



Marisa Borges

**CITIZENSHIP AND POST-ARMED CONFLICT STATEBUILDING:
RE-ENGAGING WITH POWER AND POLITICS IN SPACES OF INTERVENTION.**
The illustrative case of Guatemala.

Tese de Doutoramento em Relações Internacionais, Política Internacional e Resolução
de Conflitos, orientada pela Professora Doutora Maria Raquel Freire e apresentada
à Faculdade de Economia da Universidade de Coimbra

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Marisa de Fátima Inácio Horta Borges

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Economia da Universidade de Coimbra para obtenção do grau de
Doutor

Orientadora: Professora Doutora Maria Raquel Freire

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To the loving memory of my grandparents, Manuel and Domingas, whose life and death taught me all there is to know of compassion, courage and love

To my mother, Maria

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Abstract

Post-armed conflict statebuilding has come to be considered as a fundamental element of building a viable and sustainable peace in the aftermath of armed conflict. Though this compromise with state was in the first years mainly directed to democracy promotion, its policies and premises have evolved towards a more technical project of institutional capacitation, which seeks to address states' fragility and create the condition for a lasting peace. This evolving compromise has been subjected to wide reflection, both in the policy circles engaged in intervention spaces and in the academia. The critiques and reflections were mainly guided by two perspectives: a first one, which questioned whether statebuilding contributed to creating peace; and a second one, which mainly questioned the type of peace created. On one hand, the appeals to refocus on state-society relations and to promote local ownership emerged as necessary conditions to create an effective, sustainable and legitimate state able to contribute for the creation of peace. On the other hand, critics progressively exposed how statebuilding represented an external-oriented exercise of stabilisation which ultimately put in motion a depoliticisation process of the post-armed conflict spaces and subjects. However, and when one explores this discussion, one deals with an awkward silence towards citizenship, the concept which has traditionally framed the political condition of individuals and state-society relations, and has invested states with legitimacy. More important, we have identified this silence not only in the normative policy documents of major international organisations but also in the debates that have criticised the limited achievements of statebuilding or how it has produced a depoliticising narrative of the local spaces of intervention through its technical mantra. Accordingly, this work seeks to explore this silence and bring citizenship back to this discussion. For that purpose we depart from the concept of citizenship and the condition of citizenship that has emerged in Guatemala in formal peace times and how the discourses and practices of post-armed conflict statebuilding have contributed to the (re)creation of a peaceful sociability in the country. Our purpose is to depart from the possibilities opened by an analysis centred on citizenship to re-engage with power and politics on spaces of intervention in order to overcome the current narratives and recognise the political condition of individuals and groups in these spaces. Such reflection shows us that even though international actions and discourses on statebuilding project a depoliticising narrative detached from local political dynamics, such actions impact nevertheless the power relations which sustain the condition of citizenship. Thus, the international actors' contribution for the (re)creation of a peaceful sociability are essentially dual, stretching from a depoliticising narrative of local spaces of intervention to the political spaces and possibilities that emerge as a consequence of these actions.

Key words: post-armed conflict statebuilding, peace, citizenship, Guatemala

Resumo

A reconstrução de estados em cenários de pós-conflito armado tem vindo a ser progressivamente considerada como um elemento fundamental na construção de uma paz viável e duradoura. Ainda que este compromisso com o Estado tenha, numa primeira fase, estado associado à promoção da democracia, as premissas e as políticas que lhe estão associadas evoluíram para um projeto de capacitação institucional técnico, que procura dar resposta à fragilidade dos estados e criar desta forma as condições para a construção desse projeto de paz duradouro. Este compromisso tem vindo a ser submetido a um constante escrutínio, quer no círculo político das organizações e atores que intervêm nestes espaços, quer na academia, guiado, fundamentalmente, por duas perspetivas: uma análise que questiona se a reconstrução de Estados pode contribuir para a construção da paz; e uma outra que questiona o tipo de paz que se pretende construir. Por um lado, existe um apelo crescente para concentrar a atenção nas relações entre Estado e Sociedade e promover um sentido de ownership sobre o processo, concebidos como condições necessárias para criar um Estado efetivo, sustentável e legítimo, capaz de contribuir para a construção de um projeto de paz. Por outro lado, as perspetivas mais críticas argumentam que a reconstrução de Estados representa, essencialmente, um exercício de estabilização, que em última análise, expõe um processo de despolitização dos sujeitos e espaços de pós-conflitualidade armada. No entanto, e ao explorarmos esta discussão, somos confrontados com um estanho silêncio no que diz respeito ao conceito de cidadania, que tem tradicionalmente representado a condição política dos indivíduos e a relação entre Estado e Sociedade e tem sido o garante da legitimidade das instituições estatais. Mais importante, este silêncio é notório não só em documentos institucionais normativos de organizações internacionais mas também nas perspetivas que têm vindo a criticar a narrativa de despolitização inscrita na reconstrução de Estados. Neste sentido, este trabalho pretende explorar este silêncio e trazer de volta à discussão o conceito de cidadania. Com esse propósito, partimos do conceito de cidadania e da sua condição no estudo de caso da Guatemala para compreender de que forma os discursos e práticas de reconstrução de estados têm contribuído para a construção de uma sociabilidade pacífica. O nosso objetivo é partir das possibilidades apresentadas por uma análise centrada no conceito de cidadania para abordarmos de forma diferente o poder e a política nos espaços de intervenção, e assim transcender as narrativas atuais e reconhecer a condição política dos indivíduos e grupos nestes espaços. Esta reflexão mostra-nos que, ainda que as ações e discursos internacionais sobre a construção de Estados projetem uma narrativa de despolitização afastada das dinâmicas políticas locais, tais ações afetam as relações de poder que sustentam a condição de cidadania. De facto, o contributo dos atores internacionais na (re)criação de uma sociabilidade pacífica é essencialmente marcado pela dualidade entre a despolitização dos espaços de intervenção e os espaços e possibilidades políticas que emergem como consequência dessas ações.

Palavras-chave: Reconstrução de estados, cidadania, paz, Guatemala

List of acronyms

ANN – Alianza Nueva Nación

ASC – Asamblea de Sociedad Civil

ASIES – Asociación de Investigación y Estudios Sociales

CACIF – Comité Coordinador de Asociaciones Agrícolas Industriales y Financieras

CEH – Comisión para el Esclarecimiento Histórico

CIA – Central Intelligence Agency

CICIACS – Comisión de Investigación de Cuerpos Ilegales y Aparatos Clandestinos de Seguridad

CICIG – Comisión Internacional contra la Impunidad en Guatemala

CNR – Comisión Nacional de Reconciliación

DDR- Disarmament, Demobilisation and Reintegration

DRC – Citizenship, Participation and Accountability

DSN - Doctrina de Seguridad Nacional

EGP – Ejército Guerrillero de los Pobres

EU – European Union

FAR – Fuerzas Armadas Rebeldes

FRG – Frente Republicano Guatemalteco

GANAN – Gran Alianza Nacional

IBL – Institutionalization Before Liberalization

ICISS – International Commission on Intervention and State Sovereignty

IDPS – International Dialogue on Peacebuilding and Statebuilding

IFI – International Financial Institutions

ILO – International Labour Organisation

IOs – International Organisations

LEPP – Law of Elections and Political Parties

LIDER – Libertad Democrática Renovada

MINUGUA – United Nations Verification Mission in Guatemala

MR13 – Movimiento Revolucionario 13 Noviembre

NGOs – Non-Governmental Organisations

ODHAG – Oficina de Derechos Humanos del Arzobispado de Guatemala

OECD – Organisation for Economic Cooperation and Development
OECD-DAC – Organisation for Economic Cooperation and Development –
Development Assistance Committee
ORPA – Organización del Pueblo en Armas
PAC – Patrullas de Autodefensa Civil
PAN – Partido de Avanzada Nacional
PARLACEN – Parlamento Centroamericano
PBC – Peacebuilding Commission
PBSO – Peacebuilding Supporting Office
PGT – Partido Guatemalteco del Trabajo
PNC – Policía Nacional Civil
PR – Partido Revolucionario
R2P – Responsibility to Protect
REMHI – Recuperación de la Memoria Histórica
SEPAZ – Secretaria de la Paz
SOP – Standard Operations Procedure
SSR – Security Sector Reform
UN – PSO – United Nations Peacebuilding Supporting Office
UN – United Nations
UNDP – United Nations Development Programme
UNE – Unidad Nacional de la Esperanza
URNG – Unidad Revolucionaria Nacional Guatemalteca
USA – United States of America
USAID – United States Agency for International Development
WB – World Bank
WINAQ – Movimiento Político WINAQ
WSP – War-Torn Societies Project

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1. Introduction

Twenty one years ago, amidst the profound changes and challenges affecting the international system, the United Nations (UN) Secretary-General Boutros-Ghali produced a document with the purpose of establishing a new role for the UN in the promotion of peace worldwide. Peacebuilding was inscribed in the *An Agenda for Peace* (1992) and has been, since then, a central reference in the international engagement with post-armed conflict scenarios. Considering the changes the world was undergoing, and the traditional and new challenges ahead, the Secretary-General sustained that the organisation “[...] emerged as a central instrument for the prevention and resolution of conflicts and for the preservation of peace” (Boutros-Ghali, 1992: 17). Regarding these ambitious goals, Boutros-Ghali defined four broad fields of action and intervention that, together, framed a “coherent contribution towards securing peace in the spirit of the Charter” (Boutros-Ghali, 1992). In addition to preventive diplomacy, peacemaking and peacekeeping, the report defined a fourth dimension for UN intervention, understood as the “action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict” (Boutros-Ghali, 1992). Since the first three tasks were already strong elements of UN action regarding conflict, the introduction of the term “post-conflict peacebuilding” became one of the most important statements of the Agenda.

The term, as well as the actions it compromised, were inscribed in a liberal precept, and entailed a large effort and compromise of international actors with a reengineering attempt of post-armed conflict societies. This project was extensive and demanding, but most of all, it was confronted with difficult and challenging post-armed conflict realities which questioned the effectiveness of its project and demanded a revision of the existing frames of actions for creating peace. International actors did not grasp the extensiveness of the challenges created by the conflicts that emerged in the 1990s and, as a consequence, their ability and willingness to intervene faded, thus questioning the ambition of international peace promotion settled in the Agenda.

The UN engaged in an internal process of reflection and revision while the academia focused its attention on the shortcomings and the missing conditions to

attain the promised liberal peace. The conclusion of this reflection has been in some degree condensed in Roland Paris tenet of “Institutionalisation before liberalisation” (IBL) (Paris, 2004) which meant, in practice, that the problems faced and created by the promotion of a liberal peace resulted mainly of the absence of strong institutions able to manage the liberalisation processes. Progressively, this view gained pace and the argument that the peace missions carried during the 1990s neglected the state was diffused. When the UN was called to intervene in Kosovo and in East Timor, statebuilding was definitively inscribed as a precondition for peace. However, and as we shall see in more detail, this inclusion has not transformed peacebuilding efforts into more successful outcomes. The high profile cases, such as East Timor for instance, have proven how fragile the categories of success conceived by international actors can be.

The connection established between peacebuilding and states (re)construction was then subjected to reflection. The critiques and reflections were mainly guided by two perspectives: a first one, which questioned whether statebuilding contributed to peace; and a second one, which mainly questioned the type of peace being created. On one hand, the appeals to refocus on state-society relations and to promote local ownership emerged as necessary conditions to create an effective, sustainable and legitimate state able to contribute to the creation of peace. On the other hand, critics progressively exposed how statebuilding represented an external-oriented exercise of stabilisation which ultimately put in motion a depoliticisation process of the post-armed conflict spaces and subjects.

Our reflection departs from an important silence that crosscuts the reflections on statebuilding. Current efforts to create peace depart from an international engagement with the creation of viable institutions able to sustain a peaceful sociability. However, and even if statebuilding attempts to (re)build a state that resembles the modern idea, the issue of citizenship, state-society relations modern frame and the source of state’s legitimacy, has not been brought to the discussion. More important, we have identified this absence not only in the normative policy documents of major international organisations, but also in the debates that have criticised the limited achievements of statebuilding or how it has produced a depoliticising narrative of the local spaces of intervention through its

technical mantra. Reading the literature on peacebuilding and statebuilding an immediate question crosses our mind: if states are being (re)built isn't citizenship being (re)affected? And shouldn't the critical accounts of the depoliticisation narrative that denies local actors their political agency engage in a discussion of the concept which has for long established and recognised individuals' political agency?

The dissertation research proposal

The present work departs from this absence to establish the grounds for its reflection. As a consequence our research was guided by the following question: ***does the vision of citizenship contained in international post-armed conflict statebuilding discourses and practices contribute to create a peaceful sociability, i.e. the non-violent articulation of conflict?*** Our initial assumption is that even though statebuilding departs from a diagnosis of fragility based on the modern state ideal, it has deployed alternative concepts to affect state-society relations, thus establishing an understanding of citizenship detached from the complex configurations of politics in spaces of intervention and their centrality in the (re)creation of a peaceful sociability.

The use of citizenship as an analytical device has a two-fold purpose in the present research: first, to analyse the narrative established in post-armed conflict statebuilding regarding the political condition of individuals and groups; and second to transcend this vision and explore, through citizenship, the power relations and the political condition in spaces of intervention. We use the term power relations to capture the interaction between individuals' agency and, particularly, how these interactions and disputes structure the condition of citizenship. Of course, these relations often translate into dominance, the power over the other. However, it is important to note that others' resistance, for instance, must also be considered as the affirmation of their own power. Additionally, this term need not to have a negative meaning: it is foremost representative of the political condition of disagreement and divergent action.

To accomplish this dual purpose, we depart from citizenship debates to map the elements of the concept and create a conceptual reference. Comparing the actions of statebuilding with the liberal ideal of citizenship that is its reference is important

and we will engage in that discussion. It seemed nevertheless limiting to our purpose to establish citizenship as an analytical tool able to transcend the depoliticisation narrative. Thus, we depart from the inherent relational nature of the concept of citizenship – in the sense that its content, practices and meaning are (re)shaped by power relations established on different spaces of governance – to approach the condition of the concept in statebuilding spaces.

As a relational concept and condition, citizenship is built on the dialectic inclusion/exclusion, and it is precisely here that the political can be grasped. It must be noted that these divides do not refer solely to the state's bordering process that establishes who is included/excluded in the political community. To this geographic divide, citizenship debates have identified others, metaphorical in some sense, and which convey the idea of the lines of inclusion/exclusion that permeate society based on access to citizenship rights or the (non)recognition of their specific social and/or cultural condition and needs. Citizenship is built along these inclusion/exclusion divides and, by focusing on them, we are able to explore political relations, either as the attempt to maintain a certain status or to profoundly reshape citizenship condition. This relational understanding entails that citizenship is a located concept and it unfolds in specific spaces, according to the existing power relations and the governance frames. We do not assume here an essentialist view of space. Rather, as citizenship debates demonstrate, the spaces where citizenship is located stretch beyond a geographical definition and are not exclusive to state's territory: they are foremost related with the spaces where governance is affected and where power relations gain expression.

An additional clarification is in order. The present work uses the term post-armed conflict statebuilding to convey the specificity of our context of analysis. In these contexts, internationally sponsored statebuilding is established in the large project of creating peace and, thus, the evaluation of its actions are always related with statebuilding possible contribution to that purpose. Necessarily, we do not use here a restrictive conception of statebuilding interventions, limited to transitional powers exercised by international actors. On the contrary, we believe that these are exceptional conditions and cases that often tend to overshadow other international practices that target states even if they are not-so-total exercises of reengineering.

Instead, we consider post-armed conflict statebuilding interventions as the actions carried or sponsored by international actors which seek to establish the institutional foundations to the creation of peace. Interventions in this sense do not imply the use of force or a suspension of local authority but the term rather conveys an idea of action with purpose, and which often translates in supported projects on the ground targeting specific areas of state rehabilitation after an armed conflict. The adoption of this comprehensive definition enables an analysis of the evolving compromise of international actors with the state for peacebuilding purposes, reflecting on the differences and the continuities present.

The case-study approach

Considering the dissertation research proposal of bringing citizenship to the discussion of post-armed conflict statebuilding actions and discourses, and their contribution to (re)create a peaceful sociability, and the necessary reflection to establish a conceptual reference of citizenship able to map international actors' depoliticising narrative and simultaneously transcend it, we have decided to adopt a qualitative approach to develop our research. Such methodological standpoint fits our view of citizenship as a condition built on power relations and, consequentially, subject to change (Devine, 2002; Rathbun, 2008).

Specifically, we have opted for a case-study approach in order to carry our reflection. This choice is consistent with our general qualitative view and is consequent of our understanding of citizenship as a located concept and our goal to explore the condition of citizenship in spaces of intervention. George and Bennett (2005) have identified some advantages of case-studies not only to test hypothesis but foremost for theory development purposes: (1) high levels of conceptual validity; (2) the possibilities of fostering new hypotheses; and (3) the possibility to explore causal relations and causal complexity. These advantages were particular appealing considering our purpose to explore the condition of citizenship in intervention spaces. Furthermore, and considering that our reflection is directed towards theory development rather than theory testing, we consider that such methodological standpoint provides the necessary tools to develop a reflection that truly dialogues with the findings and forces us to revisit our theoretical underpinnings (George and

Bennett, 2005). Furthermore, and considering our research purpose, we have opted to focus on a single case-study instead of a controlled comparison across cases, adopting a close position to George and Bennett (2005) in what concerns the possibility that evidence within a case poses to affect theoretical frames.

This does not mean that we have overlooked some considerations regarding the choice for a case-study approach, particularly a single case-study. George and Bennett (2005) have identified some of the constraints that emerge with such choice, and two of them are particularly relevant. The first concerns the possible bias of case selection, caused either by initial assumptions or expected outcomes which may compromise the validity of the choice. The second addresses the limited representativeness and, consequentially, the limits of generalisation of the research conducted, particularly in single cases. To representativeness and generalisation, the authors oppose the possibilities that process-tracing offer in single cases, through the multiple observations and the links necessarily established amongst them, to establish causal inferences in the absence of a comparison that grasps variance (George and Bennett, 2005). In what concerns our research, our purpose is not to infer general conclusions but rather to establish, through the case-study, a conceptual reference that can be applied to other cases. This means that we focus primarily on defining the parameters to guide our process-tracing in what concerns the condition of citizenship – namely, by focusing on power relations and answering to Cornwall's (2002) appeals to explore the "histories of governance and experiences of rule".

Regarding the danger of a biased choice, the authors stress the need to establish clear criteria to ground the case selection, namely the relevance for the research objective and the variation and control the case offers to the research problem (George and Bennett, 2005). Collier and Mahoney (1996) have even explored how the risk of selection bias, and the consequent limitation on the number of case-studies, is often related with the researchers' attempts to capture different causal relations. Ultimately, the selection of the cases or case, should be guided by the events related with our research purpose are identified (George and Bennett, 2005) and this selection must be consistent with or be in our research best interest.

Our research proposal demanded that we choose a case-study departing from specific parameters that allowed us to: (1) grasp how current statebuilding

practices are inscribed in an evolving international compromise with the state's role in creating peace apart from the most visible cases; (2) explore the contribution of the vision of citizenship contained in statebuilding discourses and practices to create a peaceful sociability; and (3) transcend the depoliticising arguments that, and though they are important, constitute only a partial view of the problem. Thus, we searched for a case-study with a formal peace but where international actors were still present, providing support to the creation of peace by supporting statebuilding actions. We searched primarily for a country which had, in some moment, the presence of the UN, considering its role in the promotion of peacebuilding practices worldwide. Considering our aim to grasp the inclusion of statebuilding in peacebuilding actions, we privileged cases which firmed their compromise with peace during the 1990s and where formal peace has prevailed. In a first moment we aligned some possible options such as El Salvador, Mozambique and Guatemala. There were however, two particular aspects that prompted us to choose Guatemala: first, the existence of an international commission against impunity in the country which constitutes, so far, a unique international statebuilding action and which is sponsored by the Peacebuilding Fund; and second, the indigenous communities in the country, far from being a minority, and their cosmovision were a clear challenge that could enrich any theoretical development regarding citizenship.

The armed conflict in Guatemala came to an end in December 1996 after the signature of twelve peace agreements, and has been characterised as one of the bloodiest in Central America. The violent conflict which it is estimated to have claimed more than 200 000 lives is often framed in the set of conflicts that emerged as a consequence of the bipolar confrontation (CEH, 2006). Though this dimension cannot be ignored, it offers a limited insight to 36 years of armed conflict. The UN was called by conflict parties – the Guatemalan state and the guerrilla *Unidad Revolucionaria Nacional Guatemalteca* (URNG) – to mediate the negotiations and to later verify the implementation of Peace Agreements. This contribute allowed the parties to address in different agreements what were perceived as the structural causes of violent armed conflict in the country and establish an ambitious project of reforms able to sustain a project of peace. Despite the international support and due to a multiplicity of factors, the agenda of reform contained in the agreements was

only partially implemented, which has limited the materialisation of the peace project therein inscribed, though it assured the end of armed conflict. Moreover, the country assisted to a transfiguration of violence, which is now carried by multiple actors and has even gained expression in the private sphere, as the growing number of *femicidios* testifies. The perseverance of violence, together with the strong presence of organised crime and *narco* in the country, created additional challenges to the implementation of the peace project and demanded a shift in political actions to address state's fragility, especially in the justice and security sector. This perception of fragility demanded an action, supported internationally, to rehabilitate state institutions, considered now as a precondition to the creation of a peaceful sociability guided by the rule of law and state capacity to democratically enforce it. Sixteen years after the signature of the peace agreements, the project of peace therein inscribed remains a reference (at least rhetorically) both to national actors and international actors' intervention in the country and, accordingly, statebuilding actions became part of the effort to contribute to the creation of a peaceful sociability, inspired in the liberal peace project contained in the peace agreements.

Conducting the research

We developed two fieldwork periods in the capital city of Guatemala. Necessarily, and preceding these two periods and following the last one, was an effort to map and reflect on the concepts used in the analysis and an attempt to gather relevant information to improve our knowledge of the case-study. As a consequence we elaborated: (1) a literature review on the emergence and guiding assumptions of post-armed conflict statebuilding and the main critical contributions to revise it; (2) a reflection on the concept of citizenship departing from a review of citizenship debates; and (3) a historical contextualisation of the Guatemalan case. In order to do so, we gathered information through secondary sources, namely books, academic articles, and institutional reports and policy papers. Concerning these documents, we focused our attention on the institutions that directly engage in statebuilding actions, through direct presence or funding, and institutions which have a normative role in defining development aid principles, particularly in what concerns the issue of states'

fragility. We also used secondary sources to establish a deeper understanding of Guatemala's armed conflict, peace negotiations, and formal peace in order to create a solid ground for the fieldwork carried in 2009 and in 2011. These secondary sources included books and articles as well as reports from international institutions, research centres and non-governmental institutions. It is important to note that this effort continued during the fieldwork periods with the purpose of bringing to the discussion the reflections that existed in Guatemalan society and academia and confront them with the information we had gathered.

In addition to the secondary sources, we decided to gather information through semi-structured interviews. Necessarily, the method to gather evidence must be consistent with our research proposal and overall methodological stance. Semi-structured interviews were described by Leech (2002) and Liamputtong and Ezzy (2006) as a "middle-ground" between unstructured interviews and structured interviews with closed-end questions, that provides "detail, depth, and an insider's perspective" (Leech, 2002: 665). Such instrument seemed particularly relevant considering our research proposal and our goal to map a depoliticising narrative through citizenship, departing from the interviewees' social constructions on Guatemalan context. Semi-structured interviews were also adequate to our purpose of gathering specific information while providing enough space and flexibility to the interviewees to express their thoughts and articulate more complex answers, where important social constructions could be revealed.

The choice for semi-structured interviews brings, nevertheless, important challenges to the researcher. Liamputtong and Ezzy (2006) have affirmed how crucial listening is in interviewing and have distinguished two different tasks related with listening: first, the interviewer needs to listen to the content expressed in the answers given; and second, the interviewer must listen without losing sight of the interview process, i.e., if what one listens covers the topics defined, if there is still time to discuss them, what the interviewee's body language shows, among other things. This means that even though semi-structured interviews aim to provide liberty to the interviewees and the answers they give, one must bear in mind the research purpose when preparing and conducting the interview. Specifically, this

entails that the interviewer needs to be prepared to guide the conversation without limiting the interviewees' answers.

There is some discussion regarding how one should prepare the semi-structured interviews both in terms of its content – the questions – and the respondents – how to choose or sample. Regarding the issue of questions, different authors emphasise different elements: Liamputtong and Ezzy (2006) for instance refer the usefulness of a theme list to guide the interviewer in the questions that need to be posed; Leech (2002) presents us with different types of questions that might be used during semi-structured interviews; Foddy (1996) expresses how the choice of questions must be rigorous, considering their purpose and how the information will be treated, and the overall research purpose.¹ Overall, it is evident that despite the variation, there is a consensus regarding the balance that needs to be achieved between the open-end purpose of the questions posed and the definition of a script that allows the interviewer to conduct the interview. There are, nevertheless, three remarks which are particularly important when preparing such script. The first concerns the relevance of the questions for the research purpose and it means that while defining the script and conducting the interview the researcher poses the questions without losing sight of their research purpose (Foddy, 1996). The second note relates with the order questions are posed, and which tells us that easy questions must come first and more sensitive questions should only come up in the middle of the interview. This allows to “put respondents at ease” and “gain rapport” before posing more difficult questions, and thus sound less invasive and non-judgemental (Leech, 2002). Finally, the third remark is concerned with the form of the questions. The interviewer must be aware of the different vocabularies that are used by different subjects, and thus, the questions must pass through a process of reinterpretation which assures that their meaning and purpose are kept (Liamputtong and Ezzy, 2006). In what concerns the form, it is also important to note that the questions must not be presuming, i.e. they must not imply that the researcher already knows the answer (Leech, 2002).

¹ The author identifies three fundamental categories of questions: (1) grand tour questions, that allows respondents to describe a process, a routine, or a theme, in their own terms; (2) example questions, that depart from an act or event identified by the respondent to establish an example; and (3) prompts, which are questions the interviewer pose in order to keep the respondent talking or to bring the conversation back to the purpose of interview (Leech, 2002).

