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## The governance of security in weak and failing states

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### Abstract

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This article seeks to identify means of strengthening social control and conflict resolution in weak and failing states. It begins by discussing the governance of public security in stronger states, and identifies three basic forms of engagement between state and non-state institutions that may contribute to the co-production of public security: coercion, sale and gift. The article then seeks to identify institutional arrangements that might be transplanted to those settings where conventional state institutions of security may be in decline, or non-existent. It also suggests how new institutions might be invented in settings where states may be dysfunctional or otherwise lacking in capacity. It develops a typology of security provision, including auspices that are public; public under private arrangements; collective or voluntary; private/national; private/international; and criminal. By identifying new mechanisms for the governance of security, it may be possible to arrest the deterioration of states, or at least provide for a modicum of internal security. The article concludes with a discussion of the Zwelethemba model of peacemaking and peacebuilding that is being developed in South Africa.

### Key Words

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capacity building • civil society • policing • private security  
• transnational institutions

## Introduction

Even in states that are, by most standards, flourishing, the demand for public security often exceeds the capacity of the state to provide it. So it is that throughout most of the world, the state no longer has a monopoly on policing. Bayley and Shearing (1996, 2001) speak of the multilateralization of policing, by which they mean the variety of institutional forms, public, private, non-profit and hybrid, by which policing is delivered. Some of these may be explicit instruments of policy, while others may operate more or less spontaneously, driven by market forces. One might therefore speak of the 'governance of security' to refer to the constellation of institutions, whether formal or informal, governmental or private, commercial or voluntary, that provide for social control and conflict resolution, and that attempt to promote peace in the face of threats (either realized or anticipated) that arise from collective life.

In states that are weak and failing, the situation is even more acute. By *weak* state, we refer to circumstances in which the state is barely capable of providing for the needs of its citizens. Health, education, national defence, public welfare and other essential services, in addition to those related to public security, are inadequate. One might look to states like Papua New Guinea and Zimbabwe for examples. By *failing* state, we refer to a situation in which the capability of the state to perform its essential functions has largely disappeared. Basic state institutions, if they still exist, are largely dysfunctional. Examples might include Somalia, Sierra Leone and the Solomon Islands at the time of intervention there by Australia and its South Pacific allies in July 2003. Whether a state is 'weakening' or whether formal institutions have ceased to exist and the state can be deemed to have failed, social control and conflict resolution still happen. To be sure, there will be less of them in a collapsed state, but what there is, is real.

Our goal is to identify means of strengthening social control and conflict resolution in weak and failing states. We begin by discussing the governance of public security in stronger states, and by seeking institutional arrangements that might be transplanted. We seek also to suggest how new institutions might be invented in settings where conventional state institutions of security may be in decline, or non-existent. By identifying new mechanisms for the governance of security, it may be possible to arrest the deterioration of states, or at least provide for a modicum of internal security.

## The governance of security in advanced industrial societies

Since their invention by Sir Robert Peel in 1829, public police began to cultivate an image of omnipresence and omniscience. While this may

have been credible at some places and at some times, it is now illusory. Nowhere is the finite capacity of public police more boldly evident than in the growth of the private security industry in western industrial societies, where private security officers now outnumber public police by a factor of at least three to one (for a recent review see Bayley and Shearing, 2001). Governments of various political persuasions have consciously sought to shift much of the burden of crime control back to the private individual. The apposite if awkward term ‘responsibilization’ has been used by Garland (1996) and by O’Malley and Palmer (1996) in this regard. An important consequence of this has been a growing inequality of access to services and inequalities in the distribution of human rights (Bayley and Shearing, 1996).

The public/private dichotomy is itself illusory, with a number of commentators noting the emergence of various forms of public–private interface and hybrid institutional forms (Marx, 1987; Hoogenboom, 1991; Johnston, 1992; Bayley and Shearing, 1996, 2001). Marx (1987) for example, referred to five trends in criminal investigations:

- 1 joint public–private investigations;
- 2 public agents hiring or delegating authority to private police;
- 3 private interests hiring public police;
- 4 new organizational forms in which the distinction between public and private is blurred; and
- 5 the circulation of personnel between the public and private sectors.

Such organizational differentiation itself arises from the inability of public police agencies to be everywhere and to do everything with their own personnel and their own resources. This has given rise to some quite creative partnerships with non-police agencies. In the city of Philadelphia, the central business district is policed by an integrated team of public police and private security professionals, called ‘community service representatives’ (Greene et al., 1995). The latter, who co-ordinate their activities and share office facilities with Philadelphia Police, serve as ‘goodwill ambassadors’ and engage in general surveillance. While deployed, the community service representatives remain in radio contact with police, notifying them when their intervention is required. These collaborative activities are supported by city sanitation workers, who are available to address problems of litter, graffiti and other physical indicia of disorder.

Today in the world’s more affluent nations, a great deal of public life occurs on private property. The most common example is that of the large shopping malls of North America. Much of the policing of this space is done by private organizations under contract to the property owner. Another fact of life in many nations is the so-called ‘gated community’, whether vertical or horizontal, where access and egress are controlled by security personnel (Johnston and Shearing, 2003: ch. 8). Ironically, such

'modern' developments are referred to as representing a 'refeudalization' of society.

While no one would suggest that public law enforcement agencies are an endangered species, the resource constraints under which they operate are real, and almost certainly likely to persist. The fundamental challenge then is how best to resource public security in general, and public policing in particular. One of us (Grabosky, 1996) has attempted to identify the various legal and administrative strategies by which public law enforcement agencies may harness private interests in furtherance of their mission. These are summarized briefly in Appendix A. While most of these are applicable in situations where the state is in relative good health, the role of private parties and market orderings will be proportionately greater in weak states.

Given the proliferation of forms of interaction between police and private institutions, one could envisage a continuum of engagement ranging from the most coercive to the least coercive. But it would help to simplify this. Davis (2000) refers to three basic relational modes of exchange: *coercion*, *sale* and *gift*. Let us look first at coercion. Elsewhere, one of us has used the term *conscription* to refer to the process by which the state commands commercial organizations to engage in certain actions in furtherance of law enforcement (Grabosky, 1995). Perhaps the most prominent of these are cash transaction reporting requirements, where banks and other defined entities are required by law to report transactions over a particular threshold, or those of a suspicious nature regardless of their quantum, to law enforcement authorities. Similar requirements are imposed on specified professionals in the case of suspected child abuse and neglect, and on second-hand goods dealers and pawnbrokers. The future may well see the conscription of Internet service providers in some jurisdictions in certain circumstances.

Next, we can see the commercial acquisition of goods and services. This is nothing new to public police organizations, which, since their establishment in the 19th century, have purchased commodities from means of transport to weaponry. What *is* new is the growing tendency to purchase services that might otherwise have been provided from their own ranks. The first person whom one encounters upon entering the headquarters of the Australian Federal Police in Canberra is a private security guard. Of course, the new challenges facing public police organizations may require specialized expertise which does not reside within police ranks: one thinks of information technology, for example. And circumstances may arise wherein special outside assistance may be required for a short period. Security for the 2000 Olympics involved the collaboration of the New South Wales Police Service with a number of public and private institutions, including the Australian Defence Forces and private security firms (Dolahenty, 2000). Police can be the providers as well as the purchasers of services. Gans (2000) describes a variety of circumstances in which public

police agencies act on a fee for service basis. These include the provision of policing services at public events of a profit-making nature such as concerts and professional sporting events.

The third mode of exchange is the donation or gift. By this we mean private sponsorship of public policing. This can entail the giving of cash grants, or the provision of complimentary goods and services to the police organization, usually in return for acknowledgement or recognition. This is more familiar in the United States and South Africa, relatively uncommon in Australia and unheard of, if not prohibited by law, in many other places.

- In Australia, the New South Wales Police Service Annual Report for 1999–2000 indicates that the Service received 28 separate donations of \$2000 or more from a diverse range of donors including Toyota Motor Corporation, the Liverpool City Council, Lions and Rotary Clubs and private individuals (NSW Police Service, 2000). The gifts in question ranged for cash for specific crime prevention projects to ‘covert vehicles’, fingerprint cameras, petrol and pushbikes (2000: 61–2).
- The Westfield Carousel Shopping Center in Perth donates computer, fax, video interviewing facilities and office space to the Western Australia Police Service (Western Australia Police Service, 2000: 14).
- The Western Australia Police Service Macro Task Force, investigating a series of murders of young women in Perth, was subsidized in part by donations from members of the public.
- In the United States, local businesses in Crown Point, Indiana donate \$1500 each to provide communications and other equipment for patrol cars. Under the Adopt-a-car programme, the cars may bear the message ‘This vehicle is equipped by “XYZ company”’ on the back of the car (Pilant, 1998: 44)
- In the State of Virginia, insurance companies return a percentage of liability insurance premiums to the criminal justice system earmarked for auto theft reduction (Pilant, 1998: 44).
- In South Africa, an organization called Business Against Crime was established to provide training and material support to police agencies. Projects include the development of closed circuit television (CCTV) cameras, improvements in courts administration and the enhancement of services to victims of crime (<http://www.bac.co.za>\_ consulted 17 July 2003).

Where they exist, public police will continue to seek means of engaging private institutions in furtherance of their mission. It is therefore essential to ask: whose interests are served by a particular mode of police/private interface (Bayley and Shearing, 1996, 2001)? At its most basic, one can identify three interests that might be served by a given exchange relationship: the interest of the private party to exchange, the (public) police service and that of the general public.

### **New institutional configurations and opportunities for public security in weak and failing states**

In the developed world, new styles of governance have been characterized by a diffusion of responsibilities previously monopolized by the state, such as policy formulation and implementation. These two activities have been disconnected and distributed among networks of public, private and hybrid institutions. Thus, while the identification of needs and formulation of policies is done under a range of auspices that include government agencies, civil society and economic interests, the requisite services can be provided by private and public actors under a variety of arrangements including those described in Appendix A (Grabosky, 1996; Bayley and Shearing, 2001). In this conceptual framework, any combination is conceivable and is amenable to trial and experimentation in response to particular needs.

To be more precise, if we take as a starting point Black's general theory of law (Black, 1976) we can expect that, all else equal, the strength of a society's formal legal institutions will vary inversely with the strength of its informal institutions of social control. In dysfunctional and failed states, a variety of non-governmental institutions may already exist whose resources and energies might be harnessed in furtherance of public security. Not all of these will be equally and universally appropriate. First, an institution must possess the capacity to deliver the desired outcome. Second, even if it commands the requisite capacity, the institution must be compatible with the culture in which it operates. Elsewhere (Grabosky, 2000), one of us has identified a variety of institutional forms that may serve as the vehicles for the delivery of health services for the purpose of violence prevention in developing countries. These include but are not restricted to:

- military;
- police;
- prisons;
- private enterprise, large and small;
- community organizations and voluntary associations;
- education;
- religious institutions;
- traditional health practitioners;
- medical professionals.

One will quickly notice that many of these are as likely to be part of the problem as part of the solution. But in many settings, at least some of these institutions can play a constructive role. There are those states in serious decline that nevertheless are endowed with attractive resources and that serve as attractive sites for domestic or foreign investors. Many such investors, with significant assets to protect, will rely upon their own security arrangements. Whether these provide a 'diffusion of benefits effect', providing some degree of protection to neighbouring communities,

or displace risk to interests less able to protect themselves, is a significant question.

In a number of less advantaged nations whose authorities lack the capacity or inclination to control copyright and trademark infringement, copyright owners or their industry associations may play a leading role in the investigation and prosecution of piracy cases. Large mining companies that operate in remote areas may engage the services of local interests or of multinational private security firms to protect their assets. Some large multinationals will engage the services of local police and military institutions. Others will contract in private security services. Johnston (2000) provides a useful overview of such arrangements.

In weak states, the decay of public and private institutions might limit the number of permutations possible, but it is still possible to outline a typology of auspices and providers that can be used as a starting point to design innovative security policies. Three main auspices that can be identified are *the state*, *civil society* and *transnational institutions*. By civil society, we mean the various residential and interest communities as well as the individuals and non-governmental institutions that constitute the social fabric. In the transnational institutions category, we include primary commodities corporations, multilateral international institutions, aid agencies and NGOs. Both civil society and transnational institutions take over the role of auspice from the state in order to protect their constituents, employees and the integrity of their operations. While each of these auspices is far from being homogeneous, their constituents share a number of features that make their approaches to security very similar in both cases. These auspices activate providers that can be categorized as public, public under private arrangements, collective—or voluntary, private/national, private/international and criminal.

The state has traditionally been presented as the only institution willing and capable of providing security to its citizens. However, if we turn our gaze to the two remaining auspices outlined above, a legitimacy-resource test clearly demonstrates that they also possess some of the required features for the provision of security. Weak states are characterized by the disintegration of their governmental institutions and the inability—or lack of interest—of the latter to deliver basic services to the citizenry. This incapacitation of the state can be attributed to a number of factors, such as the colonial legacy of artificial state structures and boundaries that disregard ethnic, religious and tribal divisions, the economic pressures of international commodities markets, the monopolization of power by a corrupt and incompetent kleptocracy or all of the above. As a result, governmental institutions find themselves with very limited supplies of resources and legitimacy to authorize the provision of security. In countries such as Burma, North Korea, Albania and Russia, where the state has co-opted or has been co-opted by criminal organizations, this problem is exacerbated and legitimacy is eclipsed by blatant illegality, while resources are channelled towards activities fostering insecurity (Dupont, 2001: 174).

**Table 1.** Institutional auspices for the governance of security

|  | <i>Legitimacy</i> | <i>Resources</i> |
|--|-------------------|------------------|
| State                                  | –                 | –                |
| Civil society (domestic)               | +                 | –                |
| Civil society (Int'l) (i.e. Red Cross) | +                 | +                |
| Interstate Organizations (UN; NATO)    | +                 | +                |
| Multinational business                 | ?                 | +                |
| Hybrid non-governmental auspices       | +                 | +                |

Governments conducting systematic human rights abuses against minority groups face the same legitimacy and resource deficits. Civil society as an auspice of security provision faces a different challenge. While it is often very rich in legitimacy, it is generally poor in resources, which limit its options for the authorization and funding of effective security arrangements. Transnational institutions, on the contrary, tend to be legitimacy-poor and resources-rich. Thus, the logic would suggest that the establishment of close partnerships between civil society and transnational institutions is likely to facilitate the birth of hybrid auspices, better adapted to the constraints of weak states than the existing ones (see Table 1).

These hybrid auspices would generate a cluster of linkages between civil society, the state and transnational institutions that would compensate for the lack of strength with an increased adaptability, based on the power of networks—what one of us describes as nodal governance (Shearing and Wood, 2000). Furthermore, traditional culture-social groups that constitute civil society in failing states are characterized by a narrow radius of trust, which is the circle within which co-operative norms are operative (Fukuyama, 1999). The hybridization of civil society and transnational institutions as security auspices has the potential to widen this radius of trust, and to increase the stock of social capital, strengthening governance structures of security. The international community and aid agencies should recognize the benefits of this hybridization process and facilitate it, instead of focusing too narrowly on state institutions as recipients of their capacity-building programmes. Too often, state-centred strategies sponsored by developed countries have exacerbated problems instead of resolving them, particularly in the field of security.

Let us now turn our attention to security providers, who in the absence of strong auspices are left to themselves and can become central instruments in the perpetuation of cycles of violence. Public providers of security such as the police tend to lack the accountability mechanisms usually found in strong states. They often resort to corrupt practices in order to supplement their inadequate salaries. In this context, the coercive technologies bestowed on police officers by the state are used as private revenue raising tools, contributing to the insecurity of those who experience the full impact these public providers' illegitimate and illegal authority. It should not come as a surprise then that the population's confidence in public security

providers is minimal in weak states: in Lagos for example, the biggest city in sub-Saharan Africa, less than one-third of the population consider the police effective (Adyemi et al., cited in Pérouse de Montclos, 1997). In Russia, the proportion of the population expecting fair treatment by the police is comparable (World Bank, 1997). Clearly, non-governmental auspices find in this lack of confidence a strong incentive to explore alternative options for security provision. Problems of legitimacy may persist, or may even be aggravated, when public providers sell their services to civil society and transnational institutions. In Indonesia for example, the army (TNI or Tentara Nasional Indonesia) estimates that 70 per cent of its soldiers' revenues emanate from 'non-official sources' such as local communities and foreign mining corporations (Bertrand, 2003). Entire battalions are 'rented' to ensure the protection of extraction sites. Similarly, in Papua New Guinea, the Government agreed to meet mining interests' demands for more security on and around extraction sites and to create a Rapid Deployment Unit only after the industry lobby group accepted to finance most of the expenditures related to it (Dinnen, 2001).

The absence or inefficiency of state providers can also lead to the institutionalization of self-help, under the guise of voluntary vigilante associations. Cattle rustling, for example, is unlikely to be considered a high priority problem for the police in a disintegrating society. However, for rural communities, the effects can be disastrous and compromise their future. In response to this threat, communities form vigilante arrangements such as Rondas in Peru or Sungusungu in Tanzania (Hemed Bukurura, 1993; Yrigoyen Fajardo, 1993). In this case, the auspice and the provider are identical, because of the lack of resources. One of the consequences of this mode of security provision is its propensity to arbitrariness. Justice is meted out on the spot, after an informal contradictory discussion between suspect, victim and vigilantes, procedural fairness not being the main preoccupation. The punishment is usually savage and brutal, in order to make an example for others, and can include kneecapping (Northern Ireland) or the burning alive of suspected shoplifters (Nigeria). If a sense of security is restored among the communities that resort to self-help, human rights are often a victim of these schemes, which tend to fuel rather than weaken the circle of violence experienced by these communities.

Private security providers are not a new phenomenon, even if their responsibilities have fluctuated through history (Shearing, 1992). What is new is the development of international private security providers, whose size and expertise are equivalent, if not superior, to those of state security providers (Johnston, 2000; Singer, 2001). Securitas, a Swedish security company, employs for example 230,000 people around the world and claims a global security market share of 10 per cent. MPRI, another major player in the private provision of services to law enforcement agencies, boasts among its associates a retired FBI assistant director, a former US Assistant Attorney General and many former police chiefs. In September 2002, the US State Department announced that it would engage the

services of a private company to protect President Hamid Karzai of Afghanistan (Dao, 2002). Estimates place the number of these companies at 100 worldwide. These multifunctional organizations offer a full range of services to non-governmental and governmental clients. They have found a booming market in weak and failing states, where economic actors are willing to purchase products and services that hold the promise of reducing those risks and uncertainties that hamper their economic activities. In certain states, such as Angola, the Government makes it compulsory for foreign investors to provide their own security, mainly through private security companies (FCO, 2002). These private security providers do not restrict their services to extracting companies and wealthy clients. They are increasingly intervening to protect the activities of NGOs and relief agencies. In other cases, they have even offered to act in place of state providers, requiring in payment a portion of the mineral resources found in the pacified regions. If this option seems attractive and can provide some temporary relief to the rampant insecurity found in weak states, it also contains a few drawbacks. First, most of these providers mobilize paramilitary modes of action and expertise, more suited to states of war and counterinsurgency than to conflict resolution and peacemaking. Of course, they are able to create 'peace bubbles' where they operate, but they do not engage the community in the production of security and these bubbles usually burst when they withdraw. In Sierra Leone for example, the South African company Executive Outcomes was instrumental in stabilizing the country, allowing the signature of a peace agreement and elections to be held. However, its departure was followed by a coup and the exile of the elected government, nullifying much of what had been achieved. The lack of accountability and the absence of regulatory arrangements create some moral dilemmas for those advocating a more widespread use of private security providers. However, from a weak state's auspice perspective, they remain a comparatively cheap, quick and effective way of securing order.

Finally, the last and least desirable form of security provision lies with criminal organizations, which can be seen as institutions offering security and protection to their members. The Sicilian Mafia, Chinese Triads and the Japanese Yakuza all originated from mutual protection schemes in places where the state failed to perform this function (Gambetta, 1993; Dupont, 2001). Today, in Brazil, drug gangs produce justice for communities, regulating order in exchange for the protection of their illegal activities (Botelho Junqueira and Augusto de Souza Rodrigues, 1993). In the eyes of the marginalized communities that benefit from the security provided, the illegality of criminal groups does not in any way diminish their legitimacy, in the absence of another alternative.

As we have shown in the previous paragraphs, the disintegration of governmental capacity in weak and failing states creates a security vacuum that can be filled by several configurations of auspices and providers. Some of them might be morally objectionable, but the reality of their existence should not be denied. We argue that the moral dilemmas that are intrinsic

to some of these configurations should be considered in their local contexts, which are, in every way conceivable, unlike the ordered world of democratic societies. Most of these configurations are unable to provide long-term solutions for the governance of security, and to a certain extent reinforce the processes that perpetuate the weakening of the state. They rely on auspices that lack either resources or legitimacy, and on providers that are fragmented, serve narrow interests and seem to concentrate their activities on coercive measures. At the best of times, these arrangements may provide a modicum of security for neighbouring residents, as well as medical, welfare and infrastructure services, employment and other assistance for community development. At the worst of times, they may contribute to repression, to the exacerbation of local conflict or to other undesirable outcomes such as substance abuse and sexually transmitted disease. Appropriation of land and other resources, environmental degradation and the displacement of populations without satisfactory compensation is not likely to win hearts and minds. However, there is no fatality in this state of affairs, and all the elements are present—albeit in a dispersed order—that would allow the design of new assemblages for the democratic governance of security and the transfer of some of the policy options already developed in strong states.

These assemblages should not be based on a unique ‘one-size-fits-all model’, but should instead value pluralism and accommodate the diverse contexts, cultures and knowledges found in weak and failing states. Just like community policing sought to bring state institutions closer to civil society by way of consultative processes in order to co-produce security, local knowledge can be harnessed in weak states and lead to the ‘invention’ of alternative governance mechanisms susceptible of complementing state auspices and provision. This diversity should be encouraged, or at least tolerated, by governmental and non-governmental (both local and international) actors, providing it does not undermine basic justice and accountability principles. The accountability of those new modes of security governance is certainly the most intricate issue to be addressed. The blend of public and private organizations involved in the production of security in strong states generates inconsistencies between public and private instruments of control (Chan, 1999; Stenning, 2000). In weak states however, this thorny question is eclipsed by extraordinary and chaotic conditions and the ensuing pre-eminence of an ‘ends over means’ mentality. As we have demonstrated, efficiency tends to prevail over transparency, and rogue paramilitary units, private security companies or organized crime syndicates are not known for their receptivity to external regulation. Nevertheless, some contribution towards accountability may be provided by human rights NGOs such as Community Aid Abroad, or other ‘social auditors’. It is also the responsibility of international development agencies to ensure that the schemes they sponsor have high levels of accountability embedded in them (Bayley, 2001) and that they shape the standards of the private providers that protect their activities (Avant, 2003). These two

complementary features of flexibility and accountability might sound too broad ranging to be useful at the operational level. However, in the next section, we turn to a model developed in South Africa that seeks to realize these requirements and that illustrates how these two features can be creatively integrated in order to produce security and justice.

### **The Zwelethemba model for governing security**

While South Africa is by no means a weak state there are many parts of the country (urban, peri-urban and rural) where the governmental situation mirrors many of the features of weak states that we have identified. Since 1998 an experiment—based on a partnership between a local NGO, the Community Peace Programme (which has subsequently become part of the School of Government at the University of the Western Cape), two international governments (first Sweden and then Finland) through their aid programmes and various levels of government and governmental agencies—has been taking place in poor urban collectivities ('squatter camps') where state-based governmental service is weak to develop a model for the governance of security that realizes the objectives noted earlier.

The work began in a community called Zwelethemba that is part of a small country town, Worcester, a little over 100 kilometres north of Cape Town. The model has been named after the community both to recognize the crucial role it played in its development and because 'zwelethemba' means 'country or place of hope'. The hope that motivated the development of the Zwelethemba model was the development of institutions of micro-governance (that would operate through the window of security but not be limited to security) that would deliver effective and legitimate governmental services. The programme to realize this hope began with a two-year pilot project that produced a basic model which is now being refined and rolled out to new communities. At present it is operating in some 20 communities across three South African provinces. The core of the model is a process that gathers local people together to strive for a future-oriented solution to disputes as well as solutions to generic problems within communities.

The most recent iteration of the model is one that integrates the dispute-resolution and problem-solving micro-institutions with the emergency response capacity of the state police. This is done through the creation of Community Peace Centres in which the police emergency response capacity is integrated with the community dispute-resolution and problem-solving capacity in ways that enable the police to spread their very limited resources much more widely than would be the case without this integration. While the details of the model as it is evolving in South Africa are likely to be culturally specific, the principles are transferable. This has recently been demonstrated through an ongoing project in which the principles have been transferred to two communities in Rosario, Argentina.

While the core of the model (dispute-resolution and problem-solving through gatherings) has remained intact, details differ. Similar explorations of the model and its principles are being planned for Sao Paulo, Brazil and Toronto, Canada. The essential features of the dispute-resolution and problem-solving aspects of the model developed in South Africa are as follows.

### *Peacemaking*

Peacemaking focuses on disputes. It is particularly concerned with smaller everyday disputes that if left unresolved might escalate into serious problems. To facilitate peacemaking, a group of six to 10 people within a local collectivity establish a Peace Committee. Disputants bring disputes to the Committee. The Committee follows a set of tested steps and a Code of Good Practice in responding to the dispute. The essential feature of this response is a gathering together of local people (including the disputants) thought to have the capacity and knowledge to envisage and then to implement an enduring resolution to the dispute. A forward-looking approach is encouraged throughout the Gathering. It is the people gathered together, not the Committee members, who resolve problems and see to it that solutions are acted upon. A central provision of the Code of Good Practice is that force cannot be threatened or used.

### *Peacebuilding*

In addition to seeking to contribute towards the resolution of interpersonal disputes, the Committee also seeks to contribute to the resolution of more generic problems that are often thought of as community development issues—for example, issues of public health, education, security and the environment. The facilitation process is similar to peacemaking—that is, gathering people together to provide forward-looking solutions to problems. Needs-gatherings are held to identify generic problems. Solutions-gatherings are held to explore how to respond to these problems through the mobilization of local capacity and knowledge. Plans of action are developed and implemented to create solutions—for example, building a children's park, developing dramas on health issues, support for primary education centres, support for the aged, soup kitchens for children, youth programmes and so on.

### *Partnerships*

The first level of partnership built is between the Committees and local entrepreneurs of various sorts who can provide the capacity required to implement peacebuilding plans. This has been the focus to date. The Community Peace Centres mentioned above are seeking to build on this level of partnership by including the police as a partner within an institutional and regulatory framework that was developed independently of the

police. A partnership has also been built with local governments (see below) and with the South African Law Commission that is developing regulatory guidelines that draw upon the guidelines developed with and for Peace Committees.

### *Sustainability*

The work of Peace Committees is sustained both through the involvement of international agencies (consistent with the strategy outlined earlier in the article) in the form of support through the Finnish Embassy and through local governments. The Finns provide support for the administrative services provided by the Community Peace Programme as well as the research and reflection that has and continues to guide the model building while local governments along with the Embassy provide direct support for Peace Committees and the Organizers and Co-ordinators who facilitate their work. The support for Peace Committees is provided according to the following formula that directs a portion of tax resources available to local municipalities directly into poor communities in ways that both promotes self-direction and contributes to community development. Committees are paid Rand 400 (approximately US\$40) for every gathering held in accordance with agreed upon principles. Half of this goes 'into the pockets' of Committee members who organize the gathering, in recognition of the value of their knowledge, capacity, energy and time. The other half goes into a community-building fund to support peacebuilding projects. If a Committee arranges 10 gatherings a month (that is the floor), aimed at this brings what is in local terms a significant amount into the community in which the Committee works. For Committees that exceed this norm, for example, by arranging 30–40 gatherings a month, the money that 'puts food on the table' of members' households and that is available for peacebuilding can be quite sizeable in local terms.

### *Management*

The programme is managed at the community level through people drawn from Peace Committees, who organize, review and gather data. This is essential to the regulatory process (see below) and provides data required for both the outcome-based payment scheme and the research and reflection noted above. These local Organizers and Co-ordinators are supported by a small professional staff (one full time and three part time).

### *Regulation*

Regulation is embedded in the model rather than added on. Reviews are an essential part of both the peacemaking and peacebuilding processes and are required as part of the remuneration formula. In addition, persons attend-

ing gatherings are asked to participate in ‘exit interviews’ and regular baseline surveys are conducted.

### *Principles of the model*

At the heart of the model is the premise that good governance requires the mobilization of local knowledge and capacity and its integration with professional knowledge and capacity. This mobilization is used both to establish auspices that direct governance and establish sources of provision. To use a nautical metaphor both steering and rowing take place at the micro level. This serves to deepen democracy by involving local people directly in their own governance. In doing so it enhances self-direction as well as the quality of service provision. Mobilizing local knowledge and capacity requires sustainable institutional arrangements that bring people with local knowledge and capacity to respond to issues. Integrating local knowledge and capacity with other knowledges and capacities—particularly those mobilized by state agencies—in ways that will retain self-direction and local capacity, requires institutional structures that will ensure that state agencies do not dominate. Sustaining micro-governance requires new ways of channelling tax-derived resources to local communities, as well as ensuring ongoing support from international bodies. This will assist in weathering local political ups and downs, and will provide for ongoing research, reflection and international legitimacy. Regulation that will ensure compliance with internationally recognized standards of good governance must be built into the governance processes and supported through the remuneration template (see Roche, 2002 for a recent assessment of the Zwelethemba model).

### **Conclusion**

Reconfiguring the governance of security in weak and failing states requires a dose of institutional creativity and audacity. Traditional models of governance, which are undergoing considerable transformations in strong states, and whose transplant has often been instrumental in the disintegration of fledgling states, should no longer remain the only available option for the provision of security.

In their place, models that rely on local knowledge and the mobilization of a broad range of resources have the potential to facilitate a de-escalation of violence and disorder, while at the same time allowing communities to stabilize and recover some of their lost strengths. The state, which is very often as much part of the problem as of the solution, cannot remain the sole conduit by which security is authorized and provided to vulnerable communities. Increased involvement of non-state actors need not eclipse the state, but rather, can ‘buy time’ and relieve pressure in a manner that can allow legitimate state institutions to emerge or regenerate. They can also help arrest the deteriorating quality of life at grassroots levels.

Non-state actors can make a valuable contribution. International aid agencies, religious organizations (Alger, 2002) and multinational extracting companies can bring to weak states the resources and the organizational infrastructure of the global. Residential and interest communities, through their adaptive capacities and their intimate knowledge of the local, ensure the relevance of the model and the equitable diffusion of its benefits to their members. States, to the extent to which they are genuinely democratic, bring to this mix of resources and know-how the possibility of democratic regulation and access to state taxes. There is no standard formula for this. Settings will vary in terms of what remains of the state, what domestic institutions of civil society are viable and in cultural receptivity to proposed solutions originating from overseas.

The rethinking and reordering we have proposed here challenges mental schemata with which we are familiar and comfortable. This, however, is precisely what is required.

## Appendix A

Adapted from Grabosky (1996).

- 1 *Conscription*: Governments may simply command third parties to assist with one or more processes of law enforcement, as in cash transaction reporting requirements or mandatory reporting of suspected child abuse.
- 2 *Required private interface*: In contrast to conscription, where commands are directed at third parties, this approach entails governments requiring that targets of crime control engage the machinery of private institutions. Financial auditing requirements represent one example.
- 3 *Required record keeping and disclosure*: In order to encourage introspection, or with a view to informing markets or other private institutions in a position to foster compliance, governments may require disclosure of certain aspects of a regulated entity's activities.
- 4 *Co-optation of private interests*: In some settings, public agencies may actively seek the co-operation of private interests in furtherance of surveillance and detection. Neighbourhood watch programmes are one example.
- 5 *Conferring entitlements*: There are two basic avenues by which governments can empower private interests to enforce the law. The first entails the creation of certain specified rights, conferring them upon private parties, and leaving it up to those private parties to enforce. Many systems of patent, trademark and copyright rely on such private enforcement

A second avenue of private enforcement entails empowering third parties to undertake enforcement actions on behalf of the state. In many jurisdictions, cases of cruelty to animals are investigated and prosecuted by societies for the prevention of cruelty to animals.

- 6 *Incentives*: Governments may offer incentives directly to targets of regulation to induce compliance, or to engage in a desired course of conduct. They may also offer rewards and bounties for assistance in criminal investigations.

- 7 *Contracting out*: Governments might seek to engage private consultants rather than rely upon in-house resources.
- 8 *Delegation or deference to private parties*: In some instances, governments may become aware that certain functions relating to compliance are already being performed or could be performed by private parties. Representatives of the relevant firm or industry association investigate many cases of insurance fraud and of copyright infringement.
- 9 *Abdication*: The state may simply abdicate some regulatory functions, and leave allocative and ordering decisions to the market. The growth of the private security sector is one example.

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