone of democratic and inclusive governance (Diamond 2006). Elections are a means to accomplish this transfer openly and transparently. In this way, they can strengthen the legitimacy of governments and, over time, consolidate democracy, especially in postconflict states (Diamond 2006). By nature a high-stakes contest, elections can bring forth demands, grievances, and expectations and are a frequent focus for mitigating the risks of violence.

While publicly linked to elite contestation of outcomes or confidence in the result, elections can also trigger violence, especially in the presence of multiple preexisting risks. Electoral violence is associated with long-standing and unresolved grievances (real or perceived). As elections, by definition, produce winners and losers, they can fuel concerns that political or constitutional order will not respond to demands for reform.

As discussed in chapter 2, the risk of election-related violence is amplified in fledgling democracies (Bates 2008; Gagnon 1994; Snyder 2000), where winner-take-all outcomes, real or perceived, can leave groups outside the circle of power (Chabal and Daloz 1999; Mamdani 1996). In certain cases, even attempts to amend the rules can lead to violence, as in Niger in 2010, when a military coup followed an attempt by the president to remain in power beyond the terms set by the constitution.

The overriding responsibility for a successful election lies with political leaders, from both government and opposition parties. Incumbents and challengers can see elections as a chance to manipulate the system and structures to exclude rival groups and can use violence as a tactic to influence the outcome, with different actors and mechanisms appearing in pre- and post-election violence. Studies suggest that pre-election violence is more frequent than postelection conflict and is usually mobilized by actors in favor of an incumbent, often using the coercive apparatus of the state to retain power (Arriola and Johnson 2012, 10; Straus and Taylor 2012).

Ensuring peaceful elections depends on how risks are managed. First, it is critical to foster conditions that avoid zero-sum politics well before an election. This often requires managing exclusionary dynamics across arenas and beyond elections—for example, in the distribution of natural resources—as well as placing a premium on national leadership, to refrain from threats of violence or harassment of political opponents. Managing such dynamics may be particularly important when legal authority and political power are heavily concentrated and in presidential and semipresidential systems, which some studies show demonstrate greater risks of violence (Malik 2017).

In contrast, electoral systems based on proportional representation are sometimes associated with fewer incidents of violence (Fiedler 2017; Mukherjee 2006). In Sub-Saharan Africa, for example, countries with majoritarian (that is, so-called "first past the post") electoral rules have a higher incidence of election-related violence (number of incidents) than countries with proportional electoral rules (Fjelde and Höglund 2016). Power-sharing agreements have also been shown to help to ensure that groups that lose an election nevertheless have meaningful representation in government, access to state resources, and some degree of autonomy (Brancati and Synder 2012). However, such power-sharing agreements, often struck between elites to manage a specific crisis, can undermine popular will and trust in the political system.

Beyond individual leaders and forms of institutions, electoral processes matter. Often, election-related violence is influenced by perceptions of unfairness in how elections are managed and held. Elections are most likely to succeed when citizens have confidence that electoral results reflect their choices. When there are perceived inconsistencies in the process or when the results are contested, particularly when perceptions evoke memories of historical injustices and elites or group leaders mobilize around these memories, the risk of election-related violence may be heightened. The effectiveness and legitimacy of the institutions that manage the electoral process are very important—in particular, transparent and trusted electoral commissions.

Protecting people's right to vote is equally critical. In many cases, women or minority groups are vulnerable to intimidation or exclusion from elections and face adversity when running for political office (Berry, Bouka, and Kamuru 2017). Special measures to protect voting rights—including increasing access to voter registration, remote or early voting options, and physical security at polling stations—can help to ensure the full participation of marginalized groups in

elections. SDG target 5.5 recognizes the importance of women's full and effective participation and equal opportunities for leadership at all levels of decision making in political, economic, and public life, while SDG target 16.7 recognizes the importance of responsive, inclusive, participatory, and representative decision making at all levels.

The potential for violence around elections can also be managed through mechanisms for dialogue and transparency as part of a broader approach to promoting peace and stability. Responses to electoral violence are not necessarily, or exclusively, contingent on the quality of the electoral process itself. Most elections produce results that lead to acceptance even in the face of varying degrees of imperfections.

Nonstate actors and new media can play a role in defusing tensions. Civil society and private sector actors in Kenya during and after the violence of 2007–08 lobbied the warring parties to come together and acted as a channel for the views of the public (Lindenmayer and Kaye 2009). These actors also provided a pressure valve to ease tensions in subsequent elections. Social media and communications strategies can help to educate and inform the population ahead of elections. Technology can support early warning systems as well as efforts to counter hate speech and to improve communication between the government and citizens (IDS 2017). Again, in Kenya, policy makers, citizens, and the government have used the Internet and communications tools, which played a destructive role in postelection violence in 2013 (IDS 2017), to raise awareness of, monitor, and respond to violence.

The findings of electoral fraud may also create opportunities for violence in protest of the results, and independent electoral observers may announce aspects of electoral conduct that were previously not public, as in the 2005 legislative elections in Ethiopia. Similarly, studies highlight that the timing of elections influences the risk of violence. Holding elections early in a political transition may increase the chance of violence because institutions are weak and trust is low (Brancati and Snyder 2012).

This risk has to be weighed against the benefit of elections, which is that that they tend to confer legitimacy on a new government when they are based on a sufficiently robust and inclusive political settlement. These experiences point to the need to foster creative forms of electoral support and monitoring as part of comprehensive preventive strategies.

The Arena of Land and Natural Resources

Land-Related Disputes in Today's Conflicts

Land is deeply evocative. It is essential to personal and communal economic well-being, livelihoods, and identity. A major resource for most economies, land is part of the social fabric. Social control of land is central to most systems of governance. Even in cases where land has not played a direct role in violent conflict, the breakdown of institutions and societal structures during conflict can revive latent frustrations or a sense of unfairness around land and resources (Marc, Verjee, and Mogaka 2015). In the wake of conflict, land-related disputes can center on a clash of rights between returnees and current occupiers of the land (Maze 2014). Scholars have argued that conflicts fought over land tend to be more prolonged, more stubborn to negotiation, and thus more likely to recur than conflicts related to other arenas (Maze 2014).

Violent conflict around land is typically stoked by grievances related to land scarcity, insecurity of tenure, and historical injustices. These grievances can play out individually or in combination. They pose a higher risk where they overlap with exclusion along identity lines and when ethnic groups that compete over land call on exclusionary narratives to justify their claims. Scarcity is often the symptom of a larger problem of access and distribution of land, with smaller numbers of people owning larger pieces of property, leaving much of the population to live on degraded land (UNDP 2003, 2013).

Confrontations around land are set to increase in the coming years because of

demographic pressures, growing demands for land from large-scale agricultural production and conservation, deterioration of land quality, displacement through war and subsequent attempts to regain lost land, and the adverse effects of climate change. This projected rise in violent conflict around land will be most evident across Africa, which already sees the bulk of land-related conflict (Bruce 2017).

Urbanization is another global trend that may fuel conflict over land. Many societies are already struggling to extend basic services and governance to rapidly growing populations in urban and peri-urban areas. This urbanization puts a strain on land and service delivery (ICRC 2016a, 2016b; World Bank 2010). The civil unrest in Ethiopia that began in late-2015 was underscored by tensions between the Oromian population and the seat of power in Addis Ababa. The expansion of the city into surrounding farmland reignited concerns among the Oromo population over their lack of control in managing the suburbs that lie in Oromia and regarding fair compensation for land (Global Voices 2015).

Tenure insecurity can take the form of a lack of transparency in transactions, the risk of land loss for groups with secondary rights, a lack of clarity in agreements, an increase in formalized land grabbing by the state of land held under customary and informal tenure for the large-scale commercial production of food crops and biofuels, and displacement (Marc, Verjee, and Mogaka 2015). In Liberia, numerous disputes over local landownership, compounded by the loss of land records during the civil war, remain unresolved (World Bank 2008). The recent surge in state sales of land is exacerbating tensions between local communities and the state and agribusiness companies (Brown and Keating 2015). Tenure insecurity also reflects the failure of the state to recognize customary or informal property rights.

Women can be especially vulnerable to insecurity of tenure. Although women have legal entitlement to own land in some regions, they often continue to be denied land rights for political and cultural reasons. Under customary systems, women often have access to land only through a male intermediary. Women also have difficulty retaining land in the event of divorce or after the death of their husbands (Deininger and Castagnini 2006). SDG 5 recognizes women's equal rights to own and control land and other forms of property and natural resources.

Nevertheless, there are examples of successful efforts to increase women's access to land. In Rwanda, land-related issues contributed to the 1994 genocide (Gillingham and Buckle 2014). Consequently, to prevent further cycles of violence and to address grievances such as those related to ethnic division and gender discrimination in land access, the government moved to clarify land rights and launched a program of land tenure regularization (Gillingham and Buckle 2014). An assessment found that participants in the program doubled their investment in soil conservation, with a larger increase for females (Ali, Deininger, and Goldstein 2014). In addition, the program increased the tenure security of legally married women. In Peru, land titling programs have enabled women to join the formal labor market, increasing income levels and reducing child labor (Field 2007).

As chapter 2 notes, the global trends of migration and climate change may exacerbate tensions related to land. While migration can be a source of resilience, migrants often find themselves at the center of competition over land and resources. Political manipulation, weak mechanisms for integration, and unclear property rights can deepen tensions over land and power between indigenous communities and migrants. Disputes over access to, ownership of, and use of land often emerge from a clash of identities. The scarcity of formal documentation (identity cards, national passports) among migrant populations, especially in rural areas, poses a further challenge to achieving security of tenure. It adds complexity to the already precarious situation facing migrants, which includes corruption, poverty, and illiteracy (Adepoju, Boulton, and Levin 2007). Competition between migrants and host communities can be especially pronounced when coupled with political and social marginalization

and the spillover from regional ethnic, religious, and political tensions (Marc, Verjee, and Mogaka 2015).

Pastoralists face particular challenges related to the right of passage. They rely on mobility to cope with variations in rainfall. Pastoral and agricultural livelihoods depend on mutually beneficial and negotiated non-exclusive access to water and reciprocal land use agreements. Conflicts arise when access to waterpoints, grazing lands, and pastoral corridors are restricted and crops are damaged. Larger herd sizes and environmental degradation, as well as larger farms, especially large agribusinesses, have increased the frequency and intensity of these conflicts. In the Darfur region of Sudan, tensions between nomadic pastoralist herders and settled farmers over livestock migration routes and waterholes have become a flashpoint for wider differences and have contributed to violent conflict there (Brown and Keating 2015; box 5.2).

Land reform has rarely taken place without incurring "a high degree of conflict" ranging from nonviolent conflict to systemic violence that seeks to overthrow the government (Bruce 2017, 43). Land reform is high risk and often has unintended consequences. It is rarely effective when undertaken in so-called "shock-therapy" style. To be implemented and accepted, such far-reaching reforms require time, patience, and the buy-in of the various interested groups and actors. Reforms can benefit from consultations with communities and other interested actors such as the private sector. Institutions and structural factors within a society are often resistant to change, as noted in chapter 3. Vested interests often hold sway; in some countries, corruption can help to entrench the status quo.

BOX 5.2 **Darfur: A Case of Land Management Systems and Environment Change**

The Darfur conflict originated in the impact of drought on African settled farmers and Arab nomadic herders and in the breakdown of agreements over the right of passage for pastoralists. Previously amicable relationships among groups unraveled as drought and famine created new migration patterns, including the migration of camel-owning Zaghawa pastoralists of North Darfur southward beyond their traditional grazing ranges. As they moved south, they displaced others, including Masalit cattle herders and farmers.

Farmers from the Fur group, whose lands the pastoralists traversed, had traditionally accommodated these herds. A local governance system had evolved to mediate conflicts over resources, facilitate farming and grazing on the same plots of land, and to accommodate new arrivals. The Native Administration and officials appointed by the ruling tribes administered this system. Each man received a hut and a plot of land to farm, while grazing rights and access to waterpoints remained communal. Nomads were given temporary access to land to enable them to reach grazing routes but were obligated to prevent crop damage. Migrants were also given land, and the terms of their stay were negotiated by the village sheik.

The decline of central government control over the region stripped customary rulers of their authority to manage grazing patterns. Historically, once annual rainfall patterns became clear, customary authorities would meet to negotiate adjustments in the grazing patterns of different tribal groups. Comity was a key principle. A tribe struggling with poor rainfall would be allowed to use land in the territory (*dar*) of another tribe, which in return had a reasonable expectation of receiving the same assistance in case of need. The vacuum in effective local authority caused the collapse of intertribal social control of land use and eliminated the best hope of peaceful mediation of the climate crisis.

Sources: Charney 1975; Edwards 2008; Giannini, Biasutti, and Verstraete 2008; Null and Risi 2016.

For prevention, reforms are most valuable before the onset of violence. However, the experience of reform and its success in preventing violent conflict vary by type of reform and context. Early experiences of land reform in East Asia were quite positive, while the experience in Latin America in the 1970s was more complex (Bruce 2017).

Efforts to manage conflict and to prevent violent conflict related to land tend to be most effective where they combine the reform of land with more immediate conflict and dispute resolution measures. Supports involving the empowerment of communities, the improvement of land governance and administration, and the more effective resolutions of land disputes fall short of addressing the structural causes of conflict, yet they can manage tensions and help to avoid violence (Bruce 2017). These initiatives have often been used in lieu of longer-lasting reforms or better-directed reform efforts. These initiatives are valuable in their own right and can improve security of tenure, but more than that they pave the way for deeper reforms. In Afghanistan, dispute resolution councils that bring tribal leaders and government officials together in the two eastern provinces of Kunar and Nangarhar demonstrate the potentially positive role of local leaders in solving local land-related disputes (Coburn 2011).

The efficacy of each reform needs to be examined individually. One type of reform is the resettlement of citizens onto public lands as a way of alleviating land pressure in densely populated areas (Bruce 2017). This often brings brief, if any, respite from competition over land and can be a significant cause of conflict in itself, with new tensions emerging on the periphery in an attempt to address grievances at the center. Another type of reform is the regulation and reform of tenancy, which uses legislation to improve the situation of tenants. Tenancy reform can be an important step toward more meaningful reform, but on its own, it has largely failed as a comprehensive reform strategy.

Programs of land titling and registration can be effective peacebuilding tools in post-conflict contexts. The increasing acceptance of a range of legitimate forms of land tenure as being on a continuum of land rights can help to overcome tensions between formal and informal tenure systems (UN Human Settlements Programme 2016). Titling and registration can increase security of tenure and provide protection by recognizing full rights for communities under customary law. "Formalizing" the rights of informal settlers and customary landholders is widely accepted as being important for preventing conflict, although there is little agreement on when and how it should be implemented (Bruce 2017). The significant potential of these programs to prevent conflict relies on careful planning, implementation, and targeting. Experiences from Cambodia show that, while titling can bring about security of tenure, corruption in implementation can exclude vulnerable groups from the benefits (Sekiguchi and Hatsukano 2013). In Cambodia, the program was ineffective where the risks of violence were greatest (Cambodian Center for Human Rights 2013). Titling and registration can also facilitate land grabs by making land more valuable. This has been a recurrent risk in urban land reform, especially in slum-upgrading efforts.

Land tenure reform prevents conflict by providing new land rights, but usually only as part of a broader package of reforms. It is particularly relevant in contexts where land is mostly held under customary law. Land that is not formally titled under statutory law is considered public land. Effective land tenure reform needs to be accompanied by a program of systematic titling and registration of rights to give these new rights some sense of reality and grounding.

So-called "land to the tiller" reforms make land available to the people working it. These reforms either take land from landlords and provide tenants with titles to the land they have been farming or break up large farms. Such reforms usually come in response to escalating tenant demands for land and can be applied where tenancy reforms have failed. They have been effective in some countries, including China; Japan (under U.S. military occupation after World War II); the Republic of Korea; and Taiwan, China. In all cases, they took place

under great external pressure, with external support, and often where the state was seeking to defuse the risks of violent conflict (Dorner and Thiesenhusen 2005).

Market-mechanism redistribution and community-based land reform rely on the government to facilitate the purchase and sale of land. The government provides credit to buyers; when the credit has been repaid, the land is titled to beneficiary households. This model is being implemented in Brazil, Malawi, and South Africa (Bruce 2017). This model presents less risk of conflict because it does not compel landowners to sell land.

In addition, agricultural land reform holds a much higher chance of success when accompanied by increased access to credit and markets for new landholders. In areas where this has not been the case, land reforms have been effectively reversed, as new landowners face difficulties in maintaining livelihoods or keeping up with property taxes. In El Salvador, unequal access to land was an important structural driver of the 12-year civil war and a critical area for the eventual peace accords (Binford 1993; Seligson 1995; Thiesenhusen 1995). The failure to increase access to credit and markets was an important factor limiting the sustainability of the land reform process (Binford 1993; Seligson 1995; Thiesenhusen 1995).[5]

Managing land as an arena of contestation is not limited to agricultural reform. In urban areas, access to housing enables broader access to livelihoods. There are many and diverse examples of efforts to increase access to affordable housing. The state may provide low-cost housing directly, as in Brazil up until the 1980s, or it may offer subsidies to facilitate the purchase or rental of housing (Magalhaes 2016). Many countries throughout Latin America, including Bolivia, Chile, Colombia, El Salvador, Mexico, and Peru, adopted these market-based approaches during the 1970s and 1980s, all with the strong participation of the private sector (Magalhaes 2016). Results have been mixed, with some countries experiencing a virtual reversal of the intended reforms toward even stronger segregation in slums (Magalhaes 2016).

Tensions around Access to Water

Access to water, which Fergusson (2015) describes as the "petroleum of the next century," is a factor in both intra- and interstate conflict where threats have accumulated and where the failure to achieve water security multiplies the risk (World Bank 2017b). Water-related contestations can take place at multiple levels: between herders and farmers over a shared waterpoint, between communities over allocation of irrigation water, between citizens and the state over the displacement impact of a new dam, and between neighboring states over the sharing of transnational waters. These disputes may also interconnect at different levels. For instance, local disputes over water may mirror, contribute to, and complicate wider disputes over water allocation (Brown and Keating 2015). Managing local-level disputes is thus as critical as resolving interstate water-related confrontations.

Improving access to water can help to promote women's safety. In many societies, gender-based divisions of work leave women with the primary responsibility for organizing and undertaking domestic work, including cooking, cleaning, and taking care of children and elderly family members—all of which require access to water (Cleaver and Elson 1995). Women are at risk of harassment and violence when fetching water. Girls are more likely to miss school because of the responsibility of obtaining water for the family, and both women and girls are more likely to be punished if they are not able to bring back water (in a drought, for instance) or return home late after waiting in line at the well. The prevalence of these challenges has prompted international guidelines to include safety and protection measures for women and girls within humanitarian efforts and broader water and sanitation projects (IASC 2015; UN Women 2015).

Climate change, population growth, urbanization, and large-scale agriculture combine to strain limited water resources. It is predicted that, by the middle of the twenty-first century, global water demand

will be up 55 percent over 2012 levels (Global Water Forum 2012). Water scarcity is expected to cost some regions up to 6 percent of their gross domestic product (GDP) by 2050 (World Bank 2016). The effects of scarcity are felt most keenly in the Middle East and North Africa, which has only 1 percent of the world's renewable water resources despite hosting about 5 percent of the world's population (Pedraza and Heinrich 2016). Often, it is not the scarcity of water that leads to tensions, but the way in which it is governed and administered. Inefficient use and management of water, outdated infrastructure, and inappropriate legal, political, and economic frameworks all exacerbate tensions arising from the scarcity of water (Pedraza and Heinrich 2016).

Climate change is a "threat multiplier which exacerbates existing tensions and instability" and magnifies the challenge of managing the resource (EU 2008). The impacts of climate change will be detected primarily through water use, creating uncertainty in food, energy, urban, and environmental systems (World Bank 2016). Shifts in the availability and variability of water can induce migration and ignite civil conflict. The conflict that has torn the Syrian Arab Republic apart is an example of how water insecurity can multiply risk (Gleick 2014; World Bank 2017b).

Risks of violence around water are more pronounced at the local or subnational levels than at the national level (Gleick 1993; Postel and Wolf 2001). However, relatively few mechanisms are available for managing subnational contestations around water. One local option is dialogue among stakeholders facilitated by civil society (OECD 2005). Where dialogue occurs, actions should situate the conflict in the broader context of prevailing power and political arrangements. Increasing women's participation in governance of water is particularly important, given the links between access to water and women's safety and the improved sustainability of projects that involve women as key stakeholders (UN Water 2006).

An understanding of shared needs and mutual concern over water supplies may encourage cooperation in water sharing between different communities or countries. An attempt to impose a technical solution on warring parties in the Ferghana Valley in Central Asia failed because it disregarded the wider socioeconomic context and viewed irrigation disputes simply as local issues between communities of different ethnic origins (Brown and Keating 2015). Strengthening institutions and local conflict resolution mechanisms may help to manage contestations (box 5.3).

At the international level, several mechanisms can help to ease water-related tensions between states. These mechanisms include transboundary cooperation principles, shared data, information systems,

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BOX 5.3 Collaboration over Water: EcoPeace Middle East

EcoPeace Middle East adopts grassroots and community approaches, as well as advocacy, to create cooperative management of water resources in Israel, Jordan, and the West Bank and Gaza. It works with individuals and communities to build relationships between communities and to foster trust and cooperation at a local level. The environmental peacebuilding organization hosts camps, organizes activities such as role playing, and brings together people of all ages "to develop long-term common solutions [and] gain a broader understanding of their long-term impact on nature and on future generations." EcoPeace Middle East bases its approach on the belief that solutions in natural resource management and water security typically require long-term collaboration. It complements government-to-government water diplomacy efforts and cultivates local capacity to deal with the complexity of interdependent regional environmental resources at the community, national, and regional levels.

Source: EcoPeace Middle East (http://ecopeaceme.org).

water management institutions, and legal frameworks. Disputes between riparian states can be resolved through consultations, mediation, negotiation, and judicial means, such as recourse to the International Court of Justice (Strategic Foresight Group 2013). Technology can also help to manage the risks around the scarcity of water by finding innovative ways in which to reuse and recycle water. Desalination and reprocessing of sewage water are two examples of how technology can help to manage the supply of water.

However, conflict over water is infrequent at the international level, and in most cases, countries share transboundary water resources without violence (Wolf et al. 2006). Relations among riparian states tend to be more cooperative in the presence of international water institutions that can accommodate changing political, hydrological, or other basin conditions (Ho 2017). The Indus Waters Treaty, which codified the sharing of water from the Indus River between India and Pakistan in 1960, is often cited as a successful case of resource sharing between countries in a constant state of tension (Strategic Foresight Group 2013). It also underscores the effectiveness of having a third party in the dialogue, in this case the World Bank. The treaty has continued to be honored even through times of war, and disputes are resolved within the framework of the treaty.

The Challenge of Extractive Resources

Extractive resources have developed a reputation as being a poisoned chalice for economic and institutional stability and peace. While resources such as oil, natural gas, and minerals have the potential to confer significant benefits onto populations and to improve development outcomes, they can also fuel tremendous instability and violence. This combination of risks of violence together with the opportunity for increased revenue and development, known as the "resource curse," has a large influence on the pathway a society takes (Drew 2017). Simply put, the economic benefits of natural resource extraction create incentives for

competition that, if well managed, can be directed toward broader society. If not well managed, the benefits concentrate among specific groups, with the potential to fuel violent conflict. Research suggests that 40–60 percent of intrastate armed conflicts over the past 60 years have been triggered, funded, or sustained by natural resources (Brown and Keating 2015, 4; Drew 2017; Matthew, Brown, and Jensen 2009).[6]

Violence related to extractive resources can take place at the national and subnational levels. It can take many forms, ranging from community-based contestations over the access to profits from extraction or its environmental impacts to civil war that is funded by resources open to being looted. The degree of risk of conflict over natural resources depends, in part, on the type of resource, its location, and the mode of exploitation (Lujala 2010; Ross 2012). The connection between minerals, including alluvial diamonds (Lujala 2009; Ross 2003, 2006), other alluvial gemstones (Fearon 2004), and other nonfuel minerals (Besley and Persson 2011; Collier, Hoeffler, and Rohner 2009; Sorens 2011), and the risk of violent conflict has been especially pronounced.

The destructive potential of misappropriated, misused, and poorly managed extractive resources has been under scrutiny since the beginning of the so-called "greed versus grievance" debate of the last decade and even before (Drew 2017). Greed was argued to provide both the opportunity and the cause of conflict (Collier and Hoeffler 2004), while grievance as a motivation was said to derive from a sense of injustice and the complex interplay of factors that led to violent conflict (Homer-Dixon 1999). While this debate has since become more nuanced, extractive resources can contribute to the risk of violence, both directly and indirectly, in several ways.

Whether a society rich in natural resources follows a peaceful pathway or not depends on how the associated risks are managed. The role of the state and the interaction of institutions with the extractives industry and affected communities are important mediating factors. Extractives can create incentives for corruption and can

enable elite co-option or suppression of political opposition, leading to the entrenchment of undemocratic, kleptocratic regimes (Drew 2017). Extractives may be both a structural facilitator of such regimes and a focal point for group-based grievances where the perception of an unfair distribution of benefits is felt to reflect an unjust social contract (Drew 2017). This is especially the case in the absence of fair, robust, and competent governing institutions that are able to deter corruption or respond to the seizure of resources by powerful actors.

The capture of resources by elites, which deprives the general population of revenues and the potential development opportunities they may have derived from these revenues, is a major source of grievance. Diverting revenues from resources can fuel tensions, especially when combined with corruption and mismanagement or where revenues benefit only certain groups and exclude others. In this case, the "unrealized potential" of extractives revenues to increase opportunities for all and contribute to development can feed into preexisting grievances (Le Billon 2014).

The resource curse can be particularly acute in oil-, gas-, and mineral-rich countries (Drew 2017). Oil-dependent states sometimes become rentier states characterized by authoritarianism, repression, poor governance, and high levels of corruption. Oil, in particular, makes corruption more entrenched and authoritarian regimes more durable (Ross 2015). In countries where political elites have captured resources, the exclusion of specific ethnic communities from patronage networks can deepen economic inequalities, create distortions in the political process, and weaken political systems (Sargsyan 2017). States can also use extractives as concessions to finance violent conflict, while royalties and bonus payments made to repressive or unaccountable governments by transnational companies can support counterinsurgency or suppress dissent (Ballentine and Nitzschke 2004).

The risk of violent conflict tends to rise in the presence of so-called "lootable" resources and those that can be extracted with relatively little access to technology or capital, such as alluvial diamonds, gemstones, or hydrocarbons (Drew 2017). Such resources may become the focus of armed movements searching for sources of revenue to finance their operations (Brack and Hayman 2006). Some armed movements are primarily rent seeking; others are primarily political, religious, or ideological; and many have mixed or shifting motives, for example, when economic incentives supplant a group's original aims. The existence of these sources of income for armed groups and organized crime networks can prolong and entrench violent conflict.

At the local level, land and natural resources often constitute the primary means of income and livelihood for communities. This creates high stakes for contestation over resources. Often, conflict stems from grievances where communities are excluded from decisions about extraction or where the distribution of project benefits is perceived to be unfair or unequal.

Grievances can coalesce around the environmental impacts of extraction, especially if these are perceived to fall disproportionately on certain groups. In Nigeria, environmental degradation associated with oil extraction has impinged on the livelihoods of local fishermen and farmers in the Niger delta and contributed to oil-related violent conflict over the last two decades (Marc, Verjee, and Mogaka 2015). In Bougainville, Papua New Guinea, environmental damage caused by mining activities at the Panguna copper mine in the 1980s helped to trigger a civil war, which evolved into a secessionist conflict (Brown and Keating 2015).

Grievances can also relate to the distribution of benefits, including compensation, investment, or preference toward contracting workers or businesses from the surrounding areas, known as "local content" (Vasquez 2016).[7] Often, the jobs created by extractives projects are insufficient in number and are very technical or require a different skill set than that held by local communities and thus are unable to appease the local population and offset the negative impacts of the industry (Marc, Verjee, and Mogaka 2015). These projects affect men and women in

different ways, including in relation to access to employment, decision making, disruption of established social patterns, and changes in the environment (World Bank 2013). In some cases, however, communities have been able to win important concessions from extractives companies. In Papua New Guinea's North Fly District, women leaders organized to negotiate community mine continuation agreements with the Ok Tedi mine. Their seat at the negotiating table eventually won them an agreement guaranteeing their community 10 percent of all compensation, 50 percent of scholarships, cash payments to families (including women as co-signatories), and a quota of seats on the bodies charged with implementing the agreement (Menzies and Harley 2012).

Several instruments and mechanisms have been developed to respond to the challenge of extractives-related violent conflict. These include international frameworks of voluntary standards and principles, such as the Extractive Industries Transparency Initiative (EITI)[8] and the Kimberley Process Certification Scheme (KPCS).[9] The 2030 Agenda also calls for accountable and transparent institutions and includes specific targets to reduce illicit financial flows significantly by 2030 (target 16.4) and reduce corruption and bribery substantially (target 16.5). Other mechanisms include international and national legal instruments that mandate compliance from states and companies, including section 1504 of the U.S. Dodd-Frank Act and the European Union Transparency Directive (Drew 2017). Companion initiatives also call for greater transparency and accountability across the industry, including the Publish What You Pay initiative and the Revenue Watch Institute (Drew 2017). Other initiatives include due diligence schemes in supply chain management and government-led initiatives by producing nations toward the equitable and peaceful management of resources, such as the creation of the Office of the Ombudsman in Peru (Vasquez 2016; box 5.4). At the community level, corporate social responsibility initiatives introduced by extractives companies have had some success in offsetting the risk of local-level contestations by managing company-community conflict. Here too, the government has a role to play in ensuring that communities are consulted.

Although international instruments and other voluntary frameworks generally have made a positive contribution to the governance of extractives, there are challenges in assessing their impact, including the absence of agreement on key dimensions. Their drawbacks also include the fact that, as voluntary arrangements, they are by nature nonbinding and their instruments are sometimes too abstract and theoretical to have a real impact or are only effective in concert with other initiatives. Moreover, frameworks that only deal with national governments, reinforce the status quo, or undermine an ongoing process of change risk creating new forms of violence (Drew 2017). Insufficiently inclusive EITI government representation can reinforce conflict dynamics, especially in highly divided societies with preexisting perceptions of exclusion.

At the subnational level, where the risk of conflict is often pronounced, subnational implementation of EITI is currently being piloted in six countries as a way to foster greater inclusivity for conflict prevention. The theory is that EITI facilitates the empowerment of regional institutions or local actors, while providing greater transparency through project-level reporting (Wilson and Van Alstine 2014). However, decentralized extractive management can also expose regions to boom-and-bust cycles and deepen regional inequalities. Brazil's revenue-sharing system "disproportionately benefits oil-rich Rio de Janeiro, the nation's third wealthiest state in terms of GDP per capita" (NRGI 2016). It can also create contestations over control of mines and extractives sites, as in Peru (NRGI 2016). Furthermore, windfalls for local governments do not inevitably lead to better development outcomes or lessen grievances, as in Brazil, Colombia, and Peru (Drew 2017).

For greater efficacy, decentralized revenue management or revenue transfers could be coupled with capacity support to local government and checks and balances in the form of active civil society and community

participation. This, along with transparency systems promoted by the private sector and international organizations, could help to increase the success of decentralization approaches (Vasquez 2016). Well-structured community development planning processes can constructively channel devolved revenue for conflict prevention benefits and can help to address risks around horizontal inequalities. Gradualism in the decentralization of development planning to producing regions can also help to build institutional capability and local ownership, as in Peru (Vasquez 2016), while participatory development planning processes can help to calibrate corporate social responsibility initiatives to local priorities.

Ultimately, the idea of addressing the risks of extractives-related conflict through devolution and the transfer of wealth to subnational entities has been mooted as a potential prevention mechanism (Cordella and Onder 2016). A recent investigation of the devolution of oil windfalls finds that redistributing oil revenues does prevent conflict in some cases, but can stoke violence in other cases by decreasing the opportunity cost of mobilization (Cordella and Onder 2016). Even small transfers in countries with large oil wealth can have this effect. Furthermore, the same research shows that the transfer of oil wealth directly to people is more effective as a means of preventing violent conflict than fiscal transfers to subnational governments, even though the latter typically generates greater welfare through higher levels of consumption (Cordella and Onder 2016).

The Arena of Service Delivery

Service delivery can affect the risk of violence in that it affects state legitimacy (Omoeva and Buckner 2015; World Bank 2017a). While service delivery is not the only determinant of state legitimacy,[10] it is a primary way by which many citizens directly encounter the state and shapes their overall perception of it. In the hierarchy of political goods, the relevance of services has been referred to as giving "content to the social contract between the ruler and ruled" (Rotberg 2004). Specifically, the delivery of education, health care, water, sanitation, and even justice and security have been described as "the glue" that binds state and society together (Milliken and Krause 2002). These services are the most tangible expression of the basic minimum that citizens expect from the state in exchange for their deference to the state's rule over them (Gilley 2009).

However, the relationship between service delivery and legitimacy is neither simple nor direct (Brinkerhoff, Wetterberg, and Dunn 2012; Fisk and Cherney 2016; Mcloughlin 2015b; Sacks and Larizza 2012; Stel and Abate 2014; Stel and Ndayiragiie 2014; Sturge et al. 2017). The degree of legitimacy that the state enjoys depends on people's expectations, which are, in turn, shaped by their prior experiences (Nixon, Mallett, and McCullough 2017), geography, identity, and culture (Sturge et al. 2017). In South Africa, perceptions of state legitimacy vary according to age, race, and gender; along rural-urban divides; and by their experiences of apartheid (Carter 2011).

Uneven coverage of services can undermine state legitimacy, when it is viewed as a manifestation of group exclusion. Perceptions of unequal or exclusionary access to services influence the way citizens regard the "rightfulness" of the state (Dix, Hussmann, and Walton 2012). According to one study, patronage politics in Sri Lanka has meant that poorer and less well-connected individuals fail to access social protection transfers as a result of a bargain forged among wealthier and more powerful members of society (Nixon, Mallett, and McCullough 2017). In Colombia, Liberia, and Nepal, unequal or exclusionary access to public goods has also been detrimental to perceptions of state legitimacy (Dix, Hussmann, and Walton 2012).

In these cases, uneven service delivery can stoke grievances against the state or against groups that are seen to be receiving unfairly disproportionate access. Perceived favoritism toward one group may boost the favored group's trust in the state, but also it may undermine other groups' trust in the state (Mcloughlin 2015a). Reforms of service delivery can generate grievances that lead to violent conflict "when the rules and patterns of distribution are perceived by some to be unjustifiable and unfair" (Sturge et al. 2017, ix).

The legitimizing effect of service delivery also depends heavily on *how* services are delivered. A five-country study of citizen perceptions and service delivery in conflict-affected contexts finds that, with regard to state legitimacy, fairness and inclusiveness in the service delivery process matters as much as, if not more than, the quality of services or who delivers them (Sturge et al. 2017). Similarly, other research across different contexts finds that "the perceived fairness of the process by which authorities and institutions make decisions and exercise authority is a key aspect of people's willingness to comply with it" (Mcloughlin 2015a; Tyler 2006).

When services are not delivered appropriately, state legitimacy suffers. Service delivery that falls short can undermine perceptions of government and can have a delegitimizing effect (Sturge et al. 2017). Legitimacy is grounded in justifiable rules and can unravel when power is used in ways that are not justified (Mcloughlin 2015a). Delegitimation can happen when institutions or individuals charged with exercising authority breach social norms or when these norms change in relation to governing rules and practices (Mcloughlin 2015a).

Corruption Related to Basic Services

Where inefficient or inappropriate service delivery overlaps with corruption, it can

exclude certain populations within society, particularly those who are already marginalized. This can lead to civil unrest, protests, and even outright violence, as in South Africa's informal settlements in 2009 (Burger 2009; Corruption Watch 2014). In Nepal, corruption, lack of information about the availability of services, and the exclusion of some groups from their share undermined the credibility of the state institutions (Ndaruhutse et al. 2012). Where corruption is endemic, political legitimacy is weakened and the risk of conflict rises (Baker 2017).

At its simplest, corruption is defined as the misuse of public offices and resources for private gain (Sargsyan 2017). However, corruption can occur at different levels and in many different forms. Corruption has an indirect connection to violence in that it can fuel grievances between groups that are seen to be benefiting and those that are not. Additionally, corruption ultimately undermines national institutions and social norms because some are seen to be above the rules set by those institutions (World Bank 2011). In combination with weak rule of law and where the institutions charged with delivering services are politicized or captured, corruption can generate popular "distrust, dissatisfaction, and grievances with the existing political system" (Taydas, Peksen, and James 2010). These feelings can contribute to delegitimizing the state and invalidating disincentives for violent protest (Sargsyan 2017). In Afghanistan, endemic corruption and elite impunity undermined the image of the government and was one of the factors that enabled the resurgence of the Taliban in the countryside (World Bank 2017a).

Some research suggests that corruption can have a stabilizing role, depending on the context and the form it takes (Hussmann, Tisne, and Mathisen 2009). "Classic" patronage politics can be a source of social and political cohesion, in that it promotes a certain consistency (Brinkerhoff and Goldsmith 2005) and trying to eliminate it can destabilize power dynamics (Hameiri 2007). In certain cases, public investments can enhance inclusive service delivery, despite the presence of corruption. In the midst of armed conflict in Nepal, Maoists allowed health services to operate in exchange for rents, and district-level officials understood that they needed to maintain the flow of medicine to villages to enhance their local legitimacy (World Bank 2017a).

Service Delivery in Alternatively Governed Spaces

As discussed in chapter 3, nonstate actors often provide alternative forms of governance, especially in areas where the state has not established its presence in a convincing way. These actors may be traditional or communal leaders and institutions that step in to fill the vacuum, or they may include criminal networks, traffickers, militants, and extremists. While not all of the latter may directly oppose the state, they may undermine the state, either indirectly by supplanting the state's authority or more directly by using these spaces to launch attacks, build up operations, and traffic narcotics, arms, and contraband.

The dominant narrative across such contexts is to "securitize" these spaces, to link them to multiple emerging security threats, and to view them as safe havens for rogue elements (Abrahamsen 2005; Keenan 2008). While one of the state's primary responsibilities is to provide security, a purely security-focused approach in such contexts is often ineffective. It fails to address the core reason that such spaces emerge in the first place: namely, poor governance and weak state presence (Keister 2014). To assert its presence and gain the trust of citizens, which is a prerequisite for legitimacy, the state needs to maintain a positive, visible presence. Delivery of services provides the means to do so and can have particular resonance for women, who are primarily responsible for providing education, health, clothing, and food for the household (MacPherson 2008). The state does not need to be involved in every aspect of the provision of services. However, being recognized as ultimately responsible for providing services and for organizing the contributions of other

actors bolsters its legitimacy and authority (Bellina et al. 2009).

Building state legitimacy requires, among other measures, the visible presence of state institutions, also referred to as "penetration" (Nixon, Mallett, and McCullough 2017, 4). Often, however, the state chooses to allocate limited resources in a rational manner, only extending authority when the benefits outweigh the costs. The state may decide not to integrate areas where its presence is already low or weak if integration promises few benefits and meager returns on the investment (Keister 2014). For example, limited infrastructure and fiscal constraints in the north of Mali, along with high per capita cost of services in proportion to low population density, make the delivery of services very expensive and challenging (Wee et al. 2014). However, a growing sense of marginalization among the local population (despite data showing that service provision in some sectors is compatible with or higher than in the south) necessitates finding innovative ways to deliver services (Wee et al. 2014).

Government strategies to compete with alternative governance and service providers by making the state a more attractive option have had some success. A policy of "peaceful penetration" in Pakistan between 1951 and 1955 and between 1972 and 1977 saw the government provide Pashtun areas with a variety of development projects to demonstrate the value of closer relations with the government; this helped to lessen the appeal of an independent Pashtunistan and to improve citizens' perceptions of the government (Keister 2014). Using existing structures that emerge locally and organically to form the "building blocks" of administration in areas such as the remote regions of Somalia can also be effective (Bryden 1999; Keister 2014).

The extension of authority and legitimacy through local intermediaries in this way forms "mediated states" or "hybrid regimes" (Boege et al. 2008; Keister 2014, 9; Menkhaus 2006, 7). Hybrid arrangements can involve public and private as well as formal and informal arrangements. These arrangements can be effective in remote communities with a high level of diversity,

helping service delivery to adapt to local preferences and building trust between the center and the periphery. Furthermore, in remote and sparsely populated areas where state presence is scarce, security, justice, basic, and livelihood services can be delivered with a smaller government presence "so long as mechanisms are nested within customary practices, ad hoc community structures, and communities themselves are invested in the success of delivery modalities" (Wee et al. 2014).

Inclusion and Consultation in Service Delivery

Providing a platform for inclusion, participation, and voice to citizens and involving them directly in the provision of services can significantly improve citizens' perceptions of the state. Citizens' perceptions of and regard for the state, particularly at the local level, are improved when they are consulted, when they feel heard, and, most important, when they are brought directly into the process itself (Sturge et al. 2017). The presence of grievance mechanisms and possibilities of civil participation strongly influence perceptions of government, which suggests that public services can act as a channel through which citizens and public authorities interact (Van de Walle and Scott 2011).

In Nepal, Pakistan, and Uganda, including citizens in the process of service delivery through grievance mechanisms improved the perceptions among citizens of national actors and reinforced feelings that both local and national government actors care about the opinion of citizens (Sturge et al. 2017). In Nepal, Sri Lanka, and Uganda, community meetings have had the same effect (Sturge et al. 2017). Although problematic service delivery can also negatively affect attitudes to and relationships with both local-level service providers and the government, embedding grievance mechanisms into the service can have the opposite effect (Nixon, Mallett, and McCullough 2017).

The strongest results show up where people are involved directly in running a service, particularly at the local level.

Indeed, direct involvement matters more than the mere presence of services, when it comes to the way in which people think about the government. Experiences of corruption in service delivery and poor treatment by staff, especially when repeated, undermine trust in the capacity of government to provide decent care. In Sierra Leone, decentralization of service delivery was intended to give local communities a greater say and stake in outcomes (Sacks and Larizza 2012). However, this was insufficient in and of itself for building trust in local authorities. What beneficiaries cared about in reality was how fair and free of corruption they perceived the process to be, combined with the quality of services (Sacks and Larizza 2012). The state can gain legitimacy by fencing in disagreements, opening up space for voice and arbitration, providing services in a fair and inclusive manner, and offering institutionalized arrangements for service provision.

The Arena of Security and Justice

The security and justice arena is central to understanding and preventing violent conflict. Security and justice institutions, whether formal or informal, impose sanctions on violence and limit the harm that violence can cause. Severe deficits in the governance of this arena, including lack of accountability, transparency, and responsiveness, can result in a breakdown in the rule of law and, consequently, impunity. If rules and norms regarding violence are discriminatory or poorly enforced, groups may cease to rely on institutionalized security and justice sectors and may seek security and justice elsewhere (World Bank 2011). These issues are specifically addressed in the 2030 Agenda. SDG 16 emphasizes effective, accountable, transparent, and inclusive institutions and specifically aims to reduce all forms of violence (target 16.1), particularly against children (target 16.2), and to promote the rule of law and ensure equal access to justice for all (target 16.3). This study argues throughout that designing incentives for peace and limiting the harm that violent actors can cause are key

elements in the prevention of violent conflict throughout the conflict cycle.

This chapter discusses security and justice individually, although they are deeply interconnected both conceptually and as practical policy domains. Measures to provide better security will not be sustainable if they are not combined with improvements in access to justice—and vice versa. Together, security and justice form the basis for the enjoyment of access to all the other arenas—security as the system responsible for protecting the basic right to life and personal integrity and justice as the system responsible for resolving conflict. Each is treated separately here to give greater attention to their respective contributions to the overall risk of conflict.

The Role of the Security Sector in Sustaining Peace

The monopoly of the use of force is a main characteristic of the state's authority, and the state almost always has a strong role in governance and the provision of security, even if this role is uneven across a country's territory. The state cannot delegate security functions to nonstate actors without eventually sacrificing sovereignty. Nevertheless, hybrid models, with mixed arrangements of informal, nonstate, and formal state security providers, are the norm in many low-capacity contexts, for example, rural Liberia, where community watch teams constitute a large component of security provision. While extending the reach of security provision, despite being "rooted in local custom and practice, [informal institutions] can sometimes be just as exclusive and oppressive as formal security provision" (Bagayoko, Hutchful, and Luckham 2016, 20).

The security arena offers opportunities for conflict prevention. Security is a necessary precondition for other public goods and freedoms, such as freedom of movement and expression. When security is provided inclusively, access to the other arenas is enhanced. Security enables economic development and overall development by providing the conditions necessary for people to invest in new businesses, obtain and

maintain employment, and send children to school. Risks increase when security provision is weak, exclusionary, or predatory. Where security actors do not behave in a manner consistent with the rule of law, they can pose a threat to the very populations they are charged with protecting (World Bank 2011).

Noting the trends in violent conflict elaborated in chapter 1, this section focuses largely on internal security forces, for example, police, gendarmes, and wildlife forces. However, even if designed to manage external security, military forces can nonetheless have significant direct and indirect impacts on the prevention of conflict. While very few military regimes remain in place in the world, the military still plays a very strong role in politics and the economy in many countries. In some cases, this situation can be a source of stability, especially when the army manages to stay out of political infighting. However, military penetration of society and the economy can make reform of the security sector itself challenging. Where the military owns corporations or controls economic sectors or, more precisely, where military and security personnel derive benefits from their rank that are not directly related to their role as security providers, reform of the security sector often requires much broader reform of the state too.

As noted, where the state's presence is weak or the authority of the state is contested, nonstate security providers and informal mechanisms can proliferate and become the preferred alternative for local populations.[11] Such nonstate providers can take many shapes and often change form over time, including as rogue local-level units of formal security institutions, criminal gangs, violence entrepreneurs, rebel groups, self-defense militias, or vigilante groups. In some fragile contexts, there is no clear distinction between state and nonstate security providers, with the relationship of armed groups to state security forces changing and evolving over time. The shifting alliances in the Democratic Republic of Congo, where rebels were integrated into the armed forces, only to revert to their established practices and structures once they returned home, are a case in point (Stearns 2012).

In other contexts, the proliferation of nonstate armed groups and formal providers of security can fragment the provision of security. For example, in South Sudan, the Sudan People's Liberation Army and the Sudan People's Liberation Movement-in-Opposition constitute "a conglomerate of various ethnic factions with different goals and trajectories; groups that at times have fought each other, and that have come together to fight a joint enemy only to split up again and again, forming various allegiances throughout South Sudan's long journey towards self-determination" (Breitung, Paes, and van de Vondervoort 2016). In many countries, political elites essentially arm private militias to garner power and influence around key moments, such as elections.

Even when managed by formal institutions, security actors—be they police units, individual patrols, or intelligence officers—are motivated by a range of political, social, cultural, and economic incentives. Exclusionary and biased security forces pose an especially high risk if access to and control of the tools to maintain security are instead used to maintain loyalty or dispense favors. Although the state should provide security, as a service, to its citizens, it may use security forces less to further the public good than to defend its own power and protect allied private interests. As such, decision making, the allocation of resources, and the use of force may reflect private, group, or partisan interests. Risks increase, for example, when police operations are conducted in accordance with private agendas and political and economic interests, rather than being operationally independent from political decision making and conducted in response to the population's concerns and demands for public safety.

In more extreme cases, security forces are predatory toward the populations they are meant to protect. Examples of police and military forces participating in or facilitating mass atrocities abound, as do abuses during so-called "crackdowns" and other muscular approaches to security threats or

even common crime. As discussed in chapter 4, abuse of identity groups by security forces will deepen grievances and may be a strong factor motivating people to identify with and join violent groups.

The overall risk of weak, fragmented, exclusionary, or predatory security provision is popular disenchantment and loss of confidence in a society's willingness and ability to deliver security. Reform of the security sector, understood as the structures, institutions, and personnel responsible for managing, providing, and overseeing security, including informal or traditional security providers, can build the credibility, legitimacy, and effectiveness of a society.[12] When security services have no legitimacy, they will struggle to be effective, and that effort will further undermine their credibility and delegitimize them in the eyes of the population.

Reform of security institutions can signal a change in approach, even when results from such reforms require sustained investment. From its beginnings in the mid-1990s, lessons on security sector reform (SSR) highlight three key entry points for reform: (a) the development of an institutional framework of organizations and policies; (b) governance and civilian oversight; and (c) the establishment of capable, professional, and accountable security forces.

In addition to security sector reforms, demilitarization of society is also important. In recognition of the critical nexus between security and development, SSR processes have sometimes been undertaken in conjunction with disarmament, demobilization, and reintegration (DDR) programs, especially in postconflict countries. The DDR-SSR nexus is manifested in the integration of former combatants into national security and defense forces, at both the strategic and operational levels. Some countries tie development goals specifically to security goals or develop joint programs for security and development, for example, through integrated rule of law and DDR programs.[13] If done effectively, DDR and SSR provide vital support to peace agreements and other transitional agreements by building confidence in postconflict institutions and processes. DDR contributes to

immediate security and stability, allowing recovery and development to begin. In turn, SSR processes can help to contain the risk of future violence by building institutions that support the welfare of former members of national armed services, creating new employment opportunities in reformed security institutions, reducing incentives for future violence, and reestablishing trust between the security and defense forces and the population (McFate 2010).

In an increasing number of contexts, international and regional actors are playing important roles in accompanying and monitoring security forces, supplying equipment, and providing technical training.[14] This support has been instrumental in monitoring and addressing short-term threats to stability, as evidenced by international counterterrorism support to the Sahel (DeYoung 2017). However, addressing the deeper constraints to inclusive and effective security requires sustained and flexible support for a fuller reform process, with strong national ownership. Chapter 7 discusses the role of international actors in helping to calibrate incentives for peace, to reform institutions, and to change structural factors in the field of security.

The UN Security Council recently recognized that a professional, accountable, and effective security sector is critical to consolidating peace and stability and to preventing countries from lapsing or relapsing into conflict (UN Security Council 2014, 2016). A representative security force, which is the face of the state, is a basic ingredient for effective security provision in a society. Groups need to see themselves represented in the makeup of the police force, for example. Incorporating greater numbers of marginalized ethnic or religious groups into the military and police forces and fostering a cultural shift toward nondiscriminatory policing can help to alleviate grievances around security. Increasing the number of female police officers and setting up women's police stations have, in some cases, contributed to higher reporting of crimes against women, especially assault and domestic violence (DCAF 2017). Community policing programs also have increased the representativeness of

police forces, with important gains in citizen perceptions of security and state legitimacy. Chapter 6 discusses specific examples drawn from country experiences with preventing violent conflict.

SSR also needs to bring about a cultural shift in how authorities display and use their power. It is essential to establish mechanisms to signal and implement the shift in institutional culture to make it real and visible to citizens. To reduce risk in the security arena, SSR should establish civilian oversight of security forces as well as of the responsible ministries, parliament, and civil society.[15] This requires that the chain of command for policy decisions is ultimately in the hands of a civilian, that this official is responsible for decisions to systematic oversight process, and that a legal regime exists to empower civil society to highlight concerns and abuses. Public expenditure reviews (PERs) provide a useful tool for establishing civilian oversight and monitoring (Harborne, Dorotinsky, and Bisca 2017; box 5.5). To date, these oversight mechanisms have received much less external funding than the security forces themselves have (Bryden and Olonisakin 2010; Donnelly 1997).

SSRs are also more sustainable when they include all of the security agencies and forces. There is often a reluctance to include certain bodies in reform efforts—elite forces or intelligence units, for example. Where these agencies are perpetuating some of the worst human rights violations, holding them accountable is essential for the overall credibility of the security architecture. However, because they operate more clandestinely and with impunity, they have proven to be the most elusive. In addition, including all agencies poses practical challenges to sequencing, prioritizing, and financing. Even in South

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BOX 5.5 Public Expenditure Analysis of the Security Forces

A framework for analyzing the expenditure for military, police, and criminal justice institutions should resemble that for other elements of the public sector. It involves testing the underlying rationale for state engagement, policy alignment of resource allocations, and effectiveness and efficiency in spending. Recent work has also emphasized the need to mobilize domestic resources and strengthen public expenditures in fragile states. However, most central finance agencies and development institutions are ill-equipped to undertake this analysis. Similarly, most decision makers in national security have little or no informed dialogue with their counterparts in finance. This is largely due to a poor understanding of the specific requirements of the security sector as well as a poor articulation between decision-making processes in public finance and in security and justice.

Security sector public expenditure reviews (PERs) fill this gap. The PER is a tried and tested tool that has been used over the last few decades in helping governments to examine key questions of economic policy and public financial management regarding their budgets. A PER examines government resource allocations within and among sectors, assessing the equity, efficiency, and effectiveness of those allocations in the context of a country's macroeconomic framework and sectoral priorities.

Building on their complementary mandates in economic management and security sector reform (SSR), recent work by the World Bank and United Nations provides national and international stakeholders with (a) the information needed to engage in dialogue on security expenditure policy; (b) a framework for analyzing financial management, financial transparency and oversight, and expenditure policy issues; and (c) advice on entry points for integrating expenditure analysis into SSR and broader governance reform processes.

Sources: Development Committee 2015; Harborne, Dorotinsky, and Bisca 2017; OECD 2014; World Bank 2011.

Africa, where public consultations substantially contributed to the 1996 Defense White Paper to great acclaim, there was no willingness to subject the Intelligence White Paper to the same scrutiny (Nathan 2007).[16] A notable exception was the State Information and Protection Agency in Bosnia and Herzegovina, which was created from scratch and therefore not saddled with the crimes of a predecessor organization (Vetschera and Damian 2006).

Finally, reform processes tend to be more sustainable when based on citizen involvement, through consultations, joint oversight with communities, or similar mechanisms. In Kosovo, local public safety committees and municipal community safety councils, consisting of a wide range of representatives ranging from local authorities to nongovernmental organizations and the community, were established to enhance cooperation between the police and communities (OSCE 2008). Public safety concerns of minority groups and women were emphasized in order to address specific violations against and needs of women and girls.[17] Strengthening these dialogues has been a key role for international action (Mahmoud 2017). In the same vein, SSR programs have at times promoted national dialogue, but national dialogues are labor- and time-intensive undertakings and depend on a tolerable security situation.[18]

Justice and Fairness in Prevention

This study incorporates the definition of two aspects of justice from the *World Development Report 2011* (World Bank 2011). First, the term justice refers to "the broadly held notion of fairness," which, despite differences in context, is a universally relevant, albeit subjective, concept relating to just processes and outcomes regarding the distribution of power, resources, opportunities, and sanctions. A perception of unfairness is a key aspect of the relationship between grievances and mobilization to violence, as discussed in chapter 4.

Second, the institutional side of justice refers to "the institutions that are central to resolving conflicts arising over alleged violations or different interpretations of the rules that societies create to govern members' behavior and that, as a consequence, are central to strengthening the normative framework (laws and rules) that shapes public and private actions" (World Bank 2011). Justice systems include the framework of institutions that determine how power is acquired and distributed, and they define the sanctions against abuses. They also adjudicate grievances in society and are the primary mechanism for redressing disputes and wrongs done. As such, justice systems go beyond the rule of law, which refers to the general compliance with laws in a society. The distinction is important, in that it is possible for a regime to act in accordance with the rule of law for its particular context and still violate, and be accountable to, the international system of justice.

Lack of legal identity is a major cause of exclusion from justice, and target 16.9 of the 2030 Agenda focuses specifically on providing legal identity for all, including birth registration, by 2030. Approximately 12 million people globally are stateless and without effective citizenship rights.[19] In addition, some 27 states around the world do not allow women to transfer nationality to their children, and statelessness can occur where fathers are stateless, missing, or deceased. For example, the Rohingya are Muslims living in Rakhine (historically known as Arakan) State, a geographically isolated area in western Myanmar, bordering Bangladesh. There are different, irreconcilable narratives of who the Rohingya are and the length of time they have resided in Rakhine State. Since independence in 1948, the community has been gradually marginalized. The 1982 Citizenship Law designated three categories of citizens: (1) full citizens, (2) associate citizens, and (3) naturalized citizens. None of the categories applies to the Rohingya, who are not recognized as one of the 135 "national races" by the Myanmar government (Human Rights Watch 2017). While many remain stateless in Rakhine State today,

many more are stateless refugees residing in other countries. They have been forced to flee as a result of widespread discrimination and persecution rooted in the deprivation of citizenship.

The justice system, especially the *formal* justice system, is the space where rules and power are ultimately defined. These rules protect the basic rights that allow individuals to enjoy the benefits from the other arenas. The justice system is the ultimate guarantor of the right to physical integrity, which underlies all other rights through the sanctions it imposes on violators. Most governments have strong written policies that guarantee the right to physical integrity, which includes the right of protection from extrajudicial killing, torture, political or wrongful imprisonment, or enforced disappearance (box 5.6). If the state violates these rights or tolerates impunity for their violation, it can exacerbate grievances, particularly when these manifestations of injustice overlap with perceptions of exclusion, unfairness, or inequality (Cingranelli et al. 2017).

By extension, access to the justice arena partly determines fair access to the other arenas. Perceptions of injustice can be situated or can originate in the other arenas, but are ultimately resolved within the justice and conflict resolution systems. For example, unfair outcomes in access to natural resources and their benefits are addressed within the justice system. Put another way, the credibility and legitimacy of the justice system has an impact on the functioning of other arenas and on the population's perceptions of fairness and legitimacy overall. Durable institutions that are perceived as just are crucial to broad-based, inclusive development (World Bank 2011). The 2030 Agenda includes targets on equal access both to natural resources (targets 1.4, 2.3, 5a) and to justice (target 16.3).

A robust justice system creates incentives for peaceful behavior. It can settle disputes in a peaceful manner, ensure accountability of power, promote respect for human rights, combat corruption through the enforceability of contracts and property rights, and

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BOX 5.6 **Human Rights as a Basis for Normative Change**

Many countries have used the universal, interrelated, and interdependent rights set out in the Universal Declaration of Human Rights and the universal treaties that derive from it as well as a range of regional human rights instruments as a shared foundation for normative and legal change.

All 193 UN member states have ratified at least two of the nine core human rights treaties, and more than 80 percent of states have ratified seven. The primary responsibility for respecting, protecting, and fulfilling human rights rests with states, who translate the international norms into laws, policies, and programs. In many states, human rights have also underpinned institutional reforms—for example, constitutional reforms, creation of national human rights institutions, or transitional justice mechanisms. National human rights institutions serve as mechanisms, independent from government, for monitoring respect for human rights nationally. Civil society organizations have made vital contributions to human rights instruments and their implementation.

International tools like fact-finding missions, routine reporting, investigative commissions, and special rapporteurs have often focused on maintaining dialogue with governments on violations of rights, discrimination, and abuse as part of efforts to reduce the risks of conflict. The Universal Periodic Review undertaken by the Human Rights Council is the main institutional review mechanism for all 193 UN member states. Its potential to contribute to prevention and peacebuilding efforts was acknowledged in the recent sustaining peace resolutions (UN General Assembly 2015a, para. 11; UN Security Council 2016).

Sources: OHCHR 2010; Payne et al. 2017.

ensure checks and balances (World Bank 2017c). Conversely, a breakdown of justice systems and the rule of law generally can inflame the grievances that may be mobilized for conflict and create incentives for violent behavior.[20] The relationship between weak rule of law and violence is underscored by the poor perceptions of justice systems often found in regions suffering from or at risk of violent conflict, as people lose confidence in institutions that cannot, or will not, protect them from injustices (Logan 2017). Grievances can accumulate with prolonged conflict, as the capacity of justice systems is strained by the need to respond to ongoing violence; the often-elevated levels of criminality and abuses during violent conflict can further weaken the capacity of formal justice stystems.

Prevention of violent conflict requires identifying why justice system processes and outcomes may discriminate against certain groups. In many cases, the formal justice system may be inaccessible. In others, it may be irrelevant to the justice-related needs of the population. Many people rely, voluntarily or out of necessity, on informal or customary justice systems that are rooted in traditional authority. Indeed, this is the case for roughly 80 percent of the population in transition or postconflict settings (UN 2017). A cross-country study of Afghanistan, Guatemala, Iraq, Liberia, Mozambique, South Sudan, and Timor-Leste finds that customary systems are often more trusted and used by people because they are more sensitive to the political and social realities and therefore faster and more effective in solving the everyday problems that people face (Isser 2011). Also, where formal rules diverge greatly from local norms and customs, these customary systems of justice are much more likely to be respected (Isser 2011).

Any reform of the formal system can undermine public confidence in the justice system—and in the state more generally—if it does not engage meaningfully with informal and customary justice systems. Time and again, experience has shown the critical importance, especially in countries transitioning out of violent conflict, of understanding the role that customary systems play in responding to the problems people face.

Reforms that fail to recognize this context may waste time and resources in building a formal system that the population later rejects and may also deepen resentment of the overall project of state building (Isser 2011).

An important first step is to understand how people are solving the problems they face and the role that customary institutions play in those processes. This understanding helps to identify the gap between the way laws and policies are written, on the one hand, and the way conflicts are resolved and needs are met in reality, on the other hand. Starting with understanding as a point of departure challenges the notion that legal authority needs to originate in the state. It also opens up the possibility for more inclusive and credible processes and offers the potential to anticipate trade-offs and unintended consequences. In many contexts, including in contexts where violent conflict has already begun, local-level mechanisms for resolving conflicts have helped to ensure stability and to reduce violence. In the 1990s, the Islamic Courts in Somalia started to develop a level of popular legitimacy, and by 2006, various armed groups were using the principle of credible law and order to form an Islamic Courts Union, which increased the stability in the territories under their control (Barnes and Hassan 2007; box 5.7). Chapter 6 discusses practical experiences with local peace committees.

Reform of justice systems requires two parallel courses of action. On the one hand, it is important to ensure that current challenges receive equitable attention in order to build trust and reestablish a sense of normalcy. At the same time, particularly in postconflict environments, perpetrators must be equally held to account for past abuses in order to send a strong signal of change. Balancing these needs is one of the most formidable challenges of conflict-affected environments. Weighing the equality of accountability processes against the imperative to bring perpetrators to book is critical to the challenge of advancing stabilization and justice in conflict-affected environments under SDG 16 (UN General Assembly 2015b). Accountability processes

may exacerbate grievances related to specific social groups if they are perceived to discriminate between groups (Mahony 2015a). How and why the real or perceived unequal treatment of social groups actually occurs varies from one process to another. Frameworks to identify how accountability processes treat groups differently can help to identify ways in which to preempt spoilers and mitigate risks of conflict (Mahony 2016).

Responding to current needs implies expanding access to justice, especially for those who have been excluded. Strengthening the capacity of local-level mechanisms to resolve disputes that originate in the other arenas, as discussed in previous sections of this chapter, can go a long way toward building confidence. For example, promoting more effective resolution of local-level conflicts over land or water access helps to address the everyday problems people face. It also builds useful bridges between customary or informal and formal processes. Strengthening the capacity of formal institutions to process judicial caseloads and increasing the efficiency of investigations and prosecutions also need to be prioritized (World Bank 2011).

Addressing everyday justice needs also entails dealing with manifestations of violence that tend to increase in situations of violent conflict, especially common crime and domestic violence. In some contexts, efforts to address this violence draw on customary norms to challenge the rules and practices of formal institutions. For example, women's advocacy groups in India's Gujarat and Utter Pradesh states set up informal women's courts (*nari adalat*) as an alternative to formal systems for resolving domestic violence cases (Kethineni, Srinivasan, and Kakar 2016). By drawing on community norms, international human rights laws, and state laws, they were able to expand access to justice and help to prevent further violence by contesting unequal gender power structures (Merry 2012; World Bank 2017c).

Promoting accountability is pursued through transitional justice measures.[21] These include a wide range of mechanisms, such as vetting of government agencies and especially security forces, truth and reconciliation commissions, public apologies,[22] memorialization or local healing processes, prosecution of human rights abuses, and material or symbolic reparations.[23] In some cases, transitional justice measures enable high-level prosecutions to take place. These measures aim to establish a clear public record of the past and to reassert respect for the rule of law, and they usually rely on heavy support from civil society and international actors (Payne et al. 2017).

There is widespread debate over the value of transitional justice measures in reducing the risks of conflict recurrence, in part due to the range of actions included in this category (Mallinder and O'Rourke 2016; Thoms, Ron, and Paris 2010). Some have argued that prosecutions for past crimes are essential to preventing conflict recurrence because they create deterrents for spoilers (Sikkink 2011); others argue that mechanisms to appease spoilers, such as amnesty, are more effective (Snyder and Vinjamuri 2003).

The Transitional Justice Research Collaborative examines the relationships between five variables—trials, truth commissions, amnesties, reparations, and vetting—that have been implemented following 119 transitions from authoritarian rule or civil war in 86 countries since 1970 (Payne et al. 2017). It finds that implementing domestic criminal prosecutions[24] for past human rights violations has a significant relationship with nonrecurrence of intrastate conflict. It also finds that the rate of recurrence decreases by approximately 70 percent when trials are pursued of middle- and low-level actors (Payne et al. 2017), holding all other factors constant. Paradoxically, the prosecution of high-ranking individuals is associated with a 65 percent increase in the rate of conflict recurrence, suggesting that "coming together after a war to initiate a major legal process (much like writing a new constitution) has important effects" (Payne et al. 2017, 19).

The number of cases of international criminal justice engagement with country situations is insufficient to make statistically significant findings about their impact on conflict recurrence or nonrecurrence (Payne et al. 2017). The International Criminal Court defers jurisdiction to states that are able and willing to prosecute international crimes domestically. There is debate over whether this relationship to domestic processes prompts improved domestic trials or if it enables governments to engage in selective prosecution targeting specific social groups while avoiding others (Hyeran and Simmons 2014; Mahony 2015b). Although the relationship between

peace and justice has been debated, the focus of debate has generally been the willingness of spoilers to reengage in violence in response to the threat of prosecution (Vinjamuri 2010).

Effective reckoning with the past via transitional justice measures requires a gendered approach. This implies accounting for the multiple roles and experiences of women during conflict as combatants, victims of violence, widows, or mothers whose children die (Tabak 2011). It is also important to consider the challenges that women, after a conflict, face in accessing livelihoods, recovering from physical and emotional trauma, and obtaining justice. In many cases, focusing on sexual violence as the sole form of violence women face during conflict ignores nonconflict-related violence and its impacts.

Similar debates exist over the effectiveness of truth-telling processes as part of transitional justice (Mendeloff 2009). A recent quantitative study finds that certain truth-telling and reconciliation processes are associated with a decline in mental health, but higher levels of social integration (Cilliers, Dube, and Siddiqi 2016). Some qualitative studies, moreover, suggest that deeply contested narratives associated with truth telling may revive societal cleavages (Kelsall 2005). The intervention of traditional elders in Sierra Leone's Truth Commission has been credited with enabling reconciliation and defusing tensions relating to contested truths there (Kelsall 2005). However, such processes often require participants to subordinate to the very power structures (traditional elites) that may have been at the root of the conflict, so they may not sufficiently address underlying causes over the longer term (Mahony and Sooka 2015).

Transitional justice measures can have a broader impact on social relationships. Some measures have been used to engage with previously marginalized communities or secessionist movements in order to address political polarization and prevent an outbreak. For example, the Tunisian Truth and Dignity Commission established a record on Ben Ali–era abuses, including systematic corruption, and laid the groundwork for

possible national criminal prosecutions (Toska 2017). These processes have arguably played a significant role in preventing the violent conflict that accompanied some other Arab Spring transitions. Some transitional justice processes were less effective in preventing violence overall but have provided a model for future mechanisms to alleviate social and political polarization. For example, exploration of historical injustice over more than 200 years, including state expropriation of land of the Bangsamoro community in Mindanao, the Philippines, was part of the comprehensive peace agreement in 2014.

Conclusion

Most violent conflicts today play out in four arenas of contestation where groups in society negotiate access to power, resources, services, and security. As the spaces where access to the means of livelihood and well-being are defined and defended, these arenas are critical sites of both risk and opportunity.

Governance of these arenas in large part shapes a society's pathway. As demonstrated in chapters 3 and 4, risk is heightened where shocks interact with underlying grievances. Chapter 5 has described how this interaction often plays out in the arenas of contestation. Because negotiations in the arenas reflect broader power dynamics in society, reform is often contested. Actors who are already at the table must agree to change the rules, institutions, or structural factors that define the power balance in the arenas, and they may see little benefit in challenging the status quo.

Preventing violent conflict requires targeted, flexible, and sustained attention to all of the arenas. When the risks of violent conflict build up across arenas of contestation, an effective state has a responsibility to ensure that conflicts and contestations remain nonviolent and that the outcome is conducive to the well-being of all citizens. Even if improving institutions can take decades, states can play an important role by signaling that they are focusing on equal access to political process, natural resources, services, security, and justice irrespective of

sex, age, region of domicile, ethnicity, religion, or other group identity. National plans to implement the 2030 Agenda can be useful in that regard. This aspect of the role of the state is at the heart of the social contract that ties citizens to the state. Where the state does not play this role effectively, it will become a source of contestation in itself and can become the object of violent conflict between groups within society.

Conflict in the security and justice arena poses particular challenges for prevention. These challenges are discussed in greater detail in chapter 6, which reviews the experiences of countries that have managed conflict. They relate to actors' political and physical survival; as such, security and justice reforms have proven sensitive and politically charged. Domestic actors in countries that have successfully made changes have had to make risky trade-offs. Short-term capability has been sacrificed for the potential of longer-term effectiveness. Reforms focused on inclusivity, transparency, accountability, and management of security institutions have boosted the resilience and legitimacy of the state.

Reform of any institution is a long-term exercise. In the case of security and justice institutions, it usually takes roughly 5–10 years for significant and noticeable improvements in effectiveness and accountability to become evident (DCAF 2017). Reconciling the pressure from external supporters of SSR, who want to see change, with on-the-ground realities in specific contexts has been an ongoing challenge for many countries. In the Central African Republic, the uneven approach from both the government and donors contributed to an escalation of conflict (DCAF 2017). To navigate such competing demands, Sierra Leone signed a memorandum of understanding with the United Kingdom, which provided assurance of long-term commitment and space for incremental and flexible approaches (DCAF 2017) and helped to enable important incremental progress on accountable and effective institutions.

This chapter has given an overview of the particular risks that can accumulate in each of the arenas, some technical aspects of reform of the arenas, and potential trade-offs

that are often present when addressing risks. The next chapter draws experiences from specific countries to illustrate how incentives for peace have been built and maintained by paying careful attention to the arenas of contestation as well as other measures.

Notes

1. These arenas were selected following consultations within the UN and the World Bank and are based on an analysis of all Uppsala Conflict Data Program (UCDP) identified violent conflicts since 2000. The choice also builds on literature that has examined these issues, including Aall and Crocker (2017); Marc, Verjee, and Mogaka (2015); Parks, Colletta, and Oppenheim (2013).

2. Power sharing is often associated with Lijphart's (1977) concept of "consociational" democracy, but is a broader concept encompassing other mechanisms of guaranteed access to state authority.

3. McEvoy and O'Leary (2013) define power sharing "broadly as any set of arrangements that prevents one political agency or collective from monopolizing power, whether temporarily or permanently."

4. The World Bank Group and United Nations estimated all variables of interest implemented within the first two and five years following the conflict. For the model results, see the methodological appendix.

5. Other key factors were the ongoing war and general scarcity of arable land for the population.

6. Many papers cite research supporting the assertion that the appropriation and mismanagement of high-value natural resources have been key factors in triggering, escalating, or prolonging conflicts, especially in Sub-Saharan Africa. See, for example, those referenced in Bannon and Collier (2003); Collier and Hoeffler (2000); Elbadawi and Sambanis (2002); Fearon (2004); Maconachie, Srinivasan, and Menzies (2015, 5); Ross (2003).

7. Vasquez (2016) defines "local content" as "the advantage given to local businesses and local employment in procurement processes for the oil or gas industries; the preference given to local hiring where possible; and the development of mechanisms for improving local skills as needed."

8. The EITI standard requires information along the extractive industry value chain. This includes how licenses and contracts are allocated and registered, who are the beneficial owners of those operations, what are the fiscal and legal arrangements, how much is produced, how much is paid, where are those revenues allocated, and what is the contribution to the economy, including employment. See http://www.eiti.org/about/who-we-are.

9. According to the terms of the KPCS, each participating government must issue a certificate to accompany all rough diamonds being exported from within its borders, to ensure that they are "conflict free." Each country must therefore be able to track the diamonds being exported to their place of origin or to the point of import, and it must meet a set of standards for these internal controls. All participating countries must also agree not to import any rough diamonds without an approved KPCS certificate (Maconachie 2008, 7). See www.kimberleyprocess.com/en/about for more information.

10. Service delivery is not the only influence on legitimacy: state or government can gain political legitimacy through several sources, including elections, charismatic leadership, good economic performance, improved security, and political inclusion, among others. See Baker (2017).

11. Chapter 3 discusses in greater detail the prevention issues arising in areas where the state does not fully govern and where nonstate actors actively create insecure areas.

12. No single model of a security sector exists, and it is the primary responsibility of the country concerned to determine the national approach to and priorities of the security sector. SSR should be a nationally owned process and could include defense, law enforcement, corrections, intelligence services, and institutions responsible for border management, customs, and civil emergencies. In some cases, elements of the judicial sector responsible for cases of alleged criminal conduct and misuse of force are included. See UN Security Council (2014).

13. A case in point is the Global Focal Point for Police, Justice, and Corrections Areas in the Rule of Law in Post-Conflict and other Crisis

Situations, established in 2012, which is designed to do just that: marry the operational and developmental dimensions in joint programming and implementation in support of both security and development (see Bryden and Olonisakin 2010; UNDP Geneva n.d.).

14. As Security Council Resolution 2151 notes, with the bulk of Security Council–mandated UN assistance in the area of security sector reform taking place in, and directed to, countries in Africa, some African countries are becoming important providers of such assistance (UN 2014).

15. Democratic control over security forces also presupposes that the government and parliament are legitimate and have the capacity and knowledge to make informed decisions on security matters. Where this is not the case, SSR needs to address legitimacy and capacity deficits, or it is likely to be only of marginal benefit. The mutual distrust between the government and the armed forces that hampered progress on military and intelligence reform in Guatemala in the late 1990s is a case in point (see Nathan 2007).

16. Nathan (2007) argues that this was a deciding factor in the Intelligence White Paper's lack of impact.

17. SIPRI (2017) highlights the fact that regional and gender-related differences are also important factors in the way that many perceive their security.

18. While national dialogue processes depend on host government, external funding, and expertise on planning and implementation, dialogue processes have proven useful in several cases, including in Liberia and Sierra Leone (Permanent Secretariat and the Advisory Panel 2014).

19. More than 10 million people are stateless in dozens of low-, middle-, and high-income countries around the world, although the exact numbers are not known (see UNHCR 2017).

20. For example, national postconflict, truth-seeking processes have identified the breakdown of the rule of law at local and national levels as the driver of conflicts.

21. The UN defines transitional justice as "the full range of processes and mechanisms associated with a society's attempt to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice, and achieve reconciliation (see UN 2010).

22. See, for example, the case of Sierra Leone (see Ainley, Friedman, and Mahony 2015).

23. Examples are Argentina and Colombia, among others (see De Greiff 2008).

24. The small number of international and foreign prosecutions could not render significant statistical results.

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