Regarding the interviewees, the main discussion focuses on how to choose the individuals who are expected to provide the needed insight of the event or action being studied. This sampling question has different possible answers. According to Warren “respondents may be chosen based on a priori research design, theoretical sampling, or snowball or convenience design, or particular respondents may be sought out to act as key informants” (2001: 87). Goldstein, however, establishes as fundamental that one departs from the research question and purpose to identify a target population (Goldstein, 2002). This does not mean that such a theoretical sampling excludes snowball sampling: a respondent identified through research criteria might provide access to other actors and organisations that are also part of the defined sample (Warren, 2001; Goldstein, 2002). There is an additional aspect in what concerns the respondents which, and though not directly related with sampling strategies, ultimately affects the interviewing process: access. Gaining access to individuals might prove particularly difficult for different reasons. Again, preparing the interviews is crucial, in order to anticipate some obstacles regarding access and prepare the fieldwork period accordingly.

Bearing in mind the demands involved in interviewing we have developed two periods of fieldwork in Guatemala. Considering our research question and the conceptual categories involved, we targeted international actors, local actors involved in international statebuilding actions, and actors indirectly affected by such project. Specifically, we privileged civil society actors, both national and international, elements of international institutions, and local authorities and political actors, who we considered to be central to illustrate the international approach to statebuilding. Considering that these actors are present in the capital city, we confined our fieldwork to Ciudad de Guatemala.

The first fieldwork period was conducted between May and June 2009 and the first purpose was to establish a first contact with the country and revisit the research question and the premise of analysis through interviews and observation notes. This first fieldwork period was also fundamental to consult secondary sources concerning multiple aspects of Guatemalan politics and society, as well as the history of conflict that were difficult to access from Portugal. This was a period to confront the initial assumptions of my research and to understand the need to depart from a

conceptual reference of citizenship able to grasp the complex political dynamics of the Guatemalan reality. The second fieldwork period was conducted in May 2011. With a consolidated purpose and conceptual reference of citizenship, the semi-structured interviews conducted sought to complement and strengthen the information gathered in the previous period. This was a particularly challenging and yet enriching period in the country, marked by the tensions and disputes preceding presidential elections and a series of violent acts.

In the months preceding these periods, I established formal contacts with targeted actors in order to arrange in advance possible dates to conduct the interviews. This allowed me to arrive to Guatemala in June 2009 and in May 2011 and start my interviews almost immediately. In addition to the contacts established, it was also possible, through the snowball sampling strategy, to reach other actors and to have access to discussions, meetings and capacitation sessions that provided me with insightful observation notes that guided my reflection.

In what concerns the interviews script, I adopted a mixed approach. On one hand I created a theme list regarding the main issues that my interviews had to cover – briefly, the implementation of the peace project inscribed in the agreements, the role of the state in that process, the international statebuilding actions or the condition of citizenship in face with such actions. On the other hand, I defined a set of questions related with each theme but with a differentiated formulation according to the respondents' profile. The interviews started with “grand-tour questions” regarding the general implementation of peace agreements and moved to more specific issues, regarding the role of CICIG, for instance (Leech, 2002). Both the list of themes and the questions related were defined according to the research purpose of discussing international statebuilding actions and the condition of citizenship promoted to (re)create a peaceful sociability. During the first fieldwork period, it also became clear that anonymity was the most effective tool available to protect the individuals who collaborated in the research while simultaneously assuring respondents' disclosure, regarding specific topics (Warren, 2001).

The structure of the dissertation

The writing process of the present work aimed, from the beginning, to mirror the evolution of our reflection as well as the effort to bring two conceptual fields – post-armed conflict statebuilding and citizenship – together. As a consequence, we have structured this dissertation in three moments. The first moment comprehends the two first chapters and engages separately with the state of the art of post-armed conflict statebuilding and citizenship. The first chapter deals with post-armed conflict statebuilding and is divided into two sections. In the first section we present first a broad overview of the evolving state's role in the peacebuilding project and the inclusion of statebuilding approaches in international efforts to promote peace, and then, the specific elements that guide post-armed conflict statebuilding. In the second section, we engage with the critiques and revisions posed to post-armed conflict statebuilding practices, addressing the debate in the academia and international actors' efforts to redefine their practices. In this chapter, our purpose is twofold: (1) we seek to expose how current statebuilding practices are part of an evolving international engagement with the state that started with a democratic emphasis but has evolved to a more technical statebuilding, which has radicalised the detachment of local realities and contexts, and (2) we explore the limits of the current critiques which either compel us to look to local actions as the expression of resistance and transformation of international actions or focus on the depoliticising consequences of international actors without providing us other possibility to engage with local politics rather than returning to liberal premises. In a second chapter, we explore citizenship as a conceptual tool to re-engage with the contexts where post-armed conflict statebuilding unfolds and to address (1) state-society relations and (2) relations within society. We have divided this chapter in two sections: in the first section, we overview the main contributions of citizenship debates to identify four dimensions – the location, subject, rights and practices, and meaning – that mark the concept of citizenship, while in the second section we discuss these dimensions to establish our relational understanding of the concept and the analytical premises to explore citizenship in post-armed conflict statebuilding.

The second moment is essentially a transition in our reflection and it engages with a discussion of citizenship in post-armed conflict statebuilding discourses and practices and how, by deploying alternative concepts to affect state-

society relations, statebuilding moves away from the liberal premises on which it was initially based to materialise a depoliticising narrative. We sustain in this chapter that a comprehensive understanding of citizenship, departing from the elements identified, enables us to re-engage with the spaces of intervention in order to understand the power relations that affect the condition of citizenship beyond the depoliticising narratives and the international-local opposition.

The third moment corresponds to our attempt to locate our reflection. Bearing in mind our purpose to overcome the depoliticising narrative of local actors and explore the power relations and political dynamics that have affected the condition of citizenship in Guatemala in formal peace times, we explore the histories of governance that have marked the political landscape and framed state-society relations in the country. Accordingly, and after revisiting the questions and circumstances that preceded the armed conflict in the country, we explore in the first section the armed conflict and the dispute between the counterinsurgent apparatus and the guerrilla, and then the peace negotiations and the signature of the peace agreements. The second section focuses on the content and implementation of peace agreements regarding the reinvention of state institutions in particular. In this section we seek to explore the trajectory of state's fragility, particularly in what concerns its security and justice institutions, in order to expose the current configurations of international statebuilding actions. In a last chapter we specifically address the condition of citizenship in Guatemala. We depart from the histories of governance identified previously to (1) explore the transfigurations citizenship faced in the transition from armed conflict to formal peace times and (2) assess the role of international intervention in such process. Accordingly, we use the imagery device of inclusion/exclusion divides to explore the main questions which structure the condition of citizenship in the country and along which the power relations between different individuals and groups are established. We also assess how international actors have affected and interacted with these power relations and whether their actions have promoted a condition of citizenship able to sustain a peaceful sociability.

This reflection closes with some conclusions regarding the condition of citizenship in Guatemala and the challenges ahead both for the individuals and

groups and for the international actors compromised with the country's peace agenda. Additionally, we consider how this reflection can enrich citizenship debates which have so far neglected post-armed conflict statebuilding spaces. But foremost, we reflect on the implications of the present work for consequent reflections on post-armed statebuilding. Our purpose is to establish the ground on which one analytically re-engages with power and politics in spaces of intervention and thus the conclusions of the work seek to lay the foundations for future reflections.

2. Building Peace in post-armed conflict scenarios

Peacebuilding had been conceptually evoked and developed in the peace studies and the conflict resolution field before 1992 (Ramsbotham, 2005: 172). But afterwards, the term became a political statement of the international engagement with violent armed conflicts and the challenge they represented to the peaceful world order that was expected to emerge. The end of the Cold War is often pointed as one of the main factors that explain the adoption of the concept and also the leading role the UN assumed. The changing geopolitical interests opened a gap of assistance in areas once fundamental to the bipolar confrontation, while the mission in Namibia, at the end of the 1980s, called for actions beyond the traditional mandates of peacekeeping missions (Paris, 2004: 13). Accordingly, the UN envisioned a different role in international affairs considering the possibility to enlarge its action geographically, and deepen the nature of its intervention, supported by the application of its Charter.²

Faced with the changing and challenging international context, the post-conflict peacebuilding actions were, from the beginning, tied with the ambition of answering to “the deepest causes of conflict: economic despair, social injustice and political oppression” (Boutros-Ghali, 1992). The consequent (re)definitions of the term and what tasks peacebuilding efforts and missions should entail have been circumscribed by this propelling cause and the need to effectively define operative dimensions and actions in the field. Accordingly, the concept and the actions referred in the *An Agenda for Peace* (1992) were further developed in the *Supplement to the Agenda* (1995), where “Demilitarization, the control of small arms, institutional reform, improved police and judicial systems, the monitoring of human rights, electoral reform and social and economic development” (Boutros-Ghali, 1995) were identified as some of the fundamental peacebuilding measures. Kofi Annan later synthesised the concept of post-conflict peacebuilding as “the various concurrent and integrated actions undertaken at the end of a conflict to consolidate peace and prevent a recurrence of armed confrontation” (Annan, 1997: 40). In this reform

² In the *Agenda*, the Secretary-General refers to the renewed role of the Security Council in the application of the Charter, considering the end of bipolarity (Boutros-Ghali, 1992). Kofi Annan also mentions the end of the Security Council’s years of stalemate and the possibilities opened by this new moment in the organisation’s life to answer to the challenges of security and peace (Annan, 1997: 36).

programme, the Secretary-General assumed the ambitious nature of peacebuilding, stating that it must include humanitarian and development actions, but embrace such tasks and develop them according to peacebuilding distinctive political nature that rests in the larger purpose of preventing the resumption of conflict and contributing to a lasting peace (Annan, 1997: 40).

Ramsbotham (2005) draws on the evolution of the concept and encompassing actions to identify the two-fold ambitious nature of peacebuilding. Departing from the distinction Galtung establishes between a negative and a positive peace, where the negative facet refers to the cessation of direct violence and the positive one addresses the structural and cultural violences (Galtung, 1990), Ramsbotham conceives peacebuilding as the sum between

(A) the ‘negative’ task of preventing a relapse into overt violence and (B) the positive tasks of aiding national recovery and expediting the eventual removal of the underlying causes of internal war (Ramsbotham, 2005: 171).

To the first aspect corresponds what the author identifies as “Clausewitz in Reverse”, meaning the reversion of the classical postulate of the “war as politics by other means” into arrangements to guarantee that post-war politics will deal with conflict in non-military terms.³ Necessarily, this first task needs to be supported by long-term sustainability achieved through “constitutional and institutional reform, social reconstruction and reconciliation, and the rebuilding of shattered polities, economies and communities” (Ramsbotham, 2005: 174). This positive facet and “colossal undertaking” aims to target three interlinked deficits present in war-torn societies: the political and constitutional fragility, the weak socio-economic conditions and the psycho-social trauma (Ramsbotham, 2005: 174).

Regarding the difficult but necessary interconnection between the negative and positive features of peacebuilding, Ramsbotham identifies a common procedure of UN involvement in post-conflict peacebuilding activities that is structured on four areas of intervention: a military and security dimension, where the disarmament and

³ It is worth mentioning that the author uses the term post-war politics deliberately since what peacebuilding seeks to do is to transfer the conflict from the violent field to the realm of non-violent politics. Hence, the term post-conflict, according to the author, is precisely what peacebuilding is not since the settlement of the violent dispute means “the projection of the politics of war forward [...] into the politics of conflict”, meaning the continuation of conflict by others means in order to make peace a feasible and desirable scenario where the parts can pursue their interests (Ramsbotham, 2005: 173).

demobilisation of the parties, the reform of the army and police and general demilitarisation of politics are framed; a political and constitutional area that prescribes power-sharing arrangements, a new constitution, and free and fair elections in order to edify a democratic government; an economic and social sphere that beyond the immediate relief of needs, seeks the rehabilitation of former combatants, the reconstruction of infra-structures which fosters economic policies with long-term macroeconomic impact; and a psycho-social dimension that seeks to promote long-term reconciliation through the management of the needs of peace and justice (Ramsbotham, 2005).

The present chapter departs from the SOP identified by Ramsbotham to assess state role in it and how the international actors have changed their position towards the state in violent armed conflict and, consequentially, in peacebuilding. We expose first how this understanding and actions have evolved and what concepts and assumptions have been deployed to accomplish this change. We also discuss the current debates and critiques surrounding current post-armed conflict statebuilding practices, particularly in what concerns its relation with peacebuilding purposes.

2.1. Creating Peace through Statebuilding

This section will approach the state role in the peacebuilding project in order to understand its place and relation with the emerging complex international context after the Cold War. By exploring how peacebuilding has adopted statebuilding, we expect to expose the evolving nature of the international compromise with the rehabilitation of states in post-armed conflict scenarios and how this translates to local spaces of intervention. Hence, we will focus, first, on the premises that currently guide the international engagement with statebuilding and how they have been shaped, and finally elaborate on the statebuilding put in motion by the different actors engaged with this task.

2.1.1. *The post-armed conflict state: an evolving international engagement*

In the peacebuilding frame that emerged in 1992 the discussion and definition around states' contribution to the creation of a lasting and sustainable peace progressively focused on states' regimes.⁴ After the *An Agenda for Peace*, democracy became the way to assess how the state was supposed to contribute to the larger purpose of peacebuilding and this perspective was further elaborated by Boutros-Ghali in the *An Agenda for Development (1994), Supplement to an Agenda for Peace (1995)*, and in the *An Agenda for Democratization (1996)*.

The political focus on democracy and its promotion as a fundamental element for peace occurred in a larger context. The specificities of the historical and political context of the end of the Cold War presented, in fact, a crucial moment in the worldwide diffusion of an international liberal peace project to which democracy was a fundamental requisite. Accordingly, and notwithstanding the uncertainties and challenges of the new world order, there was a wide agreement on the need to promote democracy in order to foster peace. The democratic peace thesis corroborated the establishment of a social contract with democratic institutions as the means to create a normative culture of peaceful setting of conflicts that sustains peace within democracies, while inhibiting violence between them (Russett, 1993; Rato, 1998; Levi, 2001; Doyle, [1986] 1997)⁵. Fukuyama (1992) had already announced liberal democracy as the final stage of human societies' evolutionary process and had, by then, proclaimed the End of History. Therefore, the promotion of liberal democracy, at the national and international levels, seemed a viable path to

⁴ This is not to say that the model of development put in motion through peacebuilding did not share the premises of structural adjustment and the fundamental role of the market. Pugh states that since the *An Agenda for Peace* the "framing of political economy issues in war-torn societies has closely followed developmentalist models for promoting structural adjustment and budgetary austerity" (2006). Nevertheless, the political emphasis of peacebuilding was placed in democracy and the essential articulations it had with development and peace. This is especially evident in the Agendas and subsequent documents of the Secretary-General that inscribed the term in the international political agenda. Moreover, the emphasis on democratisation was not incompatible with the idea of state promoted by the economic discipline of the Washington Consensus: a state with a power limited by a political regime was in fact a cornerstone for the establishment of a liberalised economy.

⁵ This dyadic image of democratic peace, where democracies do not go to war with each other, has been targeted with criticisms, especially regarding democracies inherent peacefulness when confronted with non-democratic states. But there are also recent efforts in the development of democratic peace theory that try to move beyond this separate peace assumption, arguing that liberal states' "peace proneness is not limited to inter-liberal state relations" (MacMillan, 2003: 241).

build an international peace (Holm and Sorensen, 1995), considering not only the favourable international context, but also the favourable academic input at that time. Barnett presents this consensual emphasis on domestic politics when he assesses the liberal nature of the emerging international order through the analysis of four prominent reflections and reports of that time and the bridges that can be drawn between them (Barnett, 2010).⁶ Barnett concludes that the four documents are “quite unabashed in promoting the spread of democracy” as a form to guarantee the inscription and respect of its norms in the international sphere and demand that the UN acts as an “agent of normative integration” (Barnett, 2010: 27).

The UN developed its understanding of post-conflict peacebuilding amidst this favourable context for democracy promotion while facing growing demands to assume a different role in global affairs, regarding the challenges and the needs of the times, and the experience it had acquired. The Agendas of Boutros-Ghali reflected, to some extent, the post-bipolar optimism as a consequence of the possibilities opened to the international society and to the UN itself. Together, the documents assumed a compromise with a peace promotion intertwined with democracy support and sought to give the organisation a different and more active role in global affairs.⁷ The Secretary-General stated, in the definition of peacebuilding as an international instrument to achieve peace, “an obvious connection between democratic practices [...] and the achievement of true peace” (Boutros-Ghali, 1992). Furthermore, the Agenda referred to the conditions, procedures and rules that must be fostered and respected in order to promote democracy at the internal level of the state and amongst the family of nations. Summing it up, the Secretary-General affirmed that “democracy at all levels [was] essential to attain peace for a new era of prosperity and justice” (Boutros-Ghali, 1992). In the *An Agenda for Development* he further elaborated on the priority that should be assigned to democracy promotion,

⁶ The author departs from Boutros-Ghali’s *An Agenda for Peace* (1992), the Commission on Global Governance Report (1995), Evans’s *Cooperating for Peace* (1993) and the Report of the Independent Working Group on the Future of the United Nations (1995), to assess the features of the new world order they unveil.

⁷ At the beginning of the 1990s the UN launched several peace operations, which not only stressed the increasing demand for UN action in post-conflict scenarios but also created expectations regarding future action, considering the experience acquired in these missions. According to Bellamy and Williams (2010), this constituted the quantitative aspect in UN peace operations transformation and preceded the normative and qualitative turn, which will be considered further in this section.

considering its relation with development and, specifically, with development in post-conflict scenarios (Boutros-Ghali, 1994). He considered that democracy was the only reliable means by which good or improved governance, an essential condition for an effective development strategy, could be achieved (Boutros-Ghali, 1994). The elaboration of *An Agenda for Democratization* (1996) not only strengthened previous UN compromise with democratisation worldwide, as it came to crystallise the adoption of democracy as a strategy to promote peace. The *Agenda* referred an “emergent consensus” that perceived democracy as “a response to a wide array of human concerns”, “essential to promote human rights” and fundamental to foster “the evolution of a social contract upon which lasting peace can be built”: “a culture of democracy is fundamentally a culture of peace” (Boutros-Ghali, 1996: 6-7). Underpinning the elaboration of such Agenda, and its statements and recommendations, was the conviction that “peace, development and democracy are inextricably linked” (Boutros-Ghali, 1996) which expresses the conceptual and practical articulations developed in the previous documents. This emphasis and compromise with the promotion of liberal democracy are a fundamental feature of the normative and qualitative transformation of the peace operations undertaken by the UN, according to Bellamy and Williams (2010).

Nevertheless, and despite the efforts undertaken to develop an international referential frame to answer to post-conflict challenges and promote peace, the 1990s constantly tested and challenged the actions undertaken by the UN and those who developed actions under the peacebuilding umbrella. When the Secretary-General wrote the *Supplement to the Agenda for Peace* (1995) or the *An Agenda for Democratization* (1996), it was already clear that the international society, and the UN more specifically, would have to face a more complex changing world than it was anticipated. If globalisation had managed to diffuse the “western model of governance characterised by market economy, democracy and human rights” it also created and intensified contradictory processes and demands (Jakobsen, 2002: 268). Jakobsen points to three globalisation related causes of the changes that UN operations faced throughout the 1990s: first, the relation between the introduction of economic and political conditionalities in aid development and the outbreak of armed conflicts and the collapse of states in the Third World; second, the normative change

that made democracy promotion and human rights support the fundamentals for new peace operations; and third, a rising global awareness and coverage of massive human rights violations and atrocities that increased the pressure for peace operations on such grounds (Jakobsen, 2002). Such conditions, however, had dual impacts on the action of UN peace operations: while enabling stronger normative answers, they created a demand for intervention and expectations that the international society and the UN were not able to meet along the way. The discussion surrounding possible humanitarian interventions is, perhaps, one of the strongest images of the dual impact of these factors. The 1990s rapidly became a decade full of contradictions and contrasts: between an international optimism and the conflicts that (re)emerged, between the missions defined and the results accomplished, between guiding assumptions and inconsistent practices.

The violent armed conflicts that emerged throughout the decade progressively questioned the frames that had been developed to understand and address violent conflicts. According to Kaldor (1999) such conflicts should be understood as “new wars”, a necessary frame if one wished to understand their distinctiveness and the challenges they posed in terms of peacebuilding. The indiscriminate use of violence against civilians and its progressive privatisation, the development of war economies and its global articulations were some of the central elements of these “new wars”. Fundamentally, what distinguished these violent conflicts were their purposes, the methods used and their financing (Kaldor, 1999). But more importantly, these new wars came to be identified in contexts of state disintegration (Kaldor, 1999).

The connection established between state disintegration and violent conflicts and human rights abuses decisively marked the international debate of peacebuilding ever since. The phenomena and the debate were barely new but the 9/11 events and the consequent actions deepened this connection, both in policy circles and in the academia. The perils of state failure were depicted beyond the devastation and violence that they were expected to create locally and, after the 9/11, the question of weak and failed states reached a different category in the international agenda: the attacks came to posit these places of failure as global concerns with systemic impacts.

In policy circles, the concerns over states' fragility, failure or collapse rapidly came to the centre of the debate. In his *Supplement to the Agenda for Peace* (1995), Boutros-Ghali had already mentioned the collapse of state institutions as a fundamental feature of the "new breed of intra-state conflicts" and how these collapses presented UN actions for peace and security with specific challenges. The report of the High-level Panel on Threats, Challenges and Change, *A More Secure World: our shared responsibility* (2004), proclaimed weak and collapsed states as a systemic threat to international peace and security. The different emphasis of these documents on the issue of failed and collapsed states understates how this phenomenon evolved in international actors' perspective, becoming a localised event in places of violent conflict with a systemic impact, considering the threat it posed to an interconnected security and to the international system (values and units). This discourse and perception, which have placed failed and collapsed states at the centre of the policy decisions of international actors engaged with the international promotion of security and peace, were made clear in different states' approaches to (international) security challenges.⁸

States' role in peacebuilding evolved along this apparently international "schizophrenia": even if the 1990s brought strong suspicions regarding states' intervention in the social and economic spheres, with the eruption of violent conflicts and humanitarian catastrophes worldwide the absence and/or failure of states were progressively perceived as a source of instability, threats and violent conflict. Amidst this, the UN found its engagement with peace promotion questioned: the events of Rwanda or Srebrenica and the multiplication of violent armed conflicts (mostly intra-state) raised several criticisms to the organisation's action and created the need for internal reflection, balance and reforms. Progressively, the initial enthusiasm of its member states with peace operations (and their necessary contribution with money and personnel) also faded which only made the engagement defined in the *An*

⁸ The United States of America (USA) National Security Strategy of 2002, forged in the aftermath of the terrorist attacks, affirmed the threat failing states posed to the country's security and the need to engage with other international actors (namely the European Union) to strengthen weak states abroad (US Government, 2002). The European Union (EU), in its own process of creating a common security and defence policy, also recognised state failure as one of the most preeminent global challenges: "state failure is an alarming phenomenon that undermines global governance and adds to regional instability" (EU, 2003: 4).

Agenda for Peace harder to keep (Bellamy and Williams, 2010). The organisation embarked on an internal process of reform and evaluation that was expected to point the errors and limits of the previous commitments and operations, and point towards future compromises and guidelines, able to properly address the security and peace threats. To some extent, this entailed a normative re-adjustment: the premises of post-armed conflict peacebuilding were re-assured but there as a progressive awareness that UN actions to implement it had to be revised. Naturally, the internal reform and evaluation process of UN peace operations reflected an emergent view of the state as a source of security concerns and where international intervention could be more consequent in its contribution to build peace.

In 2000, the Brahimi Report (UN, 2000) reflected much of the UN's internal process of reflection, recognising the mistakes that the organisation had previously made and pointing towards future directions in UN peace operations deployment. Although both the report and the implementation follow-up documents were too much focused on the UN institutional capacity leaving political issues marginalised, even when they were identified as responsible for important UN failures, the Report did, however, lay important ground for further reflections and changes in the perceptions of security threats and in the deployment of differentiated and adequate peace operations.⁹ This effort happened when the demands for international intervention rose again in what Bellamy and Williams have called “peacekeeping reborn” (2010: 121). The organisation's actions in East Timor and Kosovo came to be fundamental in a re-statement of the need for UN contribution to peace related activities.¹⁰ Moreover, it demanded efforts tied to transitional authority frames from the UN, where building state institutions was considered a priority.

As a consequence, and even though the UN did not abandon its normative reference of the liberal peace, it adapted its actions, considering the needs and demands of the international environment where it operated. Nevertheless, the organisation still had to manage the respect for international norms with the deployment of tangible actions. The Secretary-General launched in the General

⁹ Rwanda and Srebrenica are mentioned by Bellamy and Williams as evident examples of this neglect (2010: 135-136).

¹⁰ Important lessons and critiques were drawn from this participation. We will elaborate on this issue later in our analysis.

Assembly, in 1999 and again in 2000, a serious challenge to all member states. The question was precisely over the definition of a principle that would enable the organisation to answer effectively to threats and humanitarian emergencies without disrespecting the fundamental premise of its Charter, the sovereign rights of states. The report “Responsibility to Protect” (ICISS, 2001), sponsored by the Canadian government, answered to this appeal and sought to bind the need to intervene at states’ level with specific criteria and motivations in order to preserve states’ sovereignty. It sought to nourish the deployment of humanitarian interventions able to effectively protect individuals where states were not able or willing to perform or engage with the responsibility of sovereignty. This principle of Responsibility to Protect (R2P) is necessarily scaled: although the primary scale of responsibility rests within the state itself, the international community must accept this responsibility when the state, for any possible reason, fails to exercise it. Though the aim of R2P was the definition of a principle for humanitarian intervention, it came, nevertheless, to enunciate an understanding of states’ sovereignty, supervised and ultimately guaranteed by international actors (Chandler, 2010b).

This international understanding of sovereignty reflected a changing approach towards the state’s role, in security and development, and, ultimately, in the creation of peace. Such change has been generally described as the post-Washington Consensus (Duffield, 2007; Fritz and Menocal, 2007) and entails a fundamental change over the expectations towards the state and the role it should perform in development. The 1997 *World Development Report* of the World Bank (WB) assumed the attempt to rethink state’s role in development and focused on the need to match state capabilities with expected roles (WB, 1997). The relation between effective institutions and states’ capability was expressed in this report, but was further elaborated in the 2000 *Strategy Document* of World Bank’s Public Sector Group (WB, 2000). These views expressed a changed focus towards the state: besides the regime guiding its actions, the state must have the capacity to perform its functions to guarantee the sustainability and legitimacy of the democratic regime. The question, then, was no longer whether to bring the state back in but how to do it (Ghani and Lockhart, 2008).

Combined, the new international approach to sovereignty, the threat posed by failed states to the international system and state's renewed potential contribution for development, have produced a doctrine to (re)build states that focuses in giving the capacity to states to fulfil their sovereign responsibilities at the international and internal levels. The international actions and aid flows progressively became the decisive mechanisms to promote fragile states capacitation. The reflections promoted by the UN (in the case of the ICISS or the High-level Panel reports) or the documents adopted by the organisation brought to the peace operations field much of the issues identified as primary international concerns and needs. The understanding of failed and weak states, not only as a cause of violent armed conflicts but also as a systemic threat to international security and peace, as well as the adoption of the R2P approach to states' sovereignty in Annan's report *In Larger Freedom* (2005) materialised what Paris and Sisk have identified as "one of the most important macro-level shifts in peacebuilding strategy" (Paris and Sisk, 2009b: 1). According to the authors, such shift brought state institutions and its capabilities to the forefront of peacebuilding agencies' priorities (Paris and Sisk, 2009b: 1). This shift is, in fact, integral to the perspective that had been emerging in the UN: empirical sovereignty, instead of *de jure* status, is consequential for international order (Barnett, 2010). This view of sovereignty is a central element of what Chandler has identified as the "UN people-centred approach" that ties the promotion of peace and democracy in places of conflict with an international intervention that renders the principles of sovereignty and self-determination to this need to promote an international consequent empirical sovereignty (Chandler, 2001).

This shift towards capable states and supportive international actions was also sustained academically. Roland Paris' seminal work *At War's End* (2004) proposed a comprehensive analysis of the missions deployed during the 1990s by the UN with a clear emphasis on peacebuilding purposes, and where he ultimately developed an alternative approach to future international engagements. In the work published in 2004, the author departs from the acknowledgement of the liberal nature and purposes of peacebuilding to analyse UN peacebuilding actions. When introducing his argument, the author advert us that

international efforts to transform war-shattered states have, in a number of cases, inadvertently exacerbated societal tensions or reproduced

conditions that historically fuelled violence in these countries. The very strategy that peacebuilders have employed to consolidate peace – political and economic liberalization – seems, paradoxically, to have increased the likelihood of renewed violence in several of these states” (Paris, 2004: 6).

For Paris, the peace missions deployed proved that democratisation and ‘marketisation’ were tumultuous processes with the capacity to undermine any existing fragile peace, despite the variations in the outcomes across the case-studies presented (Paris, 2004).¹¹ Considering the mixed record of the missions, the author proposes the “Institutionalization Before Liberalization” (IBL) approach to peacebuilding that aims to build a minimum network of existing institutions before the challenging liberalisation processes (Paris, 2004: 7-8). More recently, Paris and Sisk (2009b) have stated that state institutions and their contribution to peace were strongly neglected in the 1990s, which severely compromised the outcomes of war to peace transitions at that time, an opinion that is shared by other authors (see Call and Cousens, 2008; Menocal, 2010).

Such critique was further sustained on the democratisation limits that were being recognised even in the democratisation literature. Carothers’s article on democratisation stated that the proliferation of qualification terms to characterise the emerging democracies created a proliferation of qualified democracies that ultimately eroded the analytical usefulness of the transition paradigm (Carothers, 2002). But more important, the author stated that it was equivocal to assume that statebuilding is a secondary challenge to democracy-building. In countries with weak states, with statebuilding needs and challenges, the democracy-building efforts had failed to bolster state capacity (Carothers, 2002).

Both Paris and Carothers’s contributions testify a changed vision towards the state. Such vision assumes that dealing with states’ regimes is a limited approach to the institutional demands of a sustainable peace. Rather than prioritising regime change (democratisation) as a condition for peace, such vision suggests taking a step back, by focusing on the institutions and their capacity to support peace and receive international assistance (Duffield, 2007). The question is not on how the liberal democratic values affect the promotion of peace and neither on the tensions that

¹¹ The author analyses the major UN peace operations deployed between 1989 and 1999: Angola, Rwanda, Cambodia, Liberia, Bosnia, Croatia, Nicaragua, El Salvador, Guatemala, Namibia, Mozambique, Kosovo, East Timor and Sierra Leone (Paris, 2004).

emerged in the promotion of democracy through intervention.¹² At stake was how the focus and promotion of democracy had compromised peace operations capacity to effectively foster security and development in post-armed conflict places and define plausible and achievable goals for interventions.

Thus, and despite the clarification attempts from institutions and academics between statebuilding and peacebuilding (either from a normative or a more critical perspective) they converged in peacebuilding actions.¹³ Statebuilding became a crucial concern for the agents involved in peacebuilding in terms that cannot be confined to the political realm of the Standard Operations Procedure (SOP) identified by Ramsbotham (2005). SOP assumed the promotion of democracy in post-armed conflict scenarios as the political dimension of an idea of peace coordinated with other dimensions. The prioritisation of institutions capacitation over democratisation extended the role of the state beyond the political realm: the emphasis on an effective state, able to meet its sovereign requirements became a prerequisite for the full transformation of post-armed conflict spaces and is expected to lay the foundations for a lasting peace.

Recognising the shift this renewed international engagement with the state has produced in peacebuilding is important. It is nevertheless fundamental to emphasise that this approach, focused on states' capacities and how they constrain or foster peacebuilding rather than on how states' political regimes lead to peace, does not mean that the concern for recovering state institutions was not present when peacebuilding emerged or that democracy is no longer a fundamental element of peacebuilding actions. Rather, this approach represents an international privileging of a specific engagement with the state that departs from the diagnosis of missing capacities to define an intervention able to act, correct and prevent such imperfections. In the next section we will specifically deal with the various contributions to this process of diagnosis and how and why statebuilding is expected to (re)create peace.

¹² See Newman (2001) on these issues and dilemmas.

¹³ These efforts, as well as the emerging study on the tensions between the statebuilding and peacebuilding will be addressed in the following sections in more detail.

2.1.2. *Statebuilding in motion: nurturing peace through institutions*

Over the last decade the efforts to define what constitutes state fragility, failure and/or collapse, and the attempts to map and understand the variables that affect such processes have grown exponentially, testifying multiple approaches to the phenomenon. Such analytical effort to understand this systemic threat to international security and peace has much to do with the international need to engage and to act on such spaces/places of failure and fragility in effective ways. Notwithstanding the debates over the state being built, what underpins statebuilding enterprise is the assumption that viable statehood is *the* requisite for political organisation and order (Milliken and Krause, 2002). Hence, an idea of state, or the need for an ideal state, has not only guided the diagnosis of failure and fragility but has also structured an intervention project on a referential unit and role model. Grasping the different categories of “deviance” to such ideal (collapsed, failed and weak or fragile) entails the assessment of the best international practices, according to the different specificities and demands.¹⁴

The debate over states fragility, failure and collapse is contemporary to the development of peacebuilding. In 1990, Jackson’s book questioned statehood in the Third World (Jackson, 1990). He distinguished states with juridical sovereignty (with international recognition, rights and responsibilities) from states with empirical statehood (with domestic authorisation and empowerment and the existence of institutional features) (Jackson, 1990). Accordingly, the author posited that most of Third World states were internationally enfranchised with sovereignty rights but had limited empirical statehood and, thus, were in fact quasi-states. Even though quasi-states could not be considered a new historical phenomenon, the novelty of quasi-states relied in the international normative regulations which protected and inflated statehood by exempting such states of power competition, and how, internationally, these states were sustained by development assistance through the acceptance of a negative sovereignty (formal-legal condition) (Jackson, 1990).

¹⁴ One must consider, however, that different perceptions of what the state is (or should be) at the national and international sphere necessarily emphasise different variables of failure and reconstruction and specific contributions to peacebuilding. This is also fundamental to establish differentiated categories such as failed, weak or collapsed states.

Krasner (2004; 2007) followed these questions in the definition of what constitutes failure and what should the international engagement resemble. Krasner affirms that conventional sovereignty assumes an homogenous international system when in fact, and considering the three constitutive dimensions of sovereignty – international legal sovereignty, Westphalian/Vatellian sovereignty and domestic sovereignty – the international system presents a different reality.¹⁵ Indeed

One of the most striking aspects of the contemporary world is the extent to which domestic sovereignty has faltered so badly in states that still enjoy legal international sovereignty and sometimes, even Westphalian/Vatellian sovereignty (Krasner, 2004: 88).

The failure addressed here by Krasner is thus located at the states' internal level: the failure of domestic sovereignty implies that the state's authority structures were not able to manage their own affairs. The lack of domestic sovereignty implies a failure in governance systems that can generate the necessary conditions to peace and order. But even though the failure rests on the internal level of states' sovereignty, such failures, in the author's opinion, do matter for the contemporary world, considering the economic and security interests of powerful states (Krasner, 2004). For Herbst what is new about state failure is the internal nature of this phenomenon: "political units in Africa, and in some other areas of the world, are collapsing because of internal strains" (Herbst, 2004: 304). This new feature of failure has, however, been wrongly addressed by the international understanding of states' sovereign rights, which posits an immutability of status that in fact protects states that are failing internally.¹⁶

Despite the differences in the policy recommendations, such visions depart from the concept of sovereignty, and what it entails in practice for states, to emphasise the crucial role of the internal realm in the process of state failure. For Rotberg (2004) the failure of states must be measured according to a performative criteria: what distinguishes states is their effective delivery of the most crucial

¹⁵ The international legal sovereignty refers to the recognition of juridically independent territorial entities while the Westphalian/Vatellian sovereignty entails the principle of non-intervention in the states' internal affairs. The domestic sovereignty is not so much a norm but frames instead the domestic authority structures and their ability to control activities within their boundaries (Krasner, 2007).

¹⁶ Herbst also explores how the international inability to deal with the internal dynamic of failure is present in international relations theory, giving as example the little that security dilemma has to say about inwards state failure (Herbst, 2004).

political goods. Ultimately, states fail because governance – understood by the author as the effective provision of political goods – breaks down. For the author, collapse or failure represent outcomes of an internal state decay process (in terms of governance), where will and neglect play a crucial role (Rotberg, 2004). Thus, failure is depicted as the outcome of “purposeful actions of a leader or leaders” (Rotberg, 2007: 88), which necessarily depicts human agency as the proximate cause of failure. Across this evaluative frame of states, the distinction of nation-states in different categories – strong, weak, failing, failed and collapsed states – is fundamental to answer to their different needs accordingly, prevent the descending movement towards failure and rebuild the ones that are drowned into failure (Rotberg, 2007).

The existence of states for provisional purposes is associated by Milliken and Krause with three intertwined narratives of the modern state as provider of order and security, legitimacy and representation, and wealth and welfare (2002). Bearing these narratives in mind and how they became expectations and demands towards the post-colonial state detached from their historical contexts, the authors affirm that what collapses is essentially a vision of a state rather than a real existing reality. Such acknowledgement is fundamental if one is to rightly understand the two-fold meaning of failure: state failure is inasmuch an “empirically-observed decomposition or collapse of the institutions of governance” as it represents the “dashed expectations about the achievement of modern statehood or the functions that modern states should fulfil” (Milliken and Krause, 2002: 753). This distinction is, according to the authors, fundamental if one is to consider the cases where failure is chosen to classify a state even when its institutions are still in place and even more fundamental, it must structure a critical distinction between failure and collapse.

Nevertheless, the performative approach, which focuses on the state functions sovereignty entails, has prevailed. Ghani and Lockhart (2008) developed a thorough frame to guide the engagement with fragile states and foster its rehabilitation. The authors depart from what they call “the creeping sovereignty gap” (the difference between *de jure* assumption of sovereignty and the *de facto* performative reality) to draw a multifunctional model of statebuilding and then elaborate on the current stage of international aid and how international efforts have, so far, only aggravated fragile states’ problems.

The concept of failure present throughout the book is then defined from a functionalist perspective.¹⁷ Hence, the analysis is based on a concept of functional sovereignty that seeks to encapsulate the international and internal demands posed to the state on a double compact that sovereignty (existing or recreated) must embrace (Ghani and Lockhart, 2008). The analysis of failure, understood as cause of troubles and conflicts, ultimately presents the international community with an opportunity to correct such “anomalies” in order to recreate the contribution of states to a stable and peaceful international system.

Departing from the double sovereign compound – the internal and international functions that sovereign states are expected to perform – the authors created a list of ten crucial functions that states must perform nowadays. Briefly, the states must assure the rule of law, monopolise the legitimate means of violence, have administrative control, manage public finances, invest in human capital, create citizenship rights through social policies, provide infrastructure services, form a market, manage public assets and effectively public borrowing. These constitute, for the authors, the ten core functions that states are expected to perform, regarding their responsibility with their citizens and their international partners:

focusing on all those issues simultaneously provides us with a much more holistic overview of the functions that the state must perform in our interdependent world if it is to have legitimacy as a sovereign state at home and play a responsible role as a constituent member of the international community (Ghani and Lockhart, 2008: 165).

The sovereignty gap – or the failure of the state to live according to such standards – is then estimated according to these functions and guides the definition of what the authors call “sovereignty strategies”, which are ultimately an integrated model for statebuilding. The model defined entails an alignment of resources and processes towards a common objective, and assumes the need to create consensus between the different stakeholders regarding the creation of a sovereign state. Necessarily, the definition of the critical tasks in such sovereignty strategy (defined according to the assessment of the sovereignty gap) must be in accordance with international legal standards and must engage in mandating leaders and managers. For the authors, the strategic statebuilding put forward through the engagement in

¹⁷ The use of the adjective implies that the authors depart from the definition of what should/must be state functions in order to evaluate states fragility and establish the recovery process.

national programs “repositions the international system as a catalyst and genuine partner in a process of enhancing state capabilities” (Ghani and Lockhart, 2008: 193).

The diagnosis of what variables affect state failure and a consequent effort to clarify and differentiate contexts and situations according to the different performances of states functions have led to the development of a larger purpose of engagement that is encapsulated in the generalised usage of fragility rather than the mere category of failure. It is important to note that using fragility to classify states’ performance implies, in fact, a broader field for international action in what concerns the task of statebuilding. It represents an international compromise not only to react in places of failure but foremost to identify situations of fragile statehood and act accordingly.

Fragile statehood or fragile states are, according to Schneckener (2008), situations where the state structures or institutions present key deficits in performing key tasks and functions. According to the author, focusing the analysis on statehood terms and the state’s three basic functions— security, welfare and legitimacy/rule of law – allows to make a distinction between different configurations of statehood: between weak (states fulfil the security function but poorly perform the rest), failing (the security function is not met but there is still relative compliance with the other two functions), and failed statehood (where none of the three functions is performed effectively). It is also fundamental to understand the degree of stability that fragility entails and through what processes some aspects of statehood remain in place in the absence of others. This is, nevertheless, based on the performance of state functions to differentiate statehood configurations and degrees of fragility. Consequentially, statebuilding seeks to shape and strengthen states’ capacity to fulfil their basic functions and to govern guided by a clarified diagnosis of situations and demands (Schneckener, 2008).

Using the fragility frame to understand the main challenges posed to statehood has become part of the policy concerns when defining and clarifying mechanisms and policies for international actors’ intervention, and especially for international agencies that guide states’ actions. The Organisation for Economic Cooperation and Development (OECD) constitutes one of the strongest examples

regarding this engagement with a better understanding of fragility. In 2007, the organisation publicised the good principles that were to guide its member states' engagement in situations of state fragility and defined fragility as the absence of states will or capacity to provide the basic functions needed for poverty reduction, development, human rights and security provision (OECD, 2007). In 2008, the OECD issued a report to clarify the concepts and dilemmas that should be considered by international actors when intervening in fragile situations (OECD, 2008a). In this document, three elements are considered to justify the attention given to fragile situations: a post-Washington consensus (reflecting the changed emphasis on state's role in development), the connection between human security concerns and the states' responsibility to protect, and the post-9/11 distress with the relation between fragile states and terrorism. Furthermore, the organisation elaborated on its previous understanding of fragility by defining a fragile state "simply as one unable to meet its population expectations and capacity through the political process" (OECD, 2008a: 16).¹⁸¹⁹

Consequently it has become rather consensual to map situations of fragile statehood through a focus on the sovereign condition of states. Either by criticising the discrepancies between the sovereign status and practices or focusing on the expectations towards the functions states must fulfil, diagnosing fragility has progressively focused on the internal sphere of the states. Such internal performative fragility represents most of all a governance malfunction that, beyond its domestic

¹⁸ This redefinition of what is meant with the use of the term fragility constitutes one of the efforts that the organisation has developed to assess international actions and to define a framework for action able to meet the challenges properly and efficiently, and to answer to the different critiques and efforts of revision. We will explore this "revisionism" and the specific issues it addresses later in our analysis.

¹⁹ Another example is United States Agency for International Development (USAID) definition of its engagement priorities and strategies, departing from the diagnosis of fragility. According to the need to improve the agency's response in situations of fragility its strategy paper draws a distinction in fragility: a vulnerable state, unable or unwilling to assure the adequate provision of security and basic services to its population, whose legitimacy is questioned, termed as failing states or states recovering from crisis; and a state in crisis, where the central government does not have effective control over its territory, fails to provide vital services throughout its territory, whose legitimacy is weak or non-existent and violent conflict is a reality or a great risk (USAID, 2005). This "fragility framework" defines a model of states' behaviour, both in terms of effectiveness and in terms of legitimacy, in security, political, economic and social realms. The diagnosis and differentiation of fragility it allows is then fundamental to structure the priorities of USAID engagement in situations of fragility and to establish a strategic engagement (not all states provide opportunities for the agency), able to focus on the causes of fragility and propel short-term impacts as well as long-term structural reforms (USAID, 2005).

expression, poses a challenge to governance at the regional and international sphere (Zartman, 1995; Krasner, 2004; Schneckener, 2008). Hence,

Understood as a systemic prospect state failure is causally linked to increased and widespread humanitarian suffering, regional instability, and transnational threats of international organized crime and terrorism. It is thus not just treated as the local population's Hobbesian nightmare, but also as a potential source of insecurities for the core states of international society and as a phenomenon that threatens to undermine the modern project of achieving political order (Milliken and Krause, 2002: 764)

State fragility and the consequent definition of a statebuilding strategy faced the dual nature of its threat: not only fragile states prevented development internally but underdevelopment also came to be the source of security threats. Duffield (2001) affirms that, through a relation of mutual reinforcement, development and security have been inextricably connected and the impact of this relation has profound political and structural implications. This security-development nexus expresses the vision of failure located at the state level but with possible severe consequences for the international sphere, which ultimately involves the deployment of an international solution for states' internal fragility. This perspective towards state fragility and the international intervention it entails is framed by the understanding of sovereignty as states responsibility to perform certain functions, a perspective that is present in R2P. The vision of sovereignty as responsibility that emerged refers both to the state internal behaviour and to the action that must be deployed, internally and externally, in order to effectively apply R2P.

The purpose of the report was not, as argued before, to elaborate on the principles that should guide the international action in situations of state fragility. But its elaboration and its attempt to provide a referential frame for states to solve the dilemma between the strict interpretation of the international principle of sovereignty and the appeals for action in scenarios of humanitarian emergencies, human rights violations and human security threats, diffused a refined understanding of sovereignty which sought to solve the "intervention dilemma". Peace operations, and mostly "peace-builders", had been charged, from the beginning, with the dual task of preserving states' sovereignty while simultaneously challenging governments' legitimacy. The sovereignty dilemma, which crosscut the 1990s, posed serious challenges and concerns, not only in doctrinal terms but also to the credibility

and capability of those who carried out peacebuilding actions on the ground (Bertram, 1995).²⁰ The growing emphasis on the need to prevent and act in fragile states also collided with this dilemma. The R2P report ultimately solved it through a vision of sovereignty that justified international actions at the internal level of the states and saw no incongruence in the promotion of effective sovereignty through international intervention.

The statebuilding agenda has, then, become framed by two fundamental elements: a diagnosis of fragility defined in terms of the states' capacity to fulfil their functions; and the justified intervention of international actors in fragile contexts in order to revert the situation, prevent total failure and (re)build states' sovereignty. This agenda, with its diagnosis premises and assumptions, was progressively transferred to peacebuilding practices. This renewed attention towards state institutions was welcomed by Ramsbotham *et al* (2011), for whom the introduction of a statebuilding component does not preclude the wider focus that peacebuilding entails. According to the authors, building effective and legitimate institutions and practices of governance, was a requisite to answer to violence in the conflict resolution field (Ramsbotham *et al.*, 2011).²¹ Indeed, the focus on rehabilitating state institutions was always a concern for peacebuilding and it was expressed in the *An Agenda for Peace* and in its *Supplement* (Boutros-Ghali, 1992; Boutros-Ghali, 1995 respectively). The results presented by Suhrke *et al* (2007) also show that the peace agreements of the selected case studies contained fundamental dispositions for statebuilding even if they were signed at the beginning of the 1990s.²² Despite this

²⁰ The author identifies three fundamental dilemmas that crosscut the peacebuilding operations: the sovereignty dilemma, as we have posed it above; the neutrality dilemma, that expresses the tension between the aimed status of neutrality, perceived as fundamental to the success of UN peace operations, and the reallocation of power that peacebuilding in fact entails; and the security versus democracy dilemma, which expresses the tension between the short term need to promote security and the long term purpose of promoting democracy (Bertram, 1995). It is interesting to note how these dilemmas can be found in post-armed conflict statebuilding actions, despite the revision efforts to address these issues.

²¹ Ramsbotham *et al.* mention as an example, how both Burton's work on conflict and its relation with human needs or Azar's Theory of Protracted Social Conflict "located their focal point on their effort to address deep-rooted conflict and protracted social conflict on the requirement to build effective and legitimate institutions and practices of governance that meet basic human needs" (Ramsbotham *et al.*, 2011: 200).

²² The case studies analysed in this study are Afghanistan, Guatemala, Liberia, Mozambique and Sierra Leone (Suhrke *et al.*, 2007).

presence, there was an emerging sense that statebuilding was not only neglected in the past peace operations, which constitutes one of the main reasons for their limited outcomes, but had also been “actively undermined by international efforts at peace and development” (Call, 2008b: 12). Indeed, behind this accusation of neglect lays the international practices of peacebuilding that hoped that democratisation would ultimately generate institutions capable of managing tensions and conflict. The capacitation and the very existence of state institutions were not questioned since the “nature” of its behaviour was considered the purpose of intervention. Necessarily, the evaluation process of the limited outcomes of peacebuilding actions throughout the 1990s was translated into a re-centring of peacebuilding efforts around the (re)creation of state institutions. The diagnosis of fragility of the statebuilding agenda was not only assumed as the necessary readjustment of peacebuilding actions to its limited outcomes and the new demands of peace and security, but was also progressively adopted to understand and address violent armed conflict. This preference for statebuilding is articulated in the diagnosis-intervention axis and the way it unfolds statebuilding assumptions of fragility and intervention in diagnosing violent conflict and deploying a peacebuilding plan.

Diagnosing in peacebuilding has been centred on the understanding and knowledge over the root causes of violent conflict. Throughout the 1990s the analysis over what caused wars was, according to Woodward (2007), divided in three approaches: a cultural argument that addressed cultural and ethnic discriminations as a fundamental dimension in the occurrence of civil wars, either as primordial factors or as the result of social constructs (for the grievance argument see Gurr, 1993; Kaufman, 2001); an economic approach, that analysed the existence of primary value-added commodities as a strong incentive for rebels to continue fighting (for the greed argument see Collier and Hoeffler, 1998; 2001); and a third approach, centred on the political regime argument, which posited that the absence of democracy deprived the countries from fundamental mechanisms to manage tensions and conflict, much inspired by the democratic peace proposal (Woodward, 2007). Notwithstanding the criticisms of this three-fold analysis of conflict causes, the definition of policies and practices remained, for Woodward, too much centred upon the need to address the root causes of conflict (Woodward, 2007).

The inclusion of state's fragility diagnosis in the understanding of violent armed conflict based these possible causes on the inability of the state to answer and manage these tensions peacefully. The statebuilding purpose became then, to correct behaviours and prevent damaging situations for peace and security both at the internal and international levels. Defining a strategy able to capacitate states for compliance with their sovereign responsibilities and assure the creation of a positive mutual reinforcing relation between security and development has become fundamental in the definition of statebuilding for peacebuilding purposes, primarily undertaken by international organisations, transnational non-government organisations (NGOs) or third states and with activities that range from stabilisation and/or reform and transformation of existing structures, to rebuilding institutions and structures that were not present before.

Broadly, statebuilding actions can be categorised in three fundamental dimensions that answer to the three narratives that modern states are expected to perform (Milliken and Krause, 2002). The deployment of a statebuilding agenda structured on a security dimension, where the efforts to demobilise, disarm and reintegrate are connected to a large effort with the security sector reform (SSR) and the enforcement of justice; a political component envisaging the creation of a political process that assures participation (through democratic elections and civil society participation), institutes the rule of law and (re)instates legitimacy; and an economic element, where the development of a public finance and economic policies concerned not only with immediate relief measures, but also with macroeconomic policies, engaged with the transformation of the state into a viable economic unit (Ottaway, 2002; Call, 2008b). Acting across these dimensions reinforces the contribution that statebuilding measures can have in the construction of a viable peace not only because they nurture the creation of mechanisms that prevent the recurrence to violence, but also, and foremost, because they provide the infrastructure necessary to sustainable development and to smooth the impacts of the withdrawal of international actors.

This connection has also been defended by the former Special Adviser to the Secretary-General, Lakhdar Brahimi, who believes that building a sustainable peace requires the establishment of viable and capable institutions (2007). Faced

with the expectations brought by the end of war, the international community should “plan, prioritise, sequence and explain its assistance” in order to produce a holistic approach that directs the interventions towards the goal of statebuilding and promotes effective partnerships with stakeholders. For Brahimi it is important to note that statebuilding is about transforming states that were previously engaged in repressive activities or were part in massive violations of human rights (Brahimi, 2007).

The new engagement of peacebuilding with states is present in the “Capstone doctrine” of Peacekeeping Missions (UN, 2008). In the four critical areas of peacebuilding activities described, it is acknowledged the importance of restoring state’s authority which may entail “operational support to the immediate activities of state institutions” and, where relevant, “include small-scale capacity-building or support to larger processes of constitutional and institutional restructuring” (UN, 2008: 28)²³. More recently, Secretary-General Ban Ki-moon addressed the current challenges and directions that must guide the organisation’s actions in peacebuilding and the Peacebuilding Commission future affairs (2009b). The Secretary-General identifies the fundamental areas for engagement in an early post-conflict period: the support to economic revitalisation adds to the support that must be given to restoring basic security and safety, providing basic services, restoring core government functions and promoting a political process that creates conflict-management capacities at the national and sub-national levels. The core issue that unites such priorities is indeed the attention given to the state as the engine of a process that assures a stable and peaceful political order. In fact, these priority areas and the need therein expressed to nurture core state capacities – provision of basic services and public safety, the rule of law and the protection of human rights – are fundamental to develop governments’ legitimacy and effectiveness (Ban Ki-moon, 2009b).

Progressively, (re)building viable institutions in post-armed conflict scenarios became a fundamental element of a credible international engagement with peacebuilding. Statebuilding for peace entails an understanding of the conditions that

²³ Bellamy and Williams argue that this final version of the principles and guidelines was in fact less authoritative and progressive, by comparing it with the assumptions (stated and implicit) in the Brahimi report or previous drafts (for example the need for explicit authorisation for use of force only evident in the final version) (Bellamy and Williams, 2010: 142-143).

fuel and feed other causes. But the diagnosis-intervention axis, with its reference to a performative sovereignty, unveils a statebuilding agenda that departs from a weberian evaluation of its capacity, and unveils the idea of statebuilding as institutional capacity building (Call, 2008b).²⁴ (Good) governance is both a guide to this international capacitation as it is its assurance that, in post-armed conflict statebuilding, state institutions not only work for a viable project of development, able to avoid the relapse into failure or/and violent conflict (World Bank, 2000: 1-19; Boutros-Ghali, 1994; Boutros-Ghali, 1996), but they also have the capacity to do it. Statebuilding is thus represented as a pre-condition to put in motion *any* consequent peacebuilding strategy.²⁵

This focus on capacitation moved international actions away from the term of intervention to the use of partnership (Chandler, 2006; 2008). Regarding the international performative approach to sovereignty and how the actions of international actors are framed in the international responsibility to protect (prevent, react and rebuild), the relation between places of fragility and international actors is considered a collaboration through active partnerships, where both levels and actors (internal and international) join efforts in the recreation of sovereign responsible states able to contribute to a sustainable peace (Chandler, 2006; 2008). This relation between capacitation and international responsibility to act, and how it has been recasted as partnership is present in the Secretary-General Report *Implementing the Responsibility to Protect* (2009a) where he defines the international assistance of capacity-building at the states level through active partnerships as a fundamental

²⁴ Two fundamental aspects must be considered when approaching the statebuilding enterprise: the weberian view that poses statebuilding as institutional capacity building; and a view that addresses state design, i.e. its organisational arrangements. The organisational features of the state relate to the allocation of power and authority but also to the regime that guides that allocation in principle. For the author, both are intertwined and despite the focus on the weberian dimension, statebuilding is forced to make choices related to state design when they seek to affect institutions.

²⁵ Schneckener (2008) analyses four broad strategies towards statebuilding that necessarily emphasise different priorities and focus. He presents Liberalisation First and Civil Society First as holistic perspectives that tend to expand the range of activities and issues that must be dealt in statebuilding. Also, the author presents a Security First approach and Institutionalisation First that appear to simplify the process by narrowing down the statebuilding agenda to state functions. According to the author, the different organisations and actors that are currently engaged in statebuilding draw on these various strategies simultaneously (Schneckener, 2008). Our analysis suggests that even though the elements and priorities of these different approaches are present in any statebuilding agenda, especially in peacebuilding, the international practices have assumed a focus on institutions and the need to strengthen their capacities in order to answer to pressuring priorities and needs, such as security.

pillar of R2P implementation and identifies post-trauma peacebuilding²⁶ as a critical point of assistance. This connection reinstates the view that the international society has the responsibility to engage in places where states fail with their primary responsibility to protect through partnerships that seek to capacitate state institutions, but which ultimately conceal an answer to the sovereignty dilemma that was present in the engagement of international actors at states level.

Post-armed conflict statebuilding seeks nothing less than the (re)creation of institutions capable to perform states' functions and honour responsibilities, and able to contribute to a sustainable peace. The IBL approach developed by Paris (2004) affirms this and contributes to create an understanding of statebuilding as the creation of supportive conditions for a peace project (Paris and Sisk, 2009b). However, Richmond and Franks' analysis of liberal peace transitions has concluded that there is a "compromise agenda between peacebuilding and statebuilding [...] It tends to veer towards statebuilding approaches, but uses peacebuilding as a framework for its legitimation [...]" (Richmond and Franks, 2009: 182). Such remarks seem to reinforce a distinction between statebuilding and peacebuilding that, and though rhetorically blurred by the state pacification project, becomes evident on the ground. This view reverses the relation: it is peacebuilding that is currently enabling statebuilding measures.

Recent efforts to distinguish peacebuilding and statebuilding and elaborate on the possible relations and tensions between the two have been at the centre of the academic debate and policy development. The discussion over the relation between peacebuilding and statebuilding, and the inclusion of statebuilding premises in peacebuilding actions, have provided clarifications and readjustments, and furthermore, important critiques to the current practices of statebuilding in post-armed conflict scenarios and the peace they promote. These issues will be addressed in detail in the following section.

²⁶ The Secretary General seems to use the term post-trauma here to distinguish the peacebuilding mentioned in the report from the peacebuilding that is supposed to be carried out in the aftermath of violent conflict. Nevertheless, our emphasis is upon the role that is given to the capacitation of states and the role the international community is expected to perform in that process.

2.2. Statebuilding under scrutiny: tensions, revision, and critique

Statebuilding brought a different perspective to the relation between state and peace. The revision of peacebuilding records presented the academia and the policy circles with the need to explain the limited achievements and revise them. The emphasis grew apart from the previously established relation between the political regime and a consequent peace, to understand what the necessary conditions to fulfil the peacebuilding project of peace were. Statebuilding emerged then from the acknowledgement that states with limited power should not be mistaken by fragile states, and that the liberal peace project needed a working and viable state to flourish (Manning, 2003; Paris, 2004; Call, 2008b; Paris and Sisk, 2009b). The emphasis on the institutional capacitation of international statebuilding and the need to (re)create viable and responsible states came to be perceived as an enabling factor for peace rather than a specific dimension of the liberal peace project as democratisation was. The shift statebuilding caused in peacebuilding, from the project itself to the creation of enabling conditions, has had a great impact in peacebuilding practices and strategies. But the assessment of this shift cannot be done in absolute terms, i.e., only by stating that something has changed and institution-building is now at the forefront of international engagement in post-conflict situations. Analysing the impact of statebuilding must necessarily consider to what extent the inclusion of statebuilding in peacebuilding has caused (or not) a profound rupture with previous practices.

The connection established between state failure/fragility and conflict, and how it has led to a revision of peacebuilding practices is undeniable. Nonetheless, the liberal reference was not denied: the diagnosis of states' fragility focused on the necessary conditions for liberal peace instead of a revision of its norms. Furthermore, the diagnosis-intervention axis departs from a problem-solving perspective towards the social world that is consistent with the understanding of conflict precluded by the liberal peace and transmitted in peacebuilding.²⁷ Both rely on a referential exercise of

²⁷ Drawing on the division done by Cox between problem-solving and critical theories (1981), Bellamy has addressed the current problem-solving nature of peace operations and its consequent implications (Bellamy, 2004). The author addresses the current problem-solving nature of peace operations in opposition to critical theories, in order to put forward the hypothesis of achieving the next stage of peace operations through critical reflection. Even though Bellamy is concerned with peace operations and does not specifically focus on peacebuilding, his reflection points to important features of peacebuilding practices and consensus by focusing on purpose, the position towards the

comparison with expected behaviours, which is responsible for the definition of different categories and concepts to understand and map social reality. Also, the shift towards statebuilding did not mean that democracy, as a peaceful political project, was to be discarded. Instead, statebuilding and its focus on institution-building came to be pointed as the necessary pre-condition to a consequent and meaningful democracy assistance in post-armed conflict spaces (Zeeuw, 2005), able to manage the tensions that might rise with elections and also responsible for creating the conditions for a civil society, supportive of democratic states, to emerge (Götze, 2004). And democratisation, with its emphasis on the establishment of an elected democratic government and on the creation of a dynamic civil society continued to be crucial to legitimise the institutions built. According to Jahn (2009), both views of states' relation with peace depart from modernisation assumptions in the definition of a self-referential analysis: they depart from what is present in "peaceful" societies in order to name deviant behaviours and propose sequenced interventions that are expected to multiply mutual reinforcing positive dynamics (Jahn, 2009).

Therefore, the focus on statebuilding allowed a self-referential evaluation of the liberal peace project: the revision focused on its application to complex realities without questioning the project. In fact, the statebuilding diagnosis-intervention axis promoted an understanding of fragility and its relation to conflict that is ultimately tied with states' internal incapacity to perform their sovereign responsibilities. For Bickerton, this fragility internalisation trend created a descendent movement of anarchy from the international relations towards the internal states level in a process identified by Bickerton as "domestication of anarchy" that ultimately internalises the causes of violent conflict (2007) and features regularly in current state failure literature (Hill, 2009). This descent movement acquits the international realm, namely the international system, from any responsibility in the process of state failure.

social world and the relation between theory and practice. Consequentially, Bellamy (2004) identified three expressions of this problem-solving approach: first, an instrumentalist purpose tied with the need to resolve previously identified problems and develop more effective strategies and tools to address a certain issue; second, an assumed objectivist status of the analysis towards the social world, and third, and consequent of the first two, a non-reflexive condition between the production of knowledge and those who produce it emerges. These elements are not only cornerstones of the effort to understand conflict causes and cycle and define peacebuilding practices accordingly, as they are also present in the development of the diagnosis intervention axe of the statebuilding agenda.

The opposition between a domestic anarchy and a promising international order enabled the internationalisation of statebuilding processes whereby the international actors offered a solution to war-torn societies through an international statebuilding strategy. For Richmond (2006a) the prevalence of the international promise of peace over an internal anarchy testifies the oppositional logic that holds the international peacebuilding consensus. Accordingly, the author identifies two poles: a larger pole, the international, which refers to zones of peace, where the hegemonic idea of peace is in the present, attracted to other pole, where the zones of conflict and the national domain merge and where peace is simultaneously a lost past and a possible future.²⁸ The interaction between the two tends to emphasise the strength of the international realm to extend its project of peace to conflict zones through the promise of a future peace after intervention.²⁹ More importantly, the promotion of a viable state through institution-building assigned to peacebuilding the image of peace-as-governance (Richmond, 2004), which not only reflects the international attempt to control and correct behaviours in conflicts spaces through state-led policies but also reveals how governance became central to identify and correct deviant behaviours in post-armed conflict situations. Under this peace-as-governance assumption the emphasis of peace is on the institutions that can promote good governance (Chandler, 2010b).³⁰

Hence, statebuilding performed an adjustment of the liberal peace program of action without denying its validity and viability (Whyeth and Sisk, 2009 apud

²⁸ Richmond presents us patterns of reflection and representations of peace merged in the development of peacebuilding consensus and intervention methodology: the opposition between the international and the national, used not only to express the possible disagreements over the understandings of peace but also to assert the international space's prominent position in the validation of a peace model; the temporal quality of peace, that, through the representation of peace as an objective concept that might have been lost, needs to be defended in the present or sustains the hope of a future, and provides a legitimation to apply specific methods to promote peace within a frame of conditionality; a geographical division of peace between zones of conflict and zones of peace, which is not only useful to implicitly define peace but also fundamental to justify the access to the zones of conflict in order to extend the zones of peace to such places; and the hegemonic nature of peace definition, sustained on a specific frame of conflict analysis that instils a concrete set of answers (Richmond, 2006a).

²⁹ The other patterns that Richmond mentions, such as the definition of agents and levels of peace, the distinction between top-down or bottom-up approaches, or the specific logic assigned to peace belong to the realm of such interaction (Richmond, 2006a).

³⁰ The author elaborates on this emphasis change regarding his analysis of the current post-liberal nature of statebuilding. We will return to this point later when discussing the critiques and adjustments of the statebuilding practices.

Menocal, 2010). The focus on statebuilding framed the diagnosis of peacebuilding pitfalls and gave an answer to the critics of the liberal peace: it sought to safeguard the purpose of creating peace by correcting and refining the approaches to achieve it. Acknowledging these shared premises does not mean, however, that we should disregard the important transformations that have occurred in peacebuilding practices or the tensions that have resulted from the inclusion of the statebuilding agenda. Since statebuilding and peacebuilding are different arenas of international engagement, with different though intertwined purposes and goals, tensions between the two have emerged, despite the stated importance of viable states to a sustainable peace (Call, 2008b).

Statebuilding for Peace?

In the concluding chapter of his edited volume, Call affirms that building states “does not lead, directly and unproblematically, to peace” (Call, 2008a: 366). Departing from the chapters’ contributions, the author refers that state’s input for peacebuilding is necessarily problematic and contingent, and draws a parallel between state and statebuilding, and democracy and democratisation to emphasise that despite the value of states and democracy to a sustainable peace, statebuilding might cause disruptive impacts just as democratisation did (Call, 2008a). Richmond and Franks (2009) go even further and affirm that current statebuilding practices do not go beyond the promotion of a negative peace which necessarily reinforces a need to distinguish between the two and understand their tense relation.

Such tensions in purposes gain expression during the implementation stage. In post-armed conflict spaces, statebuilding intrinsic tensions and dilemmas deal with the challenge of accommodation within a peace project. These tensions, dilemmas and contradictions have been under growing international scrutiny, ranging from adjustment proposals of its application to criticisms to its ambitions and contours.³¹ The implementation of post-armed conflict statebuilding has been a central concern for those engaged in peacebuilding. In this sense, the literature has focused on the application of the necessary reforms and capacitation of institutions across the

³¹ These “intrinsic” tensions have been summarised by Paris and Sisk (2009b) and will be enunciated later on in this section.

security, economic and political realm, and has envisaged, foremost, an evaluation and redefinition in terms of practices and instruments and a policy adjustment based on lessons learned. But despite the specificities of the functions assigned to each dimension, their evaluation has pointed common problems, obstacles and limited achievements, considering not only the isolated task of building a viable state, but also and foremost the eventual contribution to peace. The implementation of statebuilding actions is, then, persistently haunted by its limited effectiveness.

Regarding post-armed conflict statebuilding effectiveness, the planning of the enterprise, the sequencing of tasks and the allocation of resources are some of the central issues pointed. In what concerns planning and sequencing, the attention has been centred on the movement from a systemic view of the statebuilding tasks and dimensions to a deployment of specific measures and reforms and their prioritisation (Schneckener, 2008). Such strategic and operative definitions are constrained by the availability of resources to meet statebuilding demands and needs across the different dimensions and stages of reform. Defining a strategy of prioritisation and sequencing that is met with the necessary resources has proven to be an difficult assignment.

Additionally, and considering the multitude of actors and agents engaged in statebuilding tasks and the specificity of their mandates (areas of intervention prioritised and the resources available), a rising demand for coordination emerged (Zurn and Herrhausen, 2008). Paris has identified four levels where coordination problems were evident: first, between the different international actors involved; second, across the funding donors and their agencies regarding their different (and sometimes competing) goals; third, within the UN agencies system; and fourth, between the international actors of statebuilding and those who support them (Paris, 2009). For the author, those engaged in statebuilding constitute a “loosely structured network”, a system of related actors that, despite their common objective, have “little joint planning for missions, patchy information sharing, inconsistent and often non-existing coordination and no hierarchical command structure for the system as a whole” (Paris, 2009: 61).

To this coordination issue a coherence problem is added: multiple and uncoordinated strategies, actions and resources can have a damaging effect in the feasibility of the overall project since they undermine the coherence across actions in

pursuing the final purpose. However this is concerned to a first element of coherence. But the challenge of coherence is threefold: beyond the coherence needed across means and actions regarding a final goal, there is also (1) a need to guarantee a coherent sequencing of tasks in order to not harm the project, and (2) to assure that the actions and means do not question the final purpose of post-armed conflict statebuilding.

Regarding a coherent sequencing of statebuilding measures the agreement over what are the institutional priorities has been difficult, creating a fragmented institution-building programmes that strongly depend on the different mandates and assumptions of international actors – either from international organisations or national governments (Cliffe and Manning, 2008). There is however a growing tendency to define security as a fundamental requisite to put in motion other aspects of the statebuilding enterprise (Debiel *et al.*, 2005). Such security privileging has sustained an evaluation of statebuilding that uses security related criteria as a crucial element in the definition of success (see Call and Cousens, 2008). This perspective is, in fact, in tension with more holistic approaches and may undermine the implementation of reforms concerned with the political and economic dimensions, which necessarily affect the coherence of the project as an enabler of peace beyond a negative expression (Debiel *et al.*, 2005; Richmond and Franks, 2009). This potential harmful relation between actions and means and the end purpose was further developed by Chesterman's analysis (Chesterman, 2004; 2005) of UN involvement in statebuilding, particularly in cases involving the transfer of authority.³² The author departs from the relation between means and ends to elaborate on possible patterns of contradictions – inconsistency, inadequacy and inappropriateness.³³ Paris and Sisk (2009a) have added an important element to be considered in post-armed conflict

³² Even though the focus relies specifically on transitional administrations, where these contradictions are more evident and address UN behaviour, it ultimately expresses issues that crosscut post-armed conflict statebuilding more generally, regarding the different contexts and actors engaged.

³³ The question of inadequacy refers mainly to situations where the financial and human resources are not suited for the demands and needs of transitional administrations and this necessarily affects the performance of UN compromise with transitional administrations (Chesterman, 2005). The inappropriateness of means with ends deals with the opposite situation: the resources are available but they are not able to make a clear and strong contribution to the promotion of effective and improved governance because they are not suited for the ends (Chesterman, 2005). The inconsistency between means and ends curtails the previous two, since it implies that means applied are not consistent with the purposed ends (Chesterman, 2005).

statebuilding besides the concern and effort that effective design and implementation demands. For Paris and Sisk (2009a) it should be given more attention to sustainability in future actions, beyond the efficiency related questions like coordination and resources allocation. According to the authors sustainability is two-fold: it refers to a sustainable international engagement with the statebuilding compromises assumed, in terms of attention and allocated resources but it is also concerned with the deployment of strategies that are consequent in the long-term (Paris and Sisk, 2009a). This implies a management of dilemmas and a necessary compromise with different forms of engagement and support of statebuilding beyond the physical presence of international actors in the hosting countries. In this sense effectiveness is inextricably linked to sustainability: statebuilding can only become an effective strategy to create peace if the long-term sustainability of reforms is assured.

Related with effectiveness and sustainability is legitimacy. Legitimacy can be broadly understood as an acceptance and approval of the exercise of power by the state's political community, transforming power into legitimate and supported authority.³⁴ In post-armed conflict scenarios, legitimacy may refer to whether international actions are perceived or not as legitimate or to the legitimacy conferred through acceptance and approval to the internationally supported state's institutions and the rules they entail (Mulaj, 2011). Two dimensions of legitimacy are usually considered: (1) an input legitimacy, related with procedure and process, i.e. the legitimacy given to institutions through participative mechanisms able to create social support; and (2) the output legitimacy, related with effectiveness, which refers to the legitimacy institutions attain with the deployment of policies and measures able to meet society's expectations and demands (Schneckener, 2008; Mulaj, 2011).³⁵ Common to these dimensions are the subjective and relational qualities of legitimacy: legitimacy is anchored on "citizens' perceptions and beliefs", i.e. on

³⁴ Critical theory and post-structuralism crucially contributed to question the exercise of power and added important elements to this discussion on how power is transformed into legitimate authority and how this process may conceal dominative practices. We do not aim to disregard those contributions and critiques but this broad definition seeks mainly to explore how international actors address and approach the concept. In what concerns the process of legitimacy creation at the states' internal level we will develop this issue later on when we discuss the mutual constitutive relation between state and citizenship.

³⁵ For a more detailed discussion over the different sources of states legitimacy see Papagianni (2008).

subjective considerations defined with reference to the governing institutions' actions. Considering this relational quality and the international dimension of statebuilding in post-armed conflict statebuilding, legitimacy operates on two levels: first, the legitimacy international actors seek for their actions which may come from a UN mandate or from their actions on the ground; and the legitimacy conferred by local populations to the actions undertaken. The implementation on the ground of statebuilding actions has proved more problematic in what concerns the creation of local legitimacy, with troubles arising when international criteria of action do not necessarily fit local demands. Traditionally, the social contract established between state and society frames the input and output of legitimacy and provides states with a strong reference to transform their power into legitimate authority. However, the international character of statebuilding actors has displaced the centrality of social contract from this process of legitimacy creation and regulation. International actors have sought to act on the ground in order to assure the creation of local legitimacy towards internationally sponsored state reforms.

International actions for legitimacy creation have privileged its output dimension through a focus on a good governance premise. Good governance implies the proper use of the international resources by the state to develop reforms and capacitate institutions and, consequentially answer to social demands and development expectations. In what concerns the input creation of legitimacy, local ownership promotion, understood as a minimal local endorsement of international practices, has progressively become the strategy by which international actors seek to attain local support. Nonetheless, and even though both input and output dimensions are addressed since states' legitimacy is crucial to assure the effectiveness and sustainability of statebuilding reforms, the good governance clause has been privileged by the international actors, who define good governance parameters by which states are evaluated and legitimacy is granted. This international role in defining what good governance is as well as the flow of resources directed to good governance criteria appears to transform it into a dimension that international actors believe they can effectively affect, manage and control. Thus, and along with the international attention given to good governance and the actions related with its promotion we assisted to a progressive internationalisation of states legitimacy, by

which international actors replaced the role of the social contract with internationally sponsored criteria of good governance. In fact, and even though good governance is expected to drive states' actions towards local populations, it is at the international level that states are judged regarding their compliance with the parameters the concept entails.³⁶

These actions aim to foster effectiveness and sustainability through an internationally induced legitimacy: international practices are expected to directly impact and improve governance and, consequentially, the local acceptance of the reforms. The ideal relation between legitimacy, sustainability and effectiveness is necessarily seen as a relation of mutual impact and reinforcement: these three elements are needed and must be addressed in parallel if current statebuilding practices are to be improved. Therefore, post-armed conflict statebuilding has progressively tied the relation between effectiveness, sustainability and legitimacy with the international actors' actions and policies at the local level, in what concerns good governance and local ownership promotion.

But these efforts may prove inconsequential. Woodward has identified four important problems with current policies: first, the promotion of an "internationally responsible state" may not be a priority for peace consolidation, especially since it tends to ignore local sources of authority and capacities to fulfil and sustain such demanding obligations; second, the lack of domestic support to a weberian-like transformative agenda; third, it ignores the need to reduce power uncertainties and establish authority, which refers to a moral aspect of the state that is not considered through institution-building; and four, it ignores the need to build a local constituency for peace (Woodward, 2006).³⁷ Considering statebuilding policies and practices limited achievements, there is a crucial need to question if statebuilding is

³⁶ States' legitimacy has in the weberian frame an international dimension since the existence of states as independent territorial units demands to a great extent the acceptance and recognition of other states. What we identify here is a tendency of the international actors to intervene in legitimacy dimension that was confined to the realm of state-society relations and transform it into international affairs. This internationalisation, as well as its impact on the perceptions towards local populations will be further considered in the following chapter.

³⁷ By local constituency of peace the author seems to refer to the individuals and groups outside the realm of the state which may affect the peacebuilding purpose. Reich defines peace constituencies as "networks or even more diffuse manifestations, which serve as conceptual tools to identify potential and necessary partners within the region and outside to reach a constructive transformation of the conflict"(Reich, 2006: 11).

indeed a peacebuilding strategy and reflect on it. For Woodward, “if done correctly it [statebuilding] is an essential task of peacebuilding” (Woodward, 2006: 27).

Such perspective is shared by Call, who affirms that the “state cannot be ignored” (Call, 2008a). Hence, and notwithstanding

“the harm caused and potentially lurking in post-war operations, international actors should not shrink from these efforts. Instead, they need to act with more thought, more caution, more deference to national actors and more humility” (Call, 2008a: 373-374).

For Call (2008a) six tensions must be recognised and managed: statebuilding can spark and/or facilitate armed conflict if too many powers are given to the state too soon; second, international peacebuilding practices for delivering goods and aid, directly or by mediators has proven harmful for statebuilding purposes; third, state desired effectiveness must be balanced with the necessary power-sharing for sustainable peace; fourth, state’s security reform must be related with a larger political process of transformation towards inclusion and accountability that legitimises the state, creates stability and avoids war recurrence; fifth, the appeasement of peace spoilers while neglecting statebuilding needs may jeopardise the sustainability of both peace and state; and sixth, the transitional mechanisms that focus on solving the short-term issues may create obstacles for peace and state in the long-term (Call, 2008a). These tensions can be managed if the international actors act according to the principles of cognisance, context and patience (Call, 2008a).

This “contingent yes” of Call resembles in some sense the dilemma analysis put forward by Paris and Sisk as an answer to statebuilding implementation and management challenges (Paris and Sisk, 2009a). Paris and Sisk have identified five fundamental contradictions of statebuilding that crosscut the implementation of reforms across different dimensions on the ground: first, the creation of self-government through outside intrusive power; second, the establishment of ownership through international control; third, local problems solved with universal values promotion; fourth, statebuilding demands a rupture with the past while simultaneously needs to address historical inheritances, and fifth, short-term imperatives often clash with longer-term objectives (Paris and Sisk, 2009a). For the authors, these contradictions lie at the core of the dilemmas that statebuilding implementation has faced. To the coherence dilemma that we have previously

enunciated, Paris and Sisk add other four dilemmas that result from the hard choices between conflicting imperatives done during implementation: first, the footprint dilemma that expresses the degree of international intrusiveness on local politics; second, the duration dilemma that reflects the long-term nature of statebuilding enterprise and the obstacles such long international presence face (regarding not only the resources needed but also in terms of such long-term international presence perceptions); participation dilemmas, that cover issues ranging from the definition of local interlocutors to the lack of accountability of international actors to the locals; and fourth, dependency dilemmas, related both with the footprint and duration dilemmas, that frames how international assistance, despite its goal of creating a viable state, might create a relation of dependency that ultimately undercuts its purpose (Paris and Sisk, 2009a). Through this dilemma analysis, Paris and Sisk (2009a), ultimately seek an improvement of statebuilding as an adequate answer to the creation of peace based on more realistic expectations of what can be achieved.

Both Call (2008a) and Paris and Sisk (2009a) consider the current obstacles that statebuilding, and specifically, statebuilding for peace faces. But they reinforce nevertheless the need to build states if sustainable peace is to be achieved. This position has been further supported by others such as Menocal (2010), who affirms that peacebuilding and statebuilding agendas “share fundamental complementarities which may, in general, outweigh some of the tensions” (Menocal, 2010: 15). Hence, “the intuition to develop a more holistic approach towards ‘statebuilding for peace’ is well placed” (Menocal, 2010: 15) despite the need to explore the contingent relation between statebuilding and peacebuilding and to improve the relation between the two sets of practices (Menocal, 2010).

However, Menocal clearly states that political understanding and effective support of statebuilding is needed in order to create more realistic expectations of what can be achieved from the outside (2010). Such affirmation is symptomatic to views expressed by other authors. Ottaway (2002), for instance, has also argued in favour of a more realistic understanding of what is needed locally and what can be achieved through international actors. According to Ottaway, instead of over-demanding there is a need for an international compromise, able to support institution-building while not demanding too much too soon, through the

implementation of best-practices that questions stability in the short-term (Ottaway, 2002). For the author only newly generated power, currently neglected in the establishment of a de facto state, will be able to break the hold of existing groups and create institutional authority which is, in the long run, the purpose of statebuilding. The transformation of raw power into authority is then the first challenge that international actors should address but this has instead been disregarded in favour of a technical approach (Ottaway, 2002). Chesterman *et al.* have reinforced the need for “a realistic assessment of power (...) to formulate effective policies rather than effective rhetoric” in order to recognise the limited role that international actors can play in these processes (Chesterman *et al.*, 2005: 384).

This appeal for containment in the international ambitions does not mean that international actors should retreat from statebuilding but instead re-equates international actions according to more realistic perspectives towards what they do and should do. Barnett has followed this premise when he outlined what he describes as a republican peacebuilding, where statebuilding is assumed as *the* purpose of peacebuilding and is based on the republican principles of deliberation, representation and constitutionalism (Barnett, 2006). In practice, the simultaneous exercise of these principles as defended by Barnett conceals the purpose of stability with the need of legitimacy in a way that a liberal peace and its statebuilding policies are not capable. Barnett’s republican peacebuilding seeks to assist international actors with a more realistic, attainable and less contradictory project, possible to nourish from the outside (Barnett, 2006). Underlying these contributions and reflections, there is a perspective that the international actors have envisaged an ambitious project of statebuilding for peace which has been translated into limited outcomes. Despite the different reasons or elements that have been explored so far, one can identify a general tendency that points to the overambitious technical nature of statebuilding enterprise that nevertheless manages to leave important issues unaddressed.

Fukuyama’s assessment on statebuilding departs from the striking limitations of international actors’ actions (2004). According to the author, the institutional transfer of knowledge through capacity-building has been transformed by the international statebuilding actors on the ground in a “capacity sucking out”

(Fukuyama, 2004).³⁸ Fukuyama sustains that international actors have tended to “crowd out rather than complement the extremely weak state capacity of the targeted countries” which implies that even though governance is performed “indigenous capacity does not increase and the countries in question are likely to revert to their former situations once the international community loses its interest or moves on to the next crisis area” (Fukuyama, 2004: 139).

But it is in the analysis of the demand side of statebuilding that Fukuyama grounds a noteworthy conclusion on the limits of international statebuilding actions. Fukuyama not only emphasises the limited role international actors play on the demand side since, contrary to what is assumed, specific incentives do not always generate intended behaviours and different elements account “deviations”, but he affirms that “institutional domestic demand for institutions or institutional reform is the single most important obstacle to institutional development in poor countries” (Fukuyama, 2004: 47).³⁹

By placing the burden of success on the demand side of institutional change, the author adds a different insight to the limited accounts of current international statebuilding efforts. If the question of expectations management had been equated regarding elements missing, tensions between statebuilding and peace, or the contradictions and dilemma causing. Fukuyama analysis and emphasis on local demand places the question over the will and ability of the locals to embrace international expertise, even when international actors try to induce demand. Fukuyama strengthens an analytical perspective, centred on the locals, through the demarcated status given to demand of institutions as the “single most important” obstacle to properly consider the limited outcomes of statebuilding. Such focus over the lack of demand for institutional change is neither new nor exclusive to an ongoing evaluation of statebuilding achievements. Instead, we can identify a

³⁸Fukuyama identifies four components organised along an axis of transferability: to an organisational design and management dimension with a high degree of transferability follows institutional design, with a medium ratio, the basis of legitimation, medium to low, and social and cultural factors, with low transferability (Fukuyama, 2004). The author uses Ignatieff’s (2003) expression “capacity sucking out” to depict the contradictory actions of international actors regarding their statebuilding purpose.

³⁹ For Fukuyama statebuilding is a transfer of knowledge over institutional construction and entails a supply side, which assesses the need for institutions at a given context and prospects their design, and a demand side, which refers to local willingness and desire for statebuilding and makes the construction of institutions possible (Fukuyama, 2004).

reinforcement of an internalisation process, this time translated in the causes of international limited results.

This view is rather clear in Krasner's work and his open appeal to a shared sovereignty that mingles the local responsibility of fragility and failure, the limited achievements of international actions and the international need to address statebuilding more effectively (Krasner, 2004). The sovereign decertification sought by Herbst's appeal to international actors to "let them [states] fail" also testifies this vision, particularly when he affirms that internationals have not been courageous enough to show that "something fundamental has gone wrong in a country" (Herbst, 2004).

Although there are differences in the perspectives enunciated so far, important hints for reflection can be drawn. First, and despite the effectiveness record and the tensions identified between statebuilding and peacebuilding, there seems to be acquiescence over the need for a functioning state. Second, there is an appeal to international actors to lower the expectations that have guided post-armed conflict statebuilding (both at the international actors' level and at the local level). The arguments that justify this appeal are assembled and articulated differently but they ultimately pass the idea that what the international actors can achieve is limited and most of the times it does not match what has been projected internationally. Hence the need to engage more strategically and effectively through a focus on stabilisation and/or the promotion of 'good enough governance' (Call, 2008a) in post-armed conflict spaces. Third and related to the need to limit expectations and act more effectively, there is an image of local affairs and conditions as a determining variable of statebuilding success on the ground. This view has had a crucial impact on the revision of statebuilding practices and specifically in what concerns the international actors' engagement with local actors and a specific vision over the potential political agency of local populations on the spaces of intervention.

Nevertheless, these views contrast sharply with the diverse arguments presented by other authors that identify the emphasis on stability and "good enough governance" not as an adjustment needed to improve statebuilding contribution for peace, but precisely as an outstanding feature of current international statebuilding practices. For them the tense relation between peace and statebuilding rests precisely

on these issues. Their point is not if statebuilding can promote peace. They question foremost what peace international statebuilding is creating.

Statebuilding for what Peace?

In the analysis of peace and peacebuilding developed by Richmond, it has been sustained that current engagement in the construction of peace, centred in statebuilding expresses a rather conservative approach to peace (Richmond, 2005b; 2006b).⁴⁰ The author posits that contemporary peacebuilding illustrates how the international actors enter the conflict zone within a conservative frame even though they aspire to move towards an orthodox model, assumed as sustainable and facilitator of the internationals' withdrawal (Richmond, 2005b). However, this movement is neither linear nor simple. It rests on the criteria used to define the successful implementation of a specific graduation and how this fulfilment can push the goals of intervention further. The conservative and orthodox graduations of peace, where the main bulk of peace operations is placed by Richmond, rest on a state reconstruction framework, which seeks individuals' emancipation through an interventionist agenda that envisages the creation of a social basis for a liberal peace through conditionality and transnational governance (Richmond, 2005b). This conservative feature was further explored by Richmond and Franks (2009) through a comparison between five case studies. They conclude that a conservative model, sustained on a limitation of self-government and self-determination and presented as the first stage for orthodox or emancipatory graduations, has been the main framework for international engagement (Richmond and Franks, 2009).

Departing from these graduations and the contribution of Banks (1987) and the conflict he pointed between liberty, justice and order (the meta-narratives of political thought) Heathershaw (2008) has identified a democratic peacebuilding, a civil society discourse, and a statebuilding discourse (Heathershaw, 2008). This

⁴⁰ Departing from the four most important contributions to liberal peace – the victors' peace; the institutional peace; the constitutional peace; and the civil peace – the author draws four graduations of peace: a conservative model, associated with top-down approaches to peacebuilding and often tied to hegemony and domination, which has recently descended to an hyper-conservative version; an orthodox model, structured on the consensual negotiation that seeks to bring a balanced existence of top-down and bottom-up approaches even though its emphasis remains in a state-centric peace; and an emancipatory model, currently concerned with peacebuilding consent and ownership and, consequentially, closer to the notion of civil peace (Richmond, 2006b).

discursive analytical framework led the author to analyse how a discursive incorporation has occurred through the progressive merge of security and development concerns in peacebuilding spaces. Discursively, this incorporation is visible in the meta-discourse of ‘Pragmatic Peacebuilding’ that offers a possibility of constant readjustment, and where peacebuilding and peace fully become “political discourses which represent and serve to justify certain political interests and ideas” (Heathershaw, 2008: 606). Hence, this meta-discourse allows for a elision of differences through intertextual relations and incorporative practices which necessarily leads us to acknowledge it as a governmentality expression “where ethical, spatial and temporal markers and policy modalities shift inconsistently under a hybrid liberal-conservative-humanitarian mode of hegemonic governance” (Heathershaw, 2008: 620).

In this sense, statebuilding for peace, with its international nature, presents systemic motivations and impacts, which have been tied to processes of global governance. This connection has been pointed in different occasions by other authors⁴¹. Nevertheless, the primacy given to statebuilding in post-armed conflict spaces has deepened this critique. For Duffield the security-development nexus reinforced a biopolitical division between the secure and insecure global spaces (Duffield, 2007). It is in this division that fragile states are referred to in Duffield’s analysis. In fact, fragile states are a representation of the ungoverned spaces and, as a consequence, strategies for “closing the sovereignty gap” have emerged to assert a state for governance, through which international actors deny their own sovereign presence. This contingent sovereignty, described as mutual self-interest between the interveners and the intervened, constitutes a channel through which the West deploys “methodologies, dispositions and administrative arrangements”. We witness

⁴¹ For Duffield, liberal peace was essentially an expression of an already existing frame of liberal governance or, better saying, an emergent form of liberal governance. For Duffield this could be explained by the encounter of global governance with challenging emerging political complexes at its borders: instead of complex political emergencies (situations of exceptional political, economic and humanitarian conditions) global governance encountered alternative processes of social transformation (even if they assumed a violent and disruptive expression) (Duffield, 2001). Pugh (2002), for instance, also explored this connection between the liberal peace and the processes of global governance. The author argued that “the maintenance of peace and security [...] is an aspect of global governance” and that peace operations, generally speaking, “have become institutionalised and structurally embedded in the system”, thus becoming active agents of its maintenance (Pugh, 2002: 207).

therefore a governmentalisation of aid that brings together aid and politics in the promotion of peace and stability in these ungoverned places (Duffield, 2007).⁴²

Chandler has also explored statebuilding interventionist practices and the peace they unveil through the relation international actors establish with local actors even if differently.⁴³ There seems to be an essentially technical and administrative process that departs from the idea that political processes (such as democracy and political participation) are consequent of functioning state institutions (Chandler, 2005). Hence, the statebuilding agenda has put forward an understanding of peace that deploys universal technical solutions despite any differences. Moreover, it has presented an idea of peace that separates the (re)creation of states from politics. For Chandler, statebuilding deploys a peace without politics, a peace where the different and possible causes of conflict and their nature are reduced to technical mistakes, deviant and corrupt elite behaviours in need of correction (Chandler, 2005). Such recipe of intervention was made possible by the “new wars” frame developed by Kaldor (1999) that, according to Chandler, has removed politics from the understanding of violent conflict and consequentially developed a strategy for peace that also outcasts politics.⁴⁴ The consequences of this framing are two-fold: first, it removes political legitimacy from the actors involved in the dispute and second, it distances the international intervention from any interest other than ethical or

⁴² Zanotti also derives her reflection over the UN statebuilding engagement in Haiti from the conceptual contribution of Foucault (2008). Departing from the UN attempt to redesign the penal system in disciplinary terms, Zanotti explores the images of disorder and transformation presented in the construction and deployment of UN reform plan. The view of the penal system as a disorder is translated into the UN project purpose of transforming those institutions into functioning institutions, able to enforce correction and surveillance. The author was led to conclude that rather than building a state or providing instruments of government to Haitians, “the UN intervention ended up by producing blurred spaces of governance, intensifying opportunities for international intervention, and reinforcing dependence” (Zanotti, 2008). Roberts has also affirmed how the current “orthodox peacebuilding” is an instrument of global governance sustained in the idea of governmentality. For the author, global governance is the means by which the “illiberal world is assimilated and conditioned into liberal behaviours” which necessarily attached a biopolitical dimension to its actions (Roberts, 2011).

⁴³ Chandler has published on what he considers to be a misreading of Foucault’s concepts and a misuse of his analytical frame of power. Particularly, he has engaged on a debate regarding the use of foucauldian lenses to criticise the concept of human security (see for instance Chandler, 2009; 2010a). In what concerns statebuilding, Chandler has departed from Foucault to account on how practices come together to become a paradigm in his recent work (Chandler, 2010b).

⁴⁴ Even though Kaldor appeals to international cosmopolitanism as an answer to this new type of conflicts, thus demanding politics as part of the solution, Chandler believes that the typology used to categorise and map the causes of conflict leave the political element out. It is precisely this vision that allows for a technical solution.

universal purposes (Chandler, 2005). In practice it prioritises and sequences the needs of the local spaces intervened under the problem-solving paradigm of technical scientificity which ultimately privileges the systemic needs over the process that may impact peace. In this sense, the “peace without politics” enunciated by Chandler is tantamount with the label of conservative peace established by Richmond (Richmond, 2005b).

However, for Chandler statebuilding brought a significant change to international relations and the idea of global governance. Even though power persists in international relations and in the Western’s engagement with the non-Western states there is a major shift in its deployment. The Empire is in denial because the new forms of international regulation have avoided responsibility and accountability in the exercise of power by wrapping its actions in “a non-political, therapeutic or purely technical, administrative and bureaucratic forms” (Chandler, 2006: 11). This framework of action, which emphasises partnership relations while instituting mechanisms of domination and control, contrasts sharply with previous demonstrations of empire, centred on an open denial of self-government right. Instead, the regulatory framework of ‘Empire in Denial’ reinforces the legal status of sovereignty and denies any form of political control, departing from these principles to unravel a project of intervention and regulation. Indeed, the main point is precisely how the new forms of external regulation are “driven less by the desire to extend and enforce Western power than they are by the desire to deny it” (Chandler, 2006: 118).

This exercise of power has created a “power without responsibility” which is, for Cunliffe (2007), what defines post-Cold War international relations and bridges the interventionism model of the 1990s, based on human rights, humanitarian emergencies, and state sovereignty’s suppression, and the current statebuilding projects, when the states are called back to international relations (Cunliffe, 2007).⁴⁵ If human rights’ universal promotion matched a “universalisation of responsibility beyond the bounds of [national] accountability” that downplayed political responsibility to the moral imperative of defending human rights (Cunliffe, 2007: 59), the current state of global affairs demanded the creation of viable states and

⁴⁵ The author departs from Chandler’s view of human rights (Chandler, 2002), defined by the author as the exercise of power without responsibility in order to trace the common grounds of these two interventionist moments in international relations.

transformed statebuilding into the new interventionism that, nevertheless, continued to express the international exercise of power without accountability in the targeted societies (Cunliffe, 2007: 59).

These critiques of statebuilding practices and the peace international interventions promote broadly exposes the technocratic view of sovereignty that has been the reference for international actions and has reconciled sovereign partnerships with regulatory interventions that apparently depart from different premises. For Chandler the ethical turn in international theorising, which has progressively presented the domestic political sphere of the states not as a vital constitutive sphere but rather as a space of division and conflict, is responsible for the conciliation of an apparent impossible juggling. In this ethical turn, the political sphere has become the problem to address: it departs from ethics and norms and expects to create political frameworks of existence (Chandler, 2006). Furthermore, the new doctrine of the states sovereignty also abandoned its political content of self-government and autonomy. First, by presenting sovereignty as a variable capacity instead of a right, the concept has been tied to a “sliding scale of capacities” which fosters and legitimates a new hierarchy of “variable sovereignty” where intervention can be “framed as supporting sovereignty” instead of violating the self-government. Second, the (re)presentation of sovereignty as a (shared) responsibility rather than a freedom legitimises intervention since international regulatory mechanisms define the content of such responsibilities and also hold states accountable for the failures in the exercise of their sovereign responsibilities. And third, the emphasis on the international legal sovereignty (defined through criteria based on the previous representations) detaches its formal status from any consequent political expression. Combined, these changes have allowed a social reengineering while providing the escape of denial: international actors and states have refuted the accountability of their actions by emphasising local actors’ responsibility in the process through the establishment of partnerships they in fact guide and direct under the auspices of a technical plan of recovery and control.

Moreover, the technocratic view of sovereignty seems to represent what Cunliffe calls a “presentism, where politics is dominated by the tyranny of the present and we stagger from one crisis to another” (Cunliffe, 2007: 65).

Responsibility is then sacrificed by the elevation of emergency to a political category: “emergency does not constitute the first stage of a project of meaning: it represents its active negation” (Cunliffe, 2007: 65). In a similar sense, Hameiri exposes how statebuilding interventions “rarely manage to become more than an *ad-hoc* exercise in crisis management” (Hameiri, 2009: 50). Considering this presentism or crisis management exercise that seem to affect the states built under the technocratic sovereignty frame, Bickerton (2007) affirms that the current model of statebuilding, entails an exportation of state failure rather than the creation of viable states. According to Bickerton, current statebuilding literature and practices have transformed an eminent political problem – interpreting sovereignty meaning – into a technical challenge with a technical solution. “In response to the practical demands of state-building, analysts have responded by conceptually dismembering sovereignty into smaller, more manageable chunks” (Bickerton, 2007: 99).⁴⁶

Bickerton’s critique of international statebuilding precisely questions the international ability to promote consequent political institutions through externally driven processes (2007). According to the author, the promotion of sovereign states through technical approaches isolates sovereignty from its social bases and meanings which imply, in practice, the recreation of politically dependent administrations and the reproduction of failure (Bickerton, 2007). For Hameiri the current technocratic approach, which targets capacity-building, assumes the state as an institutional provider of services while it “de-historicises and naturalises” statehood, especially in what concerns the production and reproduction of political power (Hameiri, 2009). Thus, it implements in fact a multi-level governance through an intervention at the state level based on security-development nexus that tends to securitise failure and fragility and induces a risk management logic, and a gradated view of sovereignty based on performative criteria that distinguishes those who can intervene from those who are intervened (Hameiri, 2009: 43).

Combined, these assumptions have created an anti-politics statebuilding which not only prevents particular forms of substantive political engagement but also perceives any questioning to its technocracy as a potential threat. More importantly,

⁴⁶ One can easily identify this technical emphasis on the performative definition of sovereignty put forward by Ghani and Lockhart (2008) and their division of sovereignty in two compounds.

understanding current statebuilding practices demands a consideration of the specific sovereignty it promotes: it is just not a matter of opposing sovereignty and self-determination to trusteeships like missions but foremost the acknowledgement that current statebuilding limits political autonomy precisely with the promotion of an internationalised sovereignty that fosters states' integration into networks of governance (Bickerton, 2007).⁴⁷ Accordingly, statebuilding seems to direct peace outwards: international actors engaged in statebuilding seem to foster a peace that assures a minimum stability and guarantees systemic needs.

Moving forward?

These critical voices echoed not only in the academia but also in the policy circles engaged in international statebuilding. There were important questions demanding attention and instilling a need for adjustment. On one hand, effectiveness critiques demanded an improvement of practices in order to enhance the effectiveness of invested resources regarding the final purpose. On the other hand, the perspective of current practices as conservative or the expression of global governance that operates under the flag of sovereignty promotion, and detached from the political meaning of self-determination raised several issues. They questioned the legitimacy of international actions and foremost they have shown how local contexts have been overshadowed by international needs.

In the UN context this revision gained a renewed breath with the creation of the Peacebuilding Commission (PBC) in 2007. Fifteen years after the term emerged, the UN gave peacebuilding an institutional expression. This process was considered an important step to rethink what peacebuilding had been and what should become, not only in terms of its practices but also as the expression of a UN sponsored international compromise. The PBC and the Peacebuilding Support Office (PBSO) had a cautious start but recent activities have been more visible, and the PBC, mostly through its Support Office, has issued recommendations that seek to define what

⁴⁷ It is interesting to note how Fukuyama (2004) and Bickerton (2007) share a view regarding the international ability to foster sovereignty in fragile states and how current policies are profoundly counterproductive to statebuilding's main purpose. The conclusions drawn are however different, since Bickerton reflects on the integration of states in international processes of governance while Fukuyama makes an appeal to more realistic guidance to statebuilding interventions.

peacebuilding is and what are its dimensions, and the best practices associated with it⁴⁸. Three documents are of particular significance in the PBC existence.

First, the Secretary-General's report in 2009 became a cornerstone for the activity of the PBC since it reflected on the lessons learned as well as on the challenges the organisation had to face, internally and externally, to deploy a "coherent and effective response" (Ban Ki-moon, 2009b). In the concluding section, the Secretary-General recognised national ownership as an imperative and anchored any peacebuilding initiative at the national level, whereby only those on the ground can assure a correct answer to the "fluidity of post-conflict contexts". Two important notes must be drawn from these ideas: first, the Secretary-General inscribes the question of ownership as a guiding principle of peacebuilding, which acknowledges much of the debates in the academia about the relation between peace ownership and sustainability; and second, choosing the term fluidity and placing the focus of peacebuilding at the national level, entails a focus of peacebuilding actions on the specificities of local contexts, which is in fact a recognition of the unfeasibility of abstract global models. In the follow-up Report the Secretary-General reinforced these premises by recognising the still existing gaps at the national level to assure stable transitions while stressing the effort UN must do to address these issues (Ban Ki-moon, 2010).

Second, PBC Working Group on Lessons Learned, issued in a report in 2010, stating the organisation's compromise to develop a systematic approach to peacebuilding based on past experiences. Nineteen meetings were held with different thematic purposes in order to grasp a vast array of challenges and issues peacebuilding should address. In the foreword of the Report, the Ambassador Heraldo Muñoz, Chairperson of the PBC, stated that

"These years of experience of the Commission have shown that self-sustaining peace means more than the cessation of hostilities. Peacebuilding must inculcate security, the rule of law and socio-economic development. [...] Peacebuilding must be based on the principle of national ownership, which should be accompanied by high levels of coordination and coherence among national and international actors, including regional organisations. Capacity-building is essential for this key principle to become a reality and not remain just an abstract concept"

⁴⁸ Bellamy refers some diplomatic issues over membership and procedures that delayed substantial work of the Commission until 2006, when country specific meetings started (Bellamy, 2010).

(Working Group on Lessons Learned of the Peacebuilding Commission, 2010: 1).

National ownership is (again) stated as a fundamental principle to a strategic approach to peacebuilding, together with the principle of mutual accountability – “strong partnership based on mutual respect and accountability between the Government and citizens and their international partners” – and sustained engagement – long-term “sustained and predictable engagement from all stakeholders” (Working Group on Lessons Learned of the Peacebuilding Commission, 2010: 5).⁴⁹

Finally, and in the same year, PBSO published a crucial document to clarify and systematise the UN approach to peacebuilding (Peacebuilding Support Office, 2010). The document addressed the scope, planning and the resources needed for peacebuilding. Again, national ownership and capacity are defined as keystones of the UN approach to peacebuilding. Moreover, the needs identified by PBSO – support to basic safety and security, support to political processes, inclusive dialogue and conflict management capacities, support to the provision of basic services and support to restore core government functions – are equated under the need to promote a prioritisation of tasks according to each country specific needs and challenges (Peacebuilding Support Office, 2010). Consequentially, the document engages with more than peacebuilding principles: it defines needs and appeals to a country-sensitive prioritisation; it demands better and improved planning for coordination and coherence while acknowledging the limitations of simple technical approaches.

These clarifications, revisions and adjustments reflect, in general, a reaction to the emerging critiques: they are not an innovation but rather an attempt to incorporate the critiques and lessons learned and deal with them. This trend, of

⁴⁹ Local governments face the dual accountability dilemma: they are expected to be accountable to their citizens and to their international partners. International actors, when they are states, are also expected to be accountable for the support given to statebuilding actions to their citizenry and to be reliable partners of local governments. Despite the appeals for mutual accountability, which strengthens the need to make international actors more accountable, there is however an absence in what concerns the relation of accountability between international actors and local populations. This absence is self-explanatory if we understand international actions as a non-political exercise that partnerships frame seems to veil. This view however entails specific consequences, especially if one considers how international actors exercise power in practice and the asymmetries that are made visible on the ground. This issue will be mentioned in the next chapter.

revision and (re)adjustment and the reconciliation between operative questions with legitimacy promotion has been followed by other international organisations and has also guided the OECD reflections on statebuilding and peacebuilding.⁵⁰ The definition of the “Principles for Good International Engagement in Fragile States and Situations” established ten fundamental principles that somehow reacted to an aid diagnosis, expressed in the Paris Declaration on Aid Effectiveness in 2005, and to which the Accra Agenda for Action sought to answer (OECD, 2008b).^{51 52} But beyond the definition of these principles, the OECD inscribed the term “state resilience” in the international statebuilding discourse as the main purpose of engagement in situations of fragility (OECD, 2008a). State’s resilience refers to states’ ability to cope with changes in capacity, effectiveness or legitimacy, considering a combination of capacity and recourses, effective institutions and legitimacy, underpinned by political processes that mediate state-society relations and expectations (OECD, 2008a). In practice, this concept seeks to give states the tools to keep a level of legitimacy within its polity. This open promotion of states

⁵⁰ The EU, for instance, has followed much of UN positions and shares with it the emphasis on capacity-building and local ownership of peacebuilding processes while also emphasising the need to promote state legitimacy (European Commission, 2007) which, and even though it can be related to local ownership, is considered as attainable through “good and effective governance” (EU, 2010)⁵⁰. DFID, for example, introduced the term “responsive statebuilding”(Whaites, 2008). In 2010, this concept was rescued and tied with peacebuilding in a single strategy to be deployed in fragile and conflict-affected countries in order to create a virtuous cycle (DFID, 2010). This integrated approach matched the vectors that affect state-society relations with three interrelated elements of a positive peace – inclusive peace processes and agreements, mechanisms for a peaceful solution of conflicts, and the answer to the causes and effects of conflict – in order to create a “virtuous circle”, able to create strong state-society relations (DFID, 2010).

⁵¹ The need to take context as the starting point and the need to do no harm are referred as “the basics” whereas the appeal to focus on statebuilding as the primary goal, prevention and prioritisation, the recognition of existing links between political, security and development objectives, and the promotion of non-discrimination as a vehicle to the creation of inclusive and stable societies are united under the epithet of “the role of statebuilding and peacebuilding” (OECD, 2007). Under the flag of “practicalities” emerge the need to align with local priorities in different manners and contexts, the need for agreed practical mechanisms for international coordination, the urge to act and the need to stay engaged continuously to not endanger the intervention purposes, and the undesired possible existence of pockets of exclusion (OECD, 2007).

⁵² The Accra Agenda identified three major challenges posed to aid effectiveness in 2008: first, promoting country ownership; second, establishing more effective and inclusive partnerships, and three, achieving development results (OECD, 2008b). In order to face such challenges, the Accra Agenda set forward a frame of action according to the challenges identified. The reinforcement of country level policy dialogue, strengthening countries’ leadership and management capabilities, working closely with civil society and paying more careful attention to fragile states situations, and introducing changes in conditionality able to foster countries ownership, are some noteworthy measures (OECD, 2008b).

resilience is further supported by OECD's attempt to clarify the intervention conditions across five statebuilding dimensions that should be promoted in order not to harm state-society relations and state's legitimacy (OECD, 2010).⁵³ The report also refers to emerging contradictions despite the interconnectedness between statebuilding goals and dimensions (OECD, 2010). Two large issues crosscut international actions in the different dimensions: states' capacity and states' legitimacy.⁵⁴ The former refers to actions that can prevent states to fully fulfil their functions or create additional obstacles to their consolidation. The latter is concerned with the counterproductive actions carried by international actions that may affect states' sources of legitimacy and the future state-society relations. Nevertheless, and despite these efforts for providing clearer guidance in fragile contexts, the OECD recognised recently that, despite the adoption of such principles, practice remains detached from policy (OECD, 2011).⁵⁵ The concept of resilience, together with the guidance for "no harm" actions in fragile contexts as well as the dilemma/contradictions analysis, assumes and deals with the criticisms and efforts of revision that resounded in the academia. The reference to Paris and Sisk's (2009a) proposal of dilemma analysis is a clear example of this inclusion. Moreover, the refocus on state-society relations and legitimacy and the focus on local contexts are again strong elements, present in these documents.

It could be argued that the OECD concept of resilience targets situations of fragility and building peace is not the central concern of this international organisation.⁵⁶ However, what is noteworthy in the concept of resilience is how it

⁵³The dimensions are: (1) the endogenous political processes; (2) the legitimacy of the state in society; (3) state-society relations; (4) society's expectations towards the state; and (5) states' capacity to perform their basic functions (OECD, 2010).

⁵⁴ This division is also used by Call (2008b).

⁵⁵ The report departs from the ten principles defined in 2007 and categorises the status of their application in three sets. The non-discrimination and alignment of development partner interventions matched the broadly and partly on track set of principles, while the principle to take context as the starting point, focus on statebuilding as the central objective, prioritise prevention and recognise the links between security, political and development objectives constitute the partly off-track group. Finally, the off-track group is constituted by the principles to do no harm, agree on practical coordination mechanisms between international actors, act fast but stay engaged long enough to give success a chance, and avoid pockets of exclusion (OECD, 2011).

⁵⁶ Even if some of the engagement principles with contexts of fragility are thought as principles that affect statebuilding and peacebuilding, the focus is on fragility rather than on violent conflict or peacebuilding.

directs international attention towards state-society relations while simultaneously proposing a different approach to fragility: resilience is not only an answer to the accusations of statebuilding detachment from the societies intervened upon but also a promotion of a statehood far from perfection but yet able to avoid fragility. Moreover, and beyond the vision of resilient states, it promotes a perspective of resilient societies and individuals able to adapt and circumvent the hardships presented.

This idea of resilience is taking off not only in statebuilding in general but in post-armed conflict statebuilding specifically. A clear example is the 2011 WB report, *Conflict, Security and Development*, which tied the revision of international engagement in statebuilding with a better understanding of violent conflict and the construction of a viable peace using the concept of resilience (WB, 2011a).⁵⁷ Throughout the report, the relation between statebuilding, conflict and peace is clearly assumed and the main purpose of the report is to demonstrate “that strengthening legitimate institutions and governance to provide citizen security, justice and jobs is crucial to break cycles of violence” (WB, 2011a). It is clearly assumed that cycles of violence endanger development and spaces of institutional fragility are especially exposed to these cycles. There are six main axis structuring the report findings: first, the need to focus country strategies in fragility; second, the strengthening of justice, security and development partnerships; third, increase the attentions to jobs and private sector development; fourth, revise on the results and risk management frameworks; fifth, making financing less volatile; and sixth, striving for work excellence in fragile and conflict-affected situations (WB, 2011a). In a follow-up report the WB asks, through changed practices structured along these six dimensions, for no less than a paradigmatic shift in the current international engagement with fragile and conflict-affected situations (WB, 2011b). The International Dialogue on Peacebuilding and Statebuilding (IDPS) can be perceived as an attempt to produce the changes the World Bank is claiming.⁵⁸ It is an international attempt to create an answer to statebuilding challenges in post-armed

⁵⁷ Resilience is here explored with a similar sense of the OECD understanding of the concept.

⁵⁸ The International Dialogue on Peacebuilding and Statebuilding is an international forum where fragile states, civil society and donors converge to improve the actions that seek to facilitate the transition from conflict and fragility towards peace. Its secretariat is currently hosted in OECD.

conflict contexts and has emphasised legitimacy and accountability, the need to transcend mere technical solutions and the urge to renew the attention given to state-society relations (International Dialogue on Peacebuilding and Statebuilding, 2010).

Notwithstanding this initiative, one of the most interesting contributions has come from the United Nations Development Programme (UNDP) current framework to engage in spaces of fragility and conflict. Its vision over governance and the role and interactions it has on conflict transcends the realm of the effective deployment of political goods such as security. Democratic governance promotion is connected with effective, legitimate and resilient states, through a context-sensitive approach that anticipates the potential harmful effects for building a viable peace and maximises eventual benefits of democratic governance to conflict recovery (UNDP, 2009a). At the beginning of 2012, the organisation published a reflection over this topic where peacebuilding and statebuilding appear together and are institutionally assumed as closely interlinked processes. Accordingly, UNDP defined a framework of action where states' responsiveness, inclusive politics, resilient societies and reinforced partnerships interact in the recovery process from fragility and conflict (UNDP, 2012). "The novelty of the framework resides in its comprehensive approach to renewing the social contract and articulation of an integrated package of responses in fragile and conflict affected settings" (UNDP, 2012: 40).

Despite the variations across these different contributions, they all revise past practices in order to put forward answers to shared criticisms. Indeed, the focus on local specificities and the need for adequate planning and support can be found across all the documents mentioned. Nevertheless, and notwithstanding these revisions, can we glimpse in these changes the paradigmatic shift desired by World Bank? In some sense policy circles have reinstated logics, concepts and arguments that some academic circles had been discussing. On one hand, the link between conflict, security and development, either from a negative explanatory logic or from a positive aspiration of construction, present, for instance, in the WB Development Report is not a novelty. The appeal to focus on local realities and necessities or to re-centre international actions in states citizenry (here, its security and development), on the other hand, largely echoes the criticisms on technically abstract models of one-size-fits-all. Moreover, the mutually affecting relations or the main fields of possible

intervention reify much of what had been said about states fragility and their relation to violent conflict: there is an appeal to engage in basic functions and the need for improved coordination and reinforced partnerships is not disregarded.

There are, nonetheless, noteworthy elements that have emerged from these processes of revision and (re)adjustment attempts. The UNDP recent report over the relation between governance and peace related statebuilding and peacebuilding with no false complexes and reinforced the place of governance, both to rehabilitation of states and for the construction of peace (UNDP, 2012). Additionally, the International Dialogue on Peacebuilding and Statebuilding has created a new dynamic to materialise partnerships in the promotion of peace, even if these partnerships are guided by much of the concepts developed within the OECD circles and even though it seeks to dialogue and to listen to conflict or fragility-affected countries with a contextual framework of action previously defined.

The instatement of resilience as a guiding concept for statebuilding and statebuilding-for-peace actions is perhaps the most significant contribution to rethink and readjust current international actions. This concept, which basically refers to states' own ability to manage fragility and avoid failure, has apparently become a largely accepted concept in the policy circles to replace the ambitions of deep social engineering processes. This concept reinforces nevertheless the international actions as power without responsibility, since it seeks foremost to drive fragile states rehabilitation to the systemic needs.

So, are international actors moving forward in order to materialise the liberal promise of peace or are they simply deepening and refining their instruments in order to avoid the critiques posed so far? For Chandler this is no longer a suitable question to grasp the current pattern of international statebuilding. According to him, statebuilding has become “a paradigm through which the world is understood and engaged” and has assumed a post-liberal character which ultimately ties the changes in the concept of sovereignty to the practices of intervention, technical in their nature and depoliticising in their application. This paradigm is marked by the absence of an articulated relation between state and society, which is crucial to classify the current international practices of statebuilding (Chandler, 2010b). In this post-liberal governance moment, resilience becomes the expression of an already consumed shift

away from liberal internationalism and towards a facilitation of a self-securing agency nurtured by international actors on the ground, which allows for an evasion of the problems faced by liberal framings of intervention (Chandler, 2012). Hence, and according to Chandler we are not moving forward: we are already there, at a post-liberal governance time.⁵⁹ This is the reason why Chandler has become so critical of the liberal peace-based critique of statebuilding. For the author such approaches, and especially the power-based approach, are not only unable to grasp this change but have, furthermore, provided discursive tools to sustain such shift (Chandler, 2010b).⁶⁰ For Chandler, these approaches have repeatedly tried to overcome attempts of hegemonic power and knowledge and have consequentially assumed power rather than questioned it (Chandler, 2010b). Thus, the failure to transform the world in liberal terms is understood as the failure of liberal forms of knowledge and focuses on a search for the non-liberal other (Chandler, 2010b: 39) which may create an non-liberal, fundamentally irreconcilable with the most liberal empowerment demands.

This critical stance towards “liberal peace induced critiques” has been adopted by others. For Campbell *et al* (2011), and if one starts to question the critical account of the Liberal Peace’ critics, one might be confronted with striking resemblances between critics and the meta-narrative of liberal peace being criticised: both share a binary vision between those who intervene and those intervened upon, the international liberals and the others, non-liberals; both perceive the problematic that emerges from an alleged liberal universalism and demand a local sensitivity; and both do not discard intervention, despite the discussion on the grounds it should occur and how it should be conducted (Campbell *et al.*, 2011).⁶¹ To this shared binary vision, Hameiri adds the failure to develop a “positive assessment of

⁵⁹ Chandler’s argument resembles the post-interventionist moment Duffield has identified. However, it is this perspective towards liberal peace that distinguishes the two approaches, since Duffield uses post-interventionist to explore liberal peace governance mechanisms while Chandler explores the post-liberal governance precisely to explain how statebuilding operates beyond liberal assumptions.

⁶⁰ To understand his point one might consider how Chandler (2010b) and Richmond (2010) talk of post-liberal moments and refer to such different aspects of international action and practice: if for Richmond a post-liberal peace is needed, for Chandler a post-liberal governance is already in practice.

⁶¹ It is interesting to remind how Heathershaw accuses some peacebuilding critics of a bifurcated logic, which is, according to the author, what sustains the division of “them and us, then and now, bad and good. It is a world divided between the ‘enemy-other’ and the ‘ideal-other’” that sustains the “meaning, credibility and even legitimacy of the interventions” (Heathershaw, 2008: 603).

peacebuilding/statebuilding” that is focused on the “nature, dimensions and development of actual forms of political rule under contemporary modes of international and transnational intervention” (Hameiri, 2011: 196). Hence, the liberal peace critique “poses the risk of constraining and limiting critical political engagement with the policies and practices of international intervention, allowing critical theorists to operate within dominant policy frameworks, rather than critiquing these frameworks” (Campbell *et al.*, 2011: 5). Either by considering that the liberal peace discussion produces a misleading focus on what really happens on the ground, the existent power and agency of local actors and elites, or by accounting for the selective critique of NGO’s role in liberal peace, there are indeed arguments challenging the usefulness of the liberal peace-based critique of statebuilding and peacebuilding (Paffenholz, 2011; Sending, 2011; Zurcher, 2011).

Nonetheless, and even though Chandler’s perspective over statebuilding is an interesting proposal to understand the current state of global affairs and the policies related to the management of current global crisis, and though statebuilding underlying premises are currently applied worldwide, the contributions of liberal peace-based critiques must not be discarded.⁶² Hameiri stresses the importance of the liberal peace critiques to opening debates regarding the nature of international interventionism as well as the peace deployed in terms that questioned “an ideological constituted and ahistorical argument” (Hameiri, 2011). Post-armed conflict spaces remain as one of the most challenging places where statebuilding has been deployed. Besides the challenging conditions on the ground, international actors engage in conciliating statebuilding with peace, even if they have a post-liberal governance agenda. Discussing and reflecting on the project and form of peace deployed can be insightful to explore specific configurations of statebuilding, even if our focus is peacebuilding. These are not irreconcilable purposes. Rather, they are inextricably linked, just as peacebuilding and statebuilding practices have become.

⁶² The reflections over post-liberal governance and the statehood therein inscribed are useful frames to understand the current state of global affairs across the political and economic dimension. It is in fact, a solid contribution not only to the issue of statebuilding in particular but furthestmost to understand current patterns and thinking in international politics about state and governance. Its reflection on how government and self-determination, cherished values of liberalism, have been sacrificed for governance are particularly interesting to frame, for example, current economic adjustment programmes of some European countries, such as Portugal, Ireland and Greece.

Moreover, and though Chandler and others' contributions raise important issues and hints for reflection they are mostly engaged on the macro-level of statebuilding. Hence, and according to Hameiri term they fail, just as the liberal peace critics, to develop a "positive assessment of peacebuilding/statebuilding" (Hameiri, 2011: 196). This reinforces a passive image of local actors which has been unveiled by the de-politicisation and internationalisation argument (De Guevara, 2008).

Indeed, Chandler's critique does not give us a deep insight of what happens locally. Although he focuses on the description and identification of the non-liberal Other as a crucial element of the perspectives criticised, Chandler does not fully explore this question on his own reflection. One tends to note an absence regarding the possible paths to transcend this dichotomy and the depoliticisation of the local, and ultimately this silence reveals a non-engagement with local actors which also constitutes a limited account on local politics (Chandler, 2010b). However, and when assuming the international character of post-armed conflict statebuilding and the dislocation of legitimacy of political relations to the international level (broad features of the post-liberal governance paradigm identified by Chandler), one wonders if there is nothing left locally. In order to address this question, the present work will bridge such critiques with the concept of citizenship, a central political concept and the traditional frame of state-society relations, but currently neglected in the discussion of statebuilding and of post-armed conflict statebuilding in particular, both in policy circles and in critical assessments and reflections.

3. The concept of Citizenship

The local spaces of intervention, their actors and peoples, have progressively gained attention in international statebuilding practices. Throughout the years, critical voices and revision attempts have sought to correct practices which took little account of local specificities, needs and demands. State-society relations have come to the forefront of the discussion, both in policy circles and academia. This growing attention towards the local spaces has been translated into a series of concepts, defined and developed with the specific purpose to conciliate statebuilding with local specificities. However, and although local realities, and more recently state society relations, have occupied a central place in current reflections, citizenship, traditionally assumed as the framing concept of state-society relations, has been absent from the discussion on statebuilding interventions and consequences and also from the plethora of concepts used to deal with the “locals” and improve the record of statebuilding practices.

Considering the complex scenarios where statebuilding occurs and the growing emphasis placed on the need to address state-society relations properly, it is significant that citizenship in such contexts has neither been directly addressed nor debated in the main discussions of statebuilding practices and outcomes. However, this silence over citizenship does not mean that state-society relations were not important in statebuilding scenarios: in fact, and even if this did not occupy, until recently, the core of international actors’ concerns engaged in post-armed conflict statebuilding, other concepts and practices have been deployed to deal with the challenges posed by the need to address state-society relations in order to improve the effectiveness, legitimacy and sustainability of the actions. Notwithstanding the reasons, such concepts silenced a citizenship debate in statebuilding but, more important, presented a veiled understanding of citizenship which is a crucial starting point to address citizenship in post-armed conflict spaces. By mapping this silence, both in the policy circles and in the academia engaged with international statebuilding for peace, we aim to explore what the concepts used in alternative entail for citizenship and, foremost, for politics on the ground, thus questioning how the political individual in the spaces of intervention has been approached and nurtured, understood and represented.

In order to achieve such dual purpose, one must depart from a conceptual discussion that goes beyond more traditional views of citizenship, is able to grasp the complexity that marks citizenship nowadays, and more specifically, the challenges added to it in post-armed conflict spaces where state and peace are being (re)built. We wish to do so not just with the purpose of criticising international practices but also, and foremost, to grasp citizenship possible meanings, expressions and contents in spaces of statebuilding interventions beyond this critique. Hence, the present chapter engages with citizenship debates in order to define the conceptual and analytical references needed to approach the condition of citizenship in post-armed conflict statebuilding contexts. Accordingly, we have divided this chapter in two moments. First, we map the current discussions and contributions regarding the concept of citizenship to map the elements of the concept from which we will depart to consider the complex configurations of the concept. In the final section we discuss these elements to define a conceptual map to re-engage with the question of power and the condition of the political and, consequentially, question the existing depoliticising narrative.

3.1. Mapping histories, narratives, and disputes

The question of citizenship is not new or even recent in political theory. Antiquity coined the term in order to define the political nature of (some) individuals and its relation with governance systems either if we refer to the Greek *polis*, where political life had primacy, or to the Roman Empire, where individuals possessions and its regulation are crucial (Pocock, 1998). The political landscape of modernity came to be fundamentally different from the Classical period. However, the tension between the political and legal aspects of being a citizen, and the meaning of citizenship ascribed accordingly, transcended the transformations occurred and can be found in the present discussions over the concept of citizenship.

Modern citizenship, as the classical conceptions of citizenship, cannot be separated from the space of governance it refers. In fact, state and citizenship have been inextricably linked in modern political thought since the latter has been considered as “the signifier of the relationship between the state and its population” (Migdal, 2004b: 24). Mapping modern citizenship thus entails a reflection on the relation established between citizenship and the state, especially because it was through the process of territorial bordering that states and citizens establish their existence as such.⁶³ Modern state posits an image delimited by two types of boundaries (Migdal, 2001).⁶⁴ The first relates with the territorial boundaries established between states which are responsible for the geographical delimitation of state’s political community. It is through the definition of these boundaries that states define their legal authority, exercise their power and thus establish a frontier of geographical inclusion in the legal framework it establishes. This match between state’s territory and its political community enables states to embody its population, to assume the state as the representative of a population of a given territory (Migdal, 2001). The second sort of boundary relates to the demarcation established between

⁶³ Here we do not wish to discuss in detail how different processes of state formation affect citizenship. Rather, we aim to refer to an understanding of modern state that has tied citizenship with state and more specifically with the nation-state.

⁶⁴ According to Migdal, the state is “a field of power marked by the use and threat of violence and shaped by (1) the image of a coherent, controlling organisation in a territory, which is a representation of the people bounded by that territory and (2) the actual practices of its multiple parts” (Migdal, 2001: 16). The process of boundaries drawing mentioned refers to those who constitute the image of the state.

state, specifically its institutions and actors, from those who are expected to become subjected to its rules and power or other non-state, private, social forces (Migdal, 2001)⁶⁵. This social-political boundary does not only separate and distinguish the state from individuals and other actors: the state is elevated and it represents society, assuming itself as the only form of social and institutional order which proclaims a general will or common interest as opposed to particular interests (Jessop, 1990; Migdal, 2001). In this sense, the modern state affirms itself *apart* from society, as the “leviathan” above its subjects (Migdal, 2004a). However, and because it is driven by claims of general will, state is necessarily *a part* of society, particularly because its legitimacy depends on society’s recognition of its status as the prevailing order and thus its actions must be connected to it (Jessop, 1990).

Citizenship is affected by these processes of boundaries drawing while it simultaneously affects the modern state. The definition of a citizenry that recognises state’s authority is crucial to maintain the delimitation between states but it also represents a boundary between state and society, which is related with the identification of the state not solely as the highest actor of governance but also as an agent of eventual coercive and oppressive behaviours towards its society. In this dual process, modern citizenship becomes the signifier of a relation which grants the states with the recognition needed while it provides individuals with legal assurances to protect them from the state. Hence, citizenship appears to be necessarily linked to the formation of modern states just as states are tied to citizenship: states become membership associations, demanding the identification of individuals as members of the political community, providing the state with its social foundations. The legal equality and the universality of rights bound citizens and provide a unity and cohesion to the social foundations of the state. Thus, state’s actions on citizenship will necessarily affect its legitimacy and, as consequence, citizenship becomes not only a constituting subject of the state but also a crucial object of its activity (Stewart, 2001; Kaygusuz, 2006).

⁶⁵ Jessop affirms that the state cannot exercise power precisely because rather than being a subject, the state is an “institutional ensemble”, an apparatus of institutions and organizations, which necessarily precludes different potential structural powers affect by the specificity of each institutional ensemble (Jessop, 1990).

The national citizen

Though state became a site for creating a community of individuals, this did not imply the creation of a shared cultural matrix, i.e., an identity with a cultural dimension (Jessop, 1990). However, modern state formation is not only marked by the political landscape it brought to Europe but also by the division it established based on cultural differentiation. The French Revolution is commonly defined as the emergent moment of the nation-state, i.e. where a community of shared values, the nation, encounters its political and institutional expression of self-government through the state (Heater, 1999). The nation-state is, nevertheless, the “heir to centuries of state-building and to the gradual development of national consciousness within the spatial and the institutional frame of the developing territorial state” (Brubaker, 1998). The nation entailed a correspondence between a political community and a cultural community, with shared traditions, language, able to create an identity that transcended the civic bond (the mutual recognition of citizens as equals) without denying it, and forged ties that bounded individuals together in the defence of the nation-state as the political expression of the nation (Hobsbawm, 1992; Brubaker, 1998). Our purpose, however, is to understand how the idea of the nation, assumed here as a social construct, was instrumental for the state in the definition and reproduction of its political community and how this process has profoundly affected citizenship.⁶⁶ This instrumental relation between state and nation is clearly stated in Gellner’s conception of nationalism and the causal connection he establishes between state, nationalism and nation (Gellner, 1983). According to Gellner (1983), nationalism is a theory of political legitimacy: this means that nationalism promoted by the state is an attempt to legitimise its actions by assuming the representation of the nation. This does not mean that the idea of nation exclusively depends on the state; on the opposite, the nation is an imagined community by its constituents (Anderson, 1991) and yet real, because it guides actions and frames behaviours (Smith, 1999). However, and because the state can affect this process, matching state boundaries with the nation boundaries is

⁶⁶Hobsbawm affirms that “For whatever a nation was, the element of citizenship and mass participation or choice was never absent from it” (Hobsbawm, 1992: 19). Recognising this connection is especially important once we discuss the challenges and discussions of the concept of citizenship that have emerged recently and whose content address specifically the national domain of citizenship.

instrumental in reinforcing the legitimacy, unity and cohesion of the state. Ultimately, the nation-state merged the membership of individuals to a political community with the cultural membership to the nation: citizenship in this sense came to be equated as membership to the nation-state community, creating a symbiotic relationship between citizenship and nationhood that has mutually reinforced both (Brubaker, 1998; Heater, 1999).

The definition of citizenship carried with the bordering of the nation-state has a powerful message of demarcation directed outwards with an inherent oppositional logic: it demarks foremost states' territories and political communities. Necessarily, this bordering establishes the inclusion/exclusion divide at the borders of the state: inside rests the political community and legal framework established by the state which contemplates only the citizens included in this community; beyond the borders are the others, non-citizens of the state (perhaps citizens of other states) who are excluded from membership and thus from citizenship. This demarcation of nation-state, directed outwards, has been central in defining the access to citizenship.

The concept of citizenship, particularly its content and meaning, has, nonetheless, been disputed by two main perspectives that inherited the duel that marked the classical period and has evolved amidst these competing visions (Sommers, 2008). While the legal view came to be adopted and extensively developed by liberalism, the idea of citizenship as participation in the political life of the community has been embodied by a republican view. This central difference is built on different approaches to social and political realities but they also share assumptions. Republicanism preciously carries the heritage from Aristotle and its political ideals of civic virtue are present throughout the writings of Enlightenment philosophers and the writings of Rousseau on the topic of social contract. Republicans focus their attention on the citizen but do not conceive the citizen as an individual unit: instead the polity is a cornerstone for the existence of citizenship. Republican citizenship embraces two fundamental issues: first, the value of public space as the sphere of politics where individuals come together as a community or a polity; and second the premise of self-government (Dagger, 2002). Consequentially, citizenship conveys a necessary engagement in public affairs, crucial to create the civic bonds that tie citizens together and to put in practice the idea of self-

government, and demands the existence of a system with power sharing mechanisms that prevents arbitrary and autocratic government, which is the fundamental guarantee of citizens self-government (Heater, 1999; Dagger, 2002). This frame of governance is structured on the rule of law which guides citizens' actions towards the community and the state and which assures that citizens are free of autocratic exercises of power from the state and also from their fellow citizens (Dagger, 2002). Citizens' freedom is, nevertheless dependent on the participation of citizens on the political life, precisely because laws are defined in the public sphere. Accordingly, the legal and the ethical dimension, are connected, building the image of active citizens (Dagger, 2002). In this sense, states and citizenship are mutually constitutive: citizens can only be free in a republican state and the state can only exist as the expression of popular will and be legitimised by popular sovereignty. This relation is built on social contract and the political community forged is, for republicans, a good in itself (Beiner, 2003). Even though the form of government is not liquid, the most important is to preserve the republican nature of the state through the active engagement of individuals in public affairs (Heater, 1999).

Liberalism places individuals and their purposes above groups and identity, and the political community defined within the frontiers of the state is mainly instrumental to help them achieve their goals and purposes (Beiner, 2003). Thus, the status of citizenship does not prevent individuals from seeking their self-interest and instead, and since the public and private sphere of life are so clearly separated, individuals may pursue their goals without having an obligation towards the public sphere (Heater, 1999). In this understanding private property and individual freedom are central and guide individuals' actions (Schuck, 2002). By establishing an instrumental relation of recognition and protection between individuals and the state, citizenship means, foremost, the pursuit of private goals and interests under the mediation of the state, i.e., with the protection of individual rights (Heater, 1999), but guided by the goal of maximising individual freedom (Schuck, 2002) through the establishment of individuals' universal legal equality. The principles of political utility mark the understanding of state existence and relevance but they are based on rules and rights that mediate state-society relations. In the liberal conception of citizenship, democracy is crucial to assure that individuals' interests are represented

and rights are respected while it maintains the autonomy of individuals in face with the limited but legitimate state.

Notwithstanding the differences expressed in the summarised description of the main features of the liberal and republican account of citizenship, especially in what concerns the relation established with the political community and the meaning individuals give to it, there are, however, shared elements that constitute fundamental bridges between the two and are important to understand how the concept of citizenship has evolved. First, both approaches recognise the public sphere as the site of politics and both assume that individuals possess political agency protected in legal terms: how, why and if citizens engage with the public sphere and exercise their political agency is already a matter of disagreement. Second, both concede the legal dimension a significant weight in the definition of citizenship even if, and again, the meaning and purpose of the legal dimension is not consensual. Third, both approaches recognise citizens as possessors of property, though for liberalism citizenship guarantees individuals property and for republicanism property concedes the individuals with the social and economic independence needed to better exercise their role as citizens (Heater, 1999).⁶⁷ Fourth, both liberal and republican view citizenship as universal – a shared condition to the members of the state’s political community – and as the expression of individuals’ equality.⁶⁸ And finally, both liberalism and republicanism, despite their differences, did not question the modern phenomena of nation-state and the consequences it had on the delimitation of citizenship.

Republicans found in the nation the creation of community ties that could resemble and recreate the civic bond it claimed for citizenship, considering particularly the dimension and bureaucratisation of modern states. Moreover, the assumption that nation-states were the image of their nations embedded the idea that state-nation was the result of the nation’s popular will. In what concerns liberalism, the acceptance of the nation-state, however, may sound as a profound contradiction

⁶⁷ Heater clarifies that not all property was associated with civic virtue by the republican tradition. This is however a noteworthy aspect, especially due to the interaction that political citizenship has developed with the economic sphere of the market and also because it depicts republican citizens as a restrictive club (Heater, 1999).

⁶⁸ Necessarily, those who were considered eligible to become citizens of a political community were a rather exclusive group.

with the premises we have just described, especially considering the individual focus and the emphasis placed on freedom and autonomy. Nevertheless, and according to Kostakopoulou (2010), one can understand liberal acquiescence of nationhood either as expressing an acceptance of the natural order of things or as a starting point and a given reality, in a strategy that the author conceives as “making a virtue out of a necessity” (Kostakopoulou, 2010: 50). Still, and notwithstanding the reasons for this acceptance, the nation came to delimit the space where citizens had their rights and autonomy assured and provided a sense of stability to the institutions which granted them. Thus, and rather than discussing exhaustively why and how liberals acquiesce the existence of nation-states, we aim to emphasise foremost how the nation was accepted both by liberals and republicans, bringing these two perspectives together in a juggling exercise. Modern citizenship based on the nation-states “became a coherent package, containing rights, duties and a sense of tradition, community and identity” that placed the geographical inclusion/exclusion divide at the nation-states’ borders while it assumed the universal condition and equality within its territory (Heater, 1999: 99).

The evolution of citizenship was marked by the processes of industrialisation and the creation of an economic system based on capital that reinforced a separation between the public and the private sphere, where economy was located, and a differentiation between state and society (Magnette, 2005). Private life was privileged over public life but citizenship rights had a central role in protecting it and, as a consequence, the principles of universality and equality of citizenship were protected. However, and even though modern citizenship placed the inclusion/exclusion divide at the limits of its political community, and thus continued to echo universal and equal citizenship for its members, the rapid development of industrialisation and the growth of an economy based on capital brought along additional challenges to citizenship premises of universality and equality. Even though the nation-state was providential to the development of a new economy, this system was not equal to all its members. More importantly, these differences affected individual’s experience of citizenship.

Marx extensively explored the inherent limits and contradictions of modern citizenship, particularly in what concerned its detachment from the economic sphere.

First, and because Marx perceived the state as a reflection of the division and the struggles between social classes, he questioned the contractualism which depicted the state as the site of freedom. Second, the liberal vision of the state divided and separated the political and the socio-economic realm subordinating citizenship to the individual's needs. And third, Marx points to the contradiction between a political universality and equality condition and the *de facto* inequality (Magnette, 2005). Marx questioned this separation and decisively connected the two by relating the political, economic and social dimension of life. Moreover, Marx inscribed a collective aspect in the struggles for rights and freedoms that questioned the exclusive individualistic views of liberalism. Thus, and even though Marx's views did not result in a reinvention of citizenship, they clearly affected the liberal-republican conception of citizenship. According to Magnette

From the moment when the liberal state acknowledged the legitimacy of trade unions negotiations, it admitted the incompleteness of the model of citizenship it had promoted and to which it had had the pretence of reducing politics (Magnette, 2005: 162).

Modern citizenship evolved, then, through the management of the tensions between the promise of equality in politics and the challenging consequences of the free market (Heater, 1999). As a consequence, citizenship was extended to the social sphere and to other groups of society previously excluded. This extension added complexity to the concept. Additionally, modern citizenship managed the coexistence of republican and liberal precepts through representative politics which provided the individuals with the channels to participate in the definition of governance.

T.H. Marshall addressed this evolution in detail in 1950, with his reflection *Citizenship and Social Class* (Marshall, 1992). His analysis was developed in the aftermath of World War II, but he evoked an historical perspective to citizenship, focusing particularly in Britain's modernisation, in order to analyse how the concept had managed the contradictions between capitalism and the social inequality it carries, and the promise of equality (Marshall, 1992; Turner, 1993; Isin and Wood, 1999; Marston and Mitchell, 2004). Marshall sought to explain how two fundamentally contradictory conditions, equal and universal citizenship and class inequalities, had lived together and how, in a moment so delicate as the post-war

environment, this tension could be once again mediated through citizenship (Marshall, 1992).

Marshall analysed citizenship evolution through rights and depart from three types of rights to understand the consequential relation between them (Marshall, 1992). According to Marshall, civil rights were the first to emerge and the legal protection of individual freedoms they established was fundamental to assure the emergence the second set of rights. The political rights that emerged after civil rights were mainly defective, i.e., they were more of a privilege to a certain economic class rather than a right attached to citizenship, even if they recognised individuals' political capacities (Marshall, 1992).⁶⁹ This was however changed when the basis of political rights was (formally) changed from “economic substance to personal status” (Marshall, 1992: 13). Social rights only gained expression at the beginning of the 20th century and their emergence is inextricably linked to both civil and political dimensions and the widening of the rights conferred to previously excluded groups (Marshall, 1992).

More important, according to Marshall's narrative, citizenship sequential and cumulative evolution testifies how the concept has been closely related to the capitalist system and has progressively addressed and managed the tensions that rose between the premise of equality sustained by citizenship and the reality of social inequality between classes promoted by capitalism (Marshall, 1992). For Marshall, the inclusion and recognition of social rights and their impact on social inequality meant “a general enrichment of the concrete substance of civilised life, a general reduction of risk and insecurity, an equalisation between the more and less fortunate at all levels” which made status equality “more important than equality of income” (Marshall, 1992: 33) and ultimately levelled the existing inequalities. In this frame, the development of social rights not only assured an accommodation of the tensions between market and equal citizenship (Heater, 1999; Marston and Mitchell, 2004) as it has decisively affected the narrative of citizenship as the condition of rights, sliding from “a definition of a citizen as what a person does to what that person gets” (Castles and Davidson, 2000), as bearers of rights.

⁶⁹ For the author a “law-abiding citizen [...] was free to earn, to save, to buy property or to rent a house, and to enjoy whatever political rights were attached to these economic achievements. His civil rights entitled him, and electoral reform increasingly enabled him to do this” (Marshall, 1992: 13).

What the linear evolution identified by Marshall did not express, or could not predict, were the limits and the possible setbacks in existing rights. Necessarily, Marshall's account of the evolution of citizenship must be understood as a "sociologically and normatively contextualised" analysis that, departing from the British reality, focused on modernisation processes and entailed the pre-existence of the civil and political dimension of modern citizenship for a consequent social dimension to emerge (Roche, 2002). Marshall's remarks on the social dimension of citizenship as the "latest phase" of a "continuous progress" (Marshall, 1992: 7) did not foresee the countries' obstacles to implement a social rights agenda and could not anticipate the setbacks that the welfare system would face when confronted with economic policies that sought to diminish the role of the state and, necessarily, reduce its ability to provide social rights to its citizens (Castles and Davidson, 2000).

Paradoxically, it was precisely the economic context from the 1970s onwards that brought Marshall's of citizenship analysis to the forefront of the debate and sustained challenging attitudes towards the neoliberalism that dominated a more and more globalised market economy (Sommers, 2008; Kostakopoulou, 2010).⁷⁰ In fact, and even if Marshall's social citizenship was based on a liberal premise of rights, the understanding of these rights, and the role of the state in them, were rather different from the neo-liberal perspective that perceived state interference in the social sphere as a threat to individuals' freedom and autonomy (Heater, 1999). Progressively, and with the extension of citizenship rights beyond the traditional public/private divide of social life promoted by the post-war welfare state, a view of citizenship as rights was privileged which entrenched the understanding of the concept in the legal status it conferred. The neoliberal policies kept the view of citizenship as a status was kept but its meaning was however shrunken by a utilitarian interpretation of this status and a limited scope of rights.

John Rawls, in his seminal contribution *A Theory of Justice* (1971) tried to recreate the liberal theory of rights by denying the simple utilitarian logic of citizenship and placing justice at the centre of social and political order. Rawls

⁷⁰ Sommers states that "just when so many of the egalitarian ideals T. H. Marshall so brilliantly theorized in 'Citizenship and Social Class' had been all but completely betrayed, his historical sociology of citizenship suddenly achieved canonical status" (Sommers, 2008: 147).

departed from an idealised original position of individuals to recast the social contract in terms of justice.⁷¹

His aim was to propose a political conception of justice that assured social cooperation between free and equal individuals in a constitutional democracy. By aiming to do so, the author necessarily recasts the issue of social contract but builds on it departing from the promotion of justice as fairness (Rawls, 1971). Rawls defines two fundamental principles to create a just society: an equal liberty principle, through which basic rights and liberties are guaranteed to all individuals, and a fair equality of opportunities principle combined with the difference assumption (Rawls, 1971).⁷² Assuming the universal plausibility of these principles, a social contract based on justice states a minimal claim about a basic unity of social life, more concerned with what is right than with what is good (Buckler, 2002; Arneson, 2006).

Rawls's proposal was not received amidst consensus. Quite the contrary, it fuelled a discussion surrounding Rawls's limited account in what concerned identity first, and then regarding its impact on citizenship. This is particularly true in the critiques which have made the case for a communitarian view of citizenship (Klusmeyer, 1996). Though we cannot discuss in detail the most relevant contributions to the communitarian critique, it is important to note that the reflections of Sandel (1982), Taylor (1989), Walzer (1983) and MacIntyre (2007) brought the issue of community and its relation with individuals' identity to citizenship debates. Broadly, the communitarian critique accuses Rawls's version of liberalism and his idea of justice of being "excessively individualistic, atomistic, and abstract" (Klusmeyer, 1996: 84), particularly because the original position detaches the individual from the social and cultural context and their impact on individuals' actions. On the contrary, communitarians assume that individuals' identities are shaped within community's norms and conventions and are precisely these

⁷¹ Assuming individuals' rationality, Rawls invokes a hypothetical original position where individuals, under the "veil of ignorance", i.e. without the contingencies of the social world or any advantages, are asked to choose principles of justice to govern society. For Rawls this original position, a device of representation, is crucial to assure that the principles that guide society result from a fair agreement, i.e. from an agreement that departs from equal positions (Rawls, 1971)

⁷² This difference principle aims to guarantee that social and economic advantages are arranged in the greatest benefit of the least advantage. For Rawls inequalities and differences can only be built upon the individuals' different achievements and, accordingly, the fair equality of opportunities must be ensured for a fair distinction. Hence, the difference logic is a guarantee to the respect of fair equality of opportunities.

conventions that establish authoritative normative principles in the community (Selznick, 1998; Buckler, 2002). This focus on community explicitly assumed a cultural element in political communities, in a clear statement against Rawls contribution to liberal theory (Delanty, 2003). For community defenders, rights in liberalism are too formal and neglect the identity and participation dimensions as the real ties that bind communities, thus revealing a concept of the self as a social product of a pre-existing community (Delanty, 2002).

This does not mean that those who demand a renewed focus on community do not share values with the liberal approach or its concern with rights. On the contrary, the principle of equality is likewise central for those who advocate for a community turn. According to Delanty, the issue at stake in the debate between liberals, such as Rawls, and communitarians does not entail a choice between two opposed positions but it rather expresses more of a “difference in metatheoretical justification and methodology” and, therefore “the communitarian position is perhaps best termed ‘liberal communitarianism’ since these are no longer exclusive positions” (Delanty, 2002: 163).⁷³ For Delanty, these perspectives, whose focus lay on cultural communities and how they precede the political communities where citizenship exists, intend to force liberalism to acknowledge this, and to recognise the role played by the cultural dimension in the definition of individuals’ identity as citizens (Delanty, 2002).

It is precisely in this relation between a cultural and political community, and the citizenship that emerges from it that the differences between liberals and communitarians are more evident. Beiner states that while for liberals “political community is instrumental to the striving of individuals to give their lives an authentic meaning”, for communitarian perspectives “political community is instrumental to the strivings of community to elaborate a collective identity that can be constitutive of the selfhood of its members” (Beiner, 2003: 31). Communitarian discourses of community are, in Delanty’s view, discourses of the dominant community recognised as such by the state (2002) which has led Beiner to conflate communitarian views with nationalism (2003). Nevertheless, the definition of these

⁷³ This holds particularly strong if we consider Beiner’s statement that posits that the work of Walzer and Taylor evolved in a multicultural direction in order to reconcile the existence of different communities within the same state (Beiner, 2003).

principles based on a cultural common good assumes the unity of such community and its pre-political nature, ignoring the diversity and negotiability of identities and neglecting the impacts that competing identities cause on individuals' actions (Bickford, 1996; Isin and Wood, 1999; Buckler, 2002).

According to Bickford, communitarians share this disregard with liberals since by not engaging in a discussion of community and its cultural dimension liberals also fail to grasp the complexity associated with it. This inability is further sustained on the rather instrumental view of citizenship and the political community that sustains both approaches, even if they seize different purposes. For Bickford, and though liberal accounts of citizenship are forged to prevent individuals from colliding in the pursuit of one's own understanding of good whilst communitarians foster a "turning inward" to the preservation of the common good, both views represent "too limited an understanding of human togetherness" with their visions structured on either right or good while obscuring how both individuals' situatedness and capacity of choice interact (Bickford, 1996: 11).

The discussion over citizenship appeared, in the late decades of the 20th century, to be divided between liberals, where the disagreement between the social version of citizenship and the neo-liberal utilitarian view was evident, and a communitarian approach that sought to bring the significance of belonging back to political thinking, thus carrying important consequences for citizenship. This discussion, however, did not challenge the core of modern citizenship: to the contrary, the value of equality, and, most of all, the value of universal status granted with citizenship were not questioned. Liberals assumed this universal condition and the equal status of citizenship as an assurance of individuals' freedom to pursue their vision of good, though guided by a frame of rights and justice, while communitarian views approached equality and universalism as guarantees of communities' cohesion, and definition through a recognition as equals by its members.

Parallel to this discussion over the meaning of citizenship the economic context that developed in the 1980s had a crucial impact on the role of the state in economy but also in politics. Accordingly, the relation established between the state and its citizenry was necessarily affected and the content of citizenship, specifically the social rights cherished by T. H. Marshall, faced a strong attack propelled not only

by economic efficiency criteria but also by a vision of social life that demanded a less intrusive state.

The concept of modern citizenship departed from a western-based approach to political reality, framed by modernity assumptions towards the state the central role it played in defining citizenship. Nevertheless, the discussion over citizenship gained a new momentum with the unfolding of global events or local actions with global echoes that defied its foundations. First of all, the dynamics of globalisation and the complex economic, political and social phenomena brought along have questioned several assumptions of political life and put in motion an irreversible process that revived the discussion on the subject. The global reach of economic activities and political actions and decisions, international migrations or worldwide communication may appear as common elements of our ordinary lives but they have impacted in a decisive way on our understanding of citizenship. First, the international flow of people and the migration patterns from pressured a system of rights and obligations forged under the national premises of citizenship. Second, either as a consequence of globalisation or as an answer to it, we assisted to an identity fragmentation tendency, of which the conflicts related to ethnicity and nationality are the most radical expressions, and which have challenged the assumed unity of the nation-state. And third, we assisted to a progressive emergence or affirmation of regional and international spaces of governance, some of which reclaiming a relation of citizenship with individuals that naturally seemed to clash with the exclusive nature of modern citizenship (Habermas, 1995).⁷⁴

Together these globalisation-related events affected the role of the state in politics in general, they but affected foremost the relation established between states and their citizenry. Faced with a delocalised economy, the growing movement of peoples across borders, the emergence of a global activism and human rights rhetoric, and the development of global or regional governance arrangements like the European Union, the state saw its traditional monopolies and its sovereignty

⁷⁴ Habermas refers to the specific context of Europe and particularly refers to the impact that Germany's reunification as well as the East Central countries' liberation or the nationalist conflicts emerging in Eastern countries have brought to the national identity (Habermas, 1995). Even though the synthesis placed by Habermas refers to the European context and to national identity, we believe his proposal is useful for generally describing the challenges to citizenship that emerged along with the globalisation-related phenomena and were not exclusive of Europe.

questioned and necessarily redrawn (Linklater, 1996; Klusmeyer, 2001; Held and MacGrew, 2003; Sorensen, 2006). For citizenship, this meant specifically a questioning of the exclusive belonging to the national political community and the acceptance of the exclusive national status of citizenship when so many constraints were preventing state's protection in several aspects of rights, when belonging was becoming such a complex and dynamic process and when other spaces for protection and participation were emerging. Citizenship debates developed amidst this globalisation context, essentially dual in nature and apparently opposed: to a growing global scale of events and relations and their impacts, matched a fragmentation and interconnectedness tendency of spaces and communities thus clearly challenging the modern definition of citizenship (Delanty, 2003).

Additionally, two (apparently) unrelated facts definitively claimed the political potential of citizenship. First, the eastern countries' transition to democracy and the role civil society played in it instilled a notion that citizens could find in civil society a privileged space to make their voices heard. Second, the emergence of social movements, in Latin America for example, and including those which stretched beyond the limits of the state's territory, brought light on how the dialectic of inclusion and exclusion that marks modern citizenship is present not only at the frontiers of the state in a geographic sense but also within the state's territory in different forms, as a figurative description. Again these movements assumed the discourse of citizenship but their practices and demands challenged the modern conception. Together, these events renewed the importance of citizenship in politics thus bringing the concept again to the forefront of political reflection.

The discussion on citizenship evolved then amidst two dynamics that deconstructed modern citizenship assumptions: first, the erosion and questioning of the traditional frames, and second, the (re)emergence of citizenship as a relevant political concept and practice. As Habermas notes "New problems are shifting old perspectives and, what is more important, opening up new perspectives for the future, points of view that restore our ability to perceive alternative courses of action" (Habermas, 1995: 255). Hence, and yet somehow paradoxically, the concept of citizenship became less clear although its prominence increased (Heisler, 2005). Naturally, different approaches, viewpoints, and proposals emerged out of this

context of questioning and change which has generated a debate surrounding citizenship that has marked the tone in the last three decades. Beiner has framed the different contributions to citizenship debates in three broad categories, according to the critique they deploy to modern citizenship (Beiner, 2003).⁷⁵ Instead of establishing categories, we approach different contributions to the debate departing from two guiding assumptions: first, the question of diversity and difference and the related lines of exclusion and inclusion; and second the plurality of spaces that frame and influence citizenship. These issues are inextricably linked to what are the critics' main targets in modern citizenship – the equality and universal assumptions and the national exclusive location of citizenship – but they also deploy interesting possibilities to transcend the modern understanding of the term.

Citizenship and Difference

Feminists have played a decisive role in questioning modern citizenship through a broad critique of liberal politics and assumptions that placed difference at the centre of their arguments (Buckler, 2002). For feminists, modern citizenship is based on gendered assumptions that have perpetuated the historic exclusionary character of citizenship towards women and can be easily grasped in liberal, but also in republican or communitarian views of the concept. These exclusionary practices are, according to feminists, derived from the body and sexuality of women, which, in a patriarchal society, have framed the access to citizenship rights and the inclusion in the political community. Feminists pose that modern citizenship is essentially a male concept that perceives males as able of disembodiment themselves to act in reason – and thus politically – while it depicts female as sexual and bearers of children – and thus confined to the private realm (Lister, 2002). It is this process of differentiation that has structured the role of women in modern politics and has confined the alternative perspectives and needs of women to the private realm of individuals' life (Pateman, 1992; Buckler, 2002).

⁷⁵ Beiner identifies three categories: first the civil society based contributions that, departing from the experience in Eastern countries, tended to depict the citizenship practices in civil society as superior; second, what he (sarcastically) describes as radical pluralism, a trendy left-wing pluralism; third, and in some measure a generalisation of the previous two, the post-modernist challenge (Beiner, 2003).

Hence, and while modern citizenship is based on a narrative of equality and universality of citizenship – entailing a universal and equal status of individuals’ rights – in practice its history has been built upon neglect or exclusion. The assumption of unity and utility disregards difference and the universalism tends to mask domination both in the public and in the private sphere, and conditions access to citizenship rights (Dietz, 1992). However, and notwithstanding the importance of access and the importance to unmask women’s domination, this is a limited approach because it works within liberal contexts. Thus, and even if law and rights are an important arena for feminist struggles, their dual nature, both as devices of emancipation and oppression, must be acknowledged and they must become means to an end rather than the final purposes (Lister, 2002).

The complexity of women in politics rests not solely on the exclusion but foremost on an inclusion that diminishes women difference. Women have been included in political life through the subordination but they had a specific role to perform as mothers and caregivers of future (male) citizens (Pateman, 1992). Dietz believes that only a democratic conception of citizenship with an active engagement in politics will enable women to “claim a truly liberatory politics of their own” (Dietz, 1992). This means that patriarchal domination cannot be replaced by other gender opposition and superiority. This does not mean that difference should be disguised. Pateman reinforces this, particularly because it is from difference that women may question how they have been included (Pateman, 1992). Only the recognition of women’s pattern of inclusion and its questioning may enable a democratic citizenship where equality can and does encompass difference. As Pateman states “The equal political standing of citizenship is necessary for democracy and for women’s autonomy” but “for citizenship to be of equal worth, the substance of equality must differ according to the diverse circumstances and capacities of citizens, men and women” (Pateman, 1992: 25). It is important to note that this categorisation of women and their differences does not force the creation of closed categories. Lister recognises that even though the gendered terms that still mark current practices of citizenship creates a solidarity amongst women based on structural constraints, these constraints will certainly be experienced differently

(Lister, 1998). Thus, groups cannot be perceived as closed categories or they will necessarily tend to overshadow other sources of power and submission.

Iris Marion Young has also based her reflection on difference but her understanding seeks to reinforce groups' differentiation as a mechanism to free them from domination. Young understands universality first as a generality and second as equal treatment in face with the rules and laws, despite individual and group differences (Young, [1989] 1998). This universal vision entails an assimilation of difference and therefore creates a process of oppression where dominant groups determine the terms of this universality while masking this domination with an allegedly neutral humanism that devaluates difference, outside and within the excluded groups.

Accordingly, and in order to foster inclusion and participation, Young stands for a kind of politics that asserts the positivity of group difference, both empowering and liberating, but which can only be achieved by simultaneously recognising the relativity of the dominant culture while asserting groups differences (Young, 1990). To this process Young calls "the assertion of positive group specificity" which means that these groups' relations may be understood simply as difference rather than exclusion or dominance, while creating a group solidarity that is able to transcend the individualism promoted by liberal humanism (Young, 1990: 166). According to the author, this assertion is followed by the self-organisation of oppressed groups and a principle of group autonomy which have been hard to accept both by liberal humanists and leftist political organisations. To be truly emancipatory groups' assertion depends on separate organisations that exclude others, particularly members from privileged groups (Young, 1990). Though Young's affinity groups do not exclusively have a cultural dimension, Young does stress how oppressed groups have particular histories and traditions that fuel cultural differences amongst them. This affirmation, together with the oppressed groups' self-organisation is however far from being consensual and other views on groups' differences and how they can affirm their difference have emerged.

Kymlicka has proposed a multicultural approach to citizenship that seeks to reconcile difference with the liberal heritage of human rights (Kymlicka, 1995). He states that the question of cultural membership is often treated as an issue located at

the private realm of individuals' lives (Kymlicka, 1995).⁷⁶ Recently however, important events such as immigration, ethnic and nationalist claims across Europe and in the post-Soviet space, or the global affirmation of indigenous people's claims, brought, according to Kymlicka and Norman (2000) minority rights to the forefront of discussion. Minority rights refer, in this context, to public policies, legal rights and/or constitutional dispositions sought by (ethnic) groups to accommodate their difference when they are faced with a state-led process of nation-building that promotes a dominant culture (Kymlicka and Norman, 2000; Kymlicka, 2001). Progressively, it has been recognised that the existence and defence of minority rights in liberal democratic states is a matter of justice since "blind" rules and institutions may promote disadvantage for specific groups outside the dominant cultural frame. Kymlicka's proposal operates in liberal contexts and regarding only groups that accept and share liberal principles. In this frame, these groups' integration simultaneously depends on integration into a societal culture – i.e. a territorially concentrated culture with a shared language used in societal institutions – and an accommodation of ethno-cultural differences by institutions (Kymlicka, 2001). The integration of these groups entails, then, a simultaneous integration into a liberal value-dominated societal culture, which means that liberal frames of freedom and equality are respected, while the ethnic differences and practices that do not question these values are safeguarded (Kymlicka, 2001). Accordingly, and departing from the challenges presented by the integration of immigrants and national minorities, Kymlicka distinguishes the good minority rights, those who supplement individual rights, from the bad minority rights where restrictions affect individual rights (Kymlicka, 2001).

The differentiated citizenship promoted within this liberal multicultural view is thus placed at state level and strives for the recognition and accommodation of difference through a process that safeguards both the state and the liberal values. Joppke stresses that the concept of societal cultural demonstrates a state-based logic accused of misunderstanding current states' role as nation-builders while it promotes

⁷⁶ At this point it is noteworthy to mention what we have previously stated regarding the view of liberals when faced with the emergence of nationalism. Our attention was not placed on the existence of minorities but rather on the liberal instrumental view of the idea of nation as a factor of cohesion for the political community of the state. This affirmation remains valid, notwithstanding the liberal accounts over minority rights here enounced by Kymlicka (1995).

language as the main common linkage. A careful look to these elements and the reality of current liberal states show however a weakening of nation-builder practices and a simultaneous plural view of culture which, ultimately, diminishes the significance of minority rights as they are proposed by Kymlicka (Joppke, 2002). Furthermore, the differentiated citizenship is only perceived in reference to polyethnic rights or special rights of representation, and continues to assume the national domain as the main stage for citizenship and, for some authors, to exclude groups through the societal culture criteria (Isin and Turner, 2002; Joppke, 2002). Indigenous communities illustrate particularly well these limits. Their mobilisation and politicisation is a clear challenge to this multicultural view since what it is recognised as their cultural rights address only a part of the claims related to their cosmopolitanism. Such movements are according to Yashar a clear challenge to the liberal model of citizenship and a decisive step towards a post-national model of citizenship (Yashar, 2005).

In fact, the quest for self-government rights, as Young's differentiation model demands, is therefore excluded from Kymlicka's multicultural inclusion, since the purpose of this narrative is foremost the accommodation within a given societal culture and a liberal society and not the creation of a different political community in opposition to the existing one (Kymlicka and Norman, 2000). To these criticisms, Kymlicka answers with a reaffirmation of the groups chosen as representative of the main challenges of integration faced by liberal democratic states, and with the relevance of a liberal discussion on minority rights in a world where the unitary model of citizenship is obsolete but the "post-modern" alternatives are incomplete (Kymlicka, 2001).

To those who fear the effect this recognition of difference may have on citizenship as a status of equality or as the individuals' civic identity, on citizenship practices or on citizenship as a factor of social cohesion and political unity within the states' territory, Kymlicka and Norman oppose a project of accommodation that safeguards the unity of the state while it provides a sense of public reasonableness accessible and inclusive to all, thus assuring a modern virtue of their proposal (Kymlicka and Norman, 2000). The demand for specific rights within a frame of citizenship is foremost a quest for inclusion for most of the groups and only their

disregard can negatively affect citizenship (Kymlicka, 1995; Kymlicka and Norman, 2000).

This last bundle of concerns is strikingly present in Beiner's account of civic republicanism and the current challenges faced by citizenship. But these concerns are however more directed toward the pluralism as Young defends it rather than Kymlicka's multicultural project of inclusion. For Beiner, both Young's account of difference and the postmodern view on the subject represent a threat to the very idea of citizenship (Beiner, 2003). Young's pluralist vision is qualified by Beiner as a "ghettoization" since he perceives that groups in this frame tend to withdraw behind groups' boundaries and identities, transforming citizenship into "an aggregate of sub-national ghettos" where a larger common culture is absent (Beiner, 2003). The veto power ascribed by Young to minority groups is, for Beiner, a clear example of this image, particularly because it would undermine the integrity of the political community as the site of legitimate decision-making and create a general political paralysis (Beiner, 2006).

Beiner further enumerates three common criticisms frequently pointed to Young's proposal: first, the doubts caused with the materialisation of the category of oppressed and the political prerogatives associated to it; second, a fear that such model of differentiated citizenship would translate into politics of grievance between groups; and third, the focus on specificity undermines a concern for shared problems and the solidarity and coalition-building that is necessary for egalitarian politics (Beiner, 2006). To these three critiques, Beiner adds two additional observations and questions regarding the achievement of inclusion through differentiated citizenship, and how the rejection of universalism undermines the project of multiculturalism as such. In what concerns the former, Beiner states that inclusion is defined with reference to a large political community of equals and, in the absence of this shared political community, the concept of integration is misplaced. Regarding the latter, Beiner considers that the rejection of a universalism of any kind results in a moral and philosophical dead-end, since it renders impossible to appeal to shared values of equality or justice (Beiner, 2006). The civic idea expressed by Beiner is, according to himself, "a liberalized and diluted late-modern version of Aristotle's idea of citizenship", "a weaker late-modern version of Aristotle's conception of the human

being as a political animal” (Beiner, 2003: 197; 199). This means that even though the civic idea is present, Beiner recognises the challenges and limits posed to a political involvement in the structures that define the processes of governance (Beiner, 2003). However, and notwithstanding these limitations, Beiner stresses that “as attenuated as it is, it offers a sufficient trace of genuine attachment to a community of citizens and sufficient possibility of viable political agency” which renders the civic bond as a “meaningful normative standard” (Beiner, 2003: 199). Thus, he reinforces his idea that “people can only come together as citizens if they feel bound together as a civic community” since it is their mutual recognition as members of a shared political community that sustains the equality that is to guide citizens’ relations (Beiner, 2003: 201).

Beiner’s defence of the civic ideal exemplifies what has been termed as the revival of republican citizenship (Dagger, 2002). It largely echoes Oldfield’s remarks concerning the importance of civic republicanism, the sense of community it entails and how it is forged by solidarity and demands a political practice from citizens (Oldfield, 1998). It also echoes Arendt’s appeal to an active citizen whose rights can only become a reality through an interaction between citizens and institutions (Delanty, 2003). The revival of the inherent civic value of citizenship opposes the idea of individuals as liberals depict them and the vision of citizenship and rights as a political expression equivalent to the market logic of consumers seizing goods (Dagger, 2002). Beiner’s proposal, however, is not only concerned with this liberal view. For Beiner we are assisting to a debate on citizenship marked by two competing and mutually exclusive visions: a liberal universalism and an anti-liberal particularism. Both of them miss, nevertheless, the crucial element that sustains a political community where citizenship becomes egalitarian and inclusive. For Beiner, the civic bond, inherited from the republican view, is an alternative option to these views, particularly because in this frame the political community becomes a site of identity formation, an identity that is neither ethnical nor cultural but rather civic, in the sense of the common political facet shared by citizens (Beiner, 2003). To be forged however, political community and the citizenship created through this civic bond are necessarily bounded to the state even if the exact placement of those boundaries depends on historical contingencies.

At the centre of this disagreement is the tension that exists between universal and particular trends, where identity and the impact it has on citizenship plays a crucial role. A differentiated citizenship revolves around an apparent tension between identity and citizenship, mainly with its universal aspirations (Isin and Wood, 1999), while those who ground egalitarianism on shared bonds or universal status struggle with this emphasis on strict differentiation. Mouffe has tried to reconcile the recognition of difference with shared standards and behaviours in the political realm (Mouffe, 1993). Departing from a radical democracy proposal, Mouffe equates the question of identity and groups formation in a non-essentialist way and demarks herself from Young and Kymlicka's societal culture. Rather than opting for difference or universalism, Mouffe perceives this tension and conflict as the location of the political, where the different political principles compete and from which a radical democratic citizenship emerges (Rasmussen and Brown, 2002).

According to Rasmussen and Brown (2002), the radical democratic theory has enunciated three principles that affect the perception of citizenship: first, political struggles are temporary and contextual, contingent of particular power relations; second, citizenship is a continual struggle within those shifting power relations; and third, the struggle of citizenship transcends the realm of competing interests to become the site of subject formation, i.e., the site where citizens define an understanding of their interaction with the political world. For Mouffe, social agents are constituted in a necessarily fluid "ensemble of subject positions" (Mouffe, 1993: 77), which creates an identity and processes of identification that can neither be fixed nor given (Lister, 1998) and are the expression of power relations. But more important, in a radical democratic frame citizenship becomes the activity through which one defines his/her identity: "the agency of citizenship is the act of identification, of seeking identity in familiar forms of representation (...) that shape but do not determine the identity of the subject" (Rasmussen and Brown, 2002: 182).

Hence, politics can only exist in this complex ensemble and through a mutual constitutive process that Mouffe has identified as agonistic pluralism. In this view it is possible to reconcile a respect for difference but also to create a shared set of values and assumptions, essentially political. What agonistic pluralism introduces is a constant tension between the different groups mediated by the respect of

divergent claims through democratic dialogue (Mouffe, 2000). In this sense citizenship allows the creation of a chain of equivalences between individuals and groups able to promote a democratic articulation of demands (Mouffe, 1993; 2000). The common political identity is based on accepting democratic practices, dialogue and individual liberty, despite the different subject's positions and the plurality of possible allegiances, instead of other pre-given identities (Mouffe, 1993; 2000).⁷⁷ Thus, the core of a radical democratic view of citizenship aims to “retain the egalitarian impulse in the idea of citizenship as a means of belonging to a political community without depoliticising or excluding other elements of identity relevant to power relations” (Rasmussen and Brown, 2002). There are however, critiques pointed to this perspective: first, its inclusionary impulse seems to create a universalising movement that resembles the liberal feature it criticises; second, agonism must necessarily be distinguished from antagonism and while this demands a constant struggle to define subjects' identity it seems to presuppose existing competing norms and subjects; third, the agonistic view does not make clear how to engage and interact with groups that exercise power as domination apart from the democratic ethos (Rasmussen and Brown, 2002).

The reflections that depart from difference expose how power relations are important in defining the content of citizenship and mediating the access and enjoyment of rights. Furthermore, they expose how, and besides the inclusion/exclusion divide that the modern state placed on its frontiers, one needs to consider the inclusion/exclusion divides that affect and divide individuals and groups internally. Nonetheless, from the recognition of difference emerge important questions, particularly in what concerns the cohesion of the political community which has traditionally relied on its unity. The radical democracy proposes a democratic articulation of difference that does not erase the state but clearly challenges the exclusivity on which its monopolies used to rely. In fact, other political spaces have progressively become central in citizenship debates.

⁷⁷ It is important to note that this democratic interaction is fundamentally different from the proposal of Habermas, since it departs from a philosophy of language to sustain that instead of reaching universalism through communication, it is precisely the tension between particularism and universalism that is the ground for politics (Rasmussen and Brown, 2002).

Citizenship beyond the nation-state

This growing attention to the site of politics and citizenship beyond the state has not been exclusive of radical democratic theory. In fact, closely related with the reflection that explores the differences within the boundaries of the state, a questioning of the spatial dimension of modern citizenship has clearly emerged. Radical democracy, by assuming the political potential in different sites and practices, has clearly made a case to rethink the spatial dimension of citizenship beyond the nation-state, even if the focus on civil society or the appeals to reconsider the role of identity groups in citizenship practices had already somehow introduced this discussion.

However, and beyond the existence of differences within the state, the global dynamics that had emerged clearly questioned the national domain as the exclusive site of citizenship definition and practice in a different way. Soysal's proposal of a post-national citizenship is an obligatory reference in what concerns this discussion (Soysal, 1994). Soysal departs from guestworkers' incorporation experience in European countries to analyse the complex topography of membership in the late 20th century. His work focuses particularly on incorporation through rights and it is precisely here that he identifies the dialectic tension between nation-states and globalised practices. For Soysal there is an "incongruity between the normative and organizational bases of rights" since their legitimacy is located on a international human rights codes and instruments while their application is still country-specific and dependent of nation-state's actions (Soysal, 1994: 8). This tension affected membership formations creating "contiguities beyond the limits of national citizenry" that overcome the opposing dichotomy between the citizen and the alien and includes populations formerly placed outside the national polity (Soysal, 1994: 137). In such a view, migrant's rights – civil, social, cultural and even political – are commonly depicted as a matter of personhood rights rather than as a prerogative of nationals. Thus, and even though nation-states and their sovereignty remain at the core of the international system, the main reference for membership through rights has progressively been internationalised with states founding the legitimacy of rights extension to migrants on the transnational frame of human rights. Therefore, the modern citizenship reliance on nationality criteria to grant access to membership

rights is no longer unique and instead “we have a system of constitutionally interconnected states with a multiplicity of membership” that reveals the emphasis on the personhood (Soysal, 1994: 163-164). This post-national pattern of membership formation forces us, according to Soysal, to “refurbish our definitions and theoretical vistas of and about citizenship and the nation-state” and thus acknowledge the post-national character of citizenship (Soysal, 1994: 167).⁷⁸

Habermas has also developed a reflection in what concerns the relation between rights and nation-states and how this relation has evolved to a post-national moment (Habermas, 1995; 1996). Though, as Soysal, Habermas depicts the EU as a privileged space for the emergence of a post-national citizenship, his focus is on how the relation between nation and citizens, as a mechanism for inclusion, has evolved. Thus, Habermas focuses on how inclusion through citizenship can be kept despite the dissociation of the nation-citizenship relation of exclusivity. Habermas, departs from the instrumental role of the nation in creating “a democratic mode of [state] legitimation on the basis of a new and more abstract form of social integration” which “stimulated this move from the status of private subjects to citizenship” (Habermas, 1996: 128-129). Within the nation-state, citizenship acquired an “additional political and cultural meaning of an achieved belonging to a community of empowered citizens who actively contributed to its maintenance” (Habermas, 1996: 128-129). Given this instrumental nature, the relation between the nation and the state is a contingent historical relation and, as a consequence, the nation and the state can be separated (Habermas, 1995). To those who ground the strength of constitutional principles on the communities that frame social relations, Habermas states that, on the opposite, it is the political culture that must sustain individuals’ association and promote a constitutional patriotism that respects societies’

⁷⁸ On the issue of access to rights by migrants Brubaker concluded that membership in national polity mattered little to access social and economic rights. On the contrary, political rights were not available for those who were not considered citizens. As a consequence he identifies a dual membership structure in Europe organised in two concentric circles: an inner circle which is formed by members of the national community, and an outer circle where, in addition to citizens, other groups can be found. The main difference between these circles is precisely the access and the different rights granted: citizens, i.e., those who belong to the national polity, have the political privileges and obligations that form the political dimension of citizenship, in addition to social and economic rights while other groups’ rights are confined to the social and economic realm (Brubaker, 1989). Soysal account however necessarily diverges from this view, since his emphasis on rights is placed on the international sources of rights’ legitimacy rather than on the membership to national community (Soysal, 1994).

multicultural realities. (Habermas, 1995).⁷⁹ The question for Habermas relies, then, on the conditions that enable such a transformation and a replacement of the cultural community by a political community constituted by individuals who conform to constitutional principles, able to safeguard the principle of inclusion that is inherent to democratic citizenship. For Habermas, democratic citizenship can only develop its social integration potential if the political, social and cultural rights are delivered (Habermas, 1996). In this sense, a post-national citizenship reflects a focus on the implementation of rights beyond the limits imposed by the nation and, thus, constitutes itself as “the core of what holds people together” into an inclusive public sphere (Habermas, 1995; 1996: 135). This demands the creation of an inclusive public sphere which for Habermas, can only be reached through the principles of communicative pluralism, i.e., a process where different flows of discourses and communications interact. This notion of democratic citizenship is furthermore necessary in a global context where it is foreseeable the need for political action above and between nation-states in order to safeguard the inclusive nature of citizenship in this post-national moment, where societies have come together in a community of shared risks (Habermas, 1996).

This vision of an ensemble of citizens that cannot be confined to the traditional borders of the state has also been at the centre of a cosmopolitan revival. The idea of a world citizen has been a part of citizenship utopian imaginary and Kant and its proposal of perpetual peace is perhaps one of the most important references for cosmopolitanism (Isin and Turner, 2002). But the term and its proposal have been revived with the realities attached to globalisation. In fact, current approaches are deeply engaged with the human rights international expansion, with global civil society movements and with a compromise with democratic global governance in face with the current challenges posed to traditional accounts of state sovereignty. Most of the defenders of cosmopolitan citizenship are also concerned and dissatisfied with the engagement of nation-states with global ethics and rights (Linklater, 2002).

Held, for instance, structured the case for a cosmopolitan democracy within a liberal inspiration. He argues that globalisation captures the fundamental changes

⁷⁹ Beiner considers this constitutional patriotism as a strong proposal to create the civic bond that he believes to be necessary to sustain citizenship (Beiner, 2003).

that are currently shaping the nature of political relations and political communities and, accordingly, the meaning and place of the democratic political community needs to be re-evaluated (Held, 2002). Assuming the dispersion of effective power, the existence of cross-boundaries communities, the disjuncture in the formal authority of the states and the structures of authority in national and regional levels, the changes in sovereignty and the cross-cutting loyalties as well as the existence of boundary challenging issues, Held claims for a common and international structure of governance that simultaneously assures a cluster of rights and obligations (Held, 1995). This globalised system of governance entails a citizenship with a plural significance in belonging in order to make possible the access to several forms of political participation (Held, 1995; 2002). This quest for democratic international governance is fundamentally in a reconstructed proposal of cosmopolitanism which departs from values to affect the definition of a community tied by and within its compromise with democracy (Thompson, 1998).

This appeal for a cosmopolitan frame of governance (or transnational, as Benhabib (2007) qualifies it) departs from a shared acknowledgement that states' sovereignty has been progressively eroded with globalisation and that this erosion demands a necessary reflection on the future of citizenship. Linklater, for instance, departed from Hedley Bull's neo-medievalism thesis (Bull, 1979) in order to characterise the challenges posed to European states' monopolies and sovereignty, and develop his approach to cosmopolitanism and citizenship (Linklater, 1996; 1998). For Linklater, one must consider this system of overlapping authorities to understand how the state's monopolies are being affected by global issues and processes, and how this will affect the definition of states' political communities (Linklater, 1996; 1998). Hence, the nature of political bonding elements have been altered and the perspective of new forms of political community reflects the post-Westphalia complex reality and the emergence of plural concepts of community and citizenship (Linklater, 1996; 1998). Linklater supports his approach on critical theory and the necessary relation between transnational democracy and the struggle against modes of exclusion (Linklater, 1998; 2007). He presents transnational democracy as the system able to promote dialogue and recognise difference, and go beyond the borders of national states through a habermasian communicative ethos and, in this

sense, cosmopolitan citizenship can become the expression of global engagement and political and social inclusion, and can push further the quest for rights in the international space (Linklater, 1998; 2007).

Benhabib has also engaged in a discussion regarding the development of an approach to cosmopolitanism that seeks the mediation of difference through a kantian morality in law, i.e. “thinking of cosmopolitanism as the emergence of norms that ought to govern relations among individuals in a global civil society” (Benhabib, 2006: 20). Considering the current challenges to state sovereignty, Benhabib stresses an apparent contradictory state of affairs: while in some dimensions state sovereignty is largely eroded by transnational dynamics, it is still vigorously asserted internationally as a valid unit and place of politics. For Benhabib we are witnessing a disaggregation of sovereignty and a consequential and parallel disaggregation of citizenship: the domains of citizenship – rights, belonging and identity – are no longer necessarily entangled and dependent of state sovereignty (Benhabib, 2005; 2006). But even though these concepts – citizenship and sovereignty – are “part and parcel” of the same landscape, they have different normative logics. It is important to stress here the distinction made by the author between state and popular sovereignty: the former is mainly related to state institutions and the monopolies attached to the existence of a state in a given territory while the latter mainly refers to the existence of institutions that assure the representation of citizens. For Benhabib, the main challenge is to understand how a disaggregation of state sovereignty affects popular sovereignty and what alternative can be found to maintain the values and practices attached to this last dimension. Thus, this is not just a matter of recognising how citizenship elements are no longer exclusively dependent of state sovereignty but foremost, how the democratic value of citizenship can prevail in the current globalised context (Benhabib, 2007). This is particularly relevant if we bear in mind the internationalisation trend exposed in post-armed conflict statebuilding. For Benhabib, citizenship can only maintain its expression of democratic agency in a cosmopolitan frame supported by a strong global civil society that connects the local-national-global through democratic iterations, responsible for a constant redefinition of perceptions and understandings and also for a mediation of universal norms with the will of democratic majorities (Benhabib, 2006).

Nevertheless, and departing from the elements of modern citizenship, the critics consider the absence of an equivalent political and governance actor to the state in the international sphere, and the consequent absence of a political community, insurmountable obstacles to define a sense of belonging and inclusion and to create a space where citizens can be represented and present their demands. For some, the solidarity bonds that cosmopolitanism seeks to build at a worldwide scale do not consider how identity plays a decisive role in the definition of such bonds and, thus, they ignore the cultural dimension that in modern citizenship has been a source of social integration.⁸⁰ Miller, for instance, has reasserted the value of a republican citizenship based on the national community in face of the challenges posed by globalisation, the emergence of sub-state nationalisms and the fragmentation of identities beyond state's borders (Miller, 2002). Miller believes that nation-states have the ability to adapt to the new complex contexts of differences and globalisation while maintaining their community as the referential site of citizenship (Miller, 2002).

In order to address these issues, Linklater mentions two crucial dynamics that are already visible and whose interaction will be decisive in the creation of democratic principles of legitimacy in the international sphere: first, it is currently quite evident that there are transnational spaces and instruments of governance, which means that the absence of a *Leviathan* at a global scale does not entail that governance at this level does not exist; second, and precisely because this governance beyond the state exists, it is also evident that in parallel to this transnational tendency in governance, a global space for civil society actors to interact and discuss the dimensions and impacts of global governance has also emerged and has gained visibility and importance (Linklater, 2002).

For Beck these interactions and decision-making at the global level can only be achieved with a socialisation of risk since this impels the necessary decision-making processes while carrying a hidden community building aspect. Accordingly,

⁸⁰ Axtmann (2002) considers these issues when addressing Held's proposal of cosmopolitan democracy (Held, 2002). Beside these issues that clearly present a challenge to the creation of a global democratic space that promotes an inclusive citizenship, Axtmann also mentions important remarks concerning the international relations level and how the structures of power in the international system constitute a solid barrier to the creation of cosmopolitan democratic system that would entail a redistribution and an equilibrium of power in the international system (Axtmann, 2002).

and even though we are currently in a “muddle between an old order based on international law and the new order, based on human rights”, the process–concept of “cosmopolitanisation” is already in motion if one considers the regulation and impact of certain movements and measures (Beck, 2002: 65).⁸¹ This process-concept must be perceived as relational, where cosmopolitan changes and movements are connected to blockages and resistances triggered by them, in a reflexive movement. Therefore, cosmopolitanism, as presented by Beck, is foremost an interactive relationship of constant redefinition displayed at the national and transnational spaces where conflict and tensions are central to this reconfiguration of politics in cosmopolitan terms (Beck, 2002).⁸²

For Sassen, however, most of the views enunciated are still too strongly grounded on nation-state-based conceptions of citizenship and, even when the perspectives challenge the connection between national polity and identity, the location of the non-unitary citizenship is also within the national boundaries (the case of Kymlicka’s proposal of multicultural citizenship is, in this case, a quite illustrative example) (Sassen, 2002b).⁸³ Sassen defends a different view concerning the repositioning of citizenship in face of emergent subjects and spaces for politics (Sassen, 2002a). For Sassen, globalisation and human rights have made possible a new discourse of rights that, together with the widening of the inclusion project, is transforming citizenship and its relation with nationality. In fact, one must consider that since globalisation affected the territorial and institutional features of the state,

⁸¹ Beck identifies two periods of political modernity: the first age of modernity, founded upon states’ sovereignty and international law, and the second age, cosmopolitan and dominated by the human rights rhetoric. For Beck we are currently in the “muddle between an old order based on international law and the new order based on human rights” (Beck, 2002: 65). In this second age, plural narratives of modernity are accepted since the traditional narrative, based on territoriality, collective existence and borders, is being questioned. It is amidst this process of constant redefinition that individuals define their identity and difference: through a process of overlapping identities and conflicts (Beck, 2002).

⁸² Cosmopolitanism as a process-concept fits the vision of reflexive politics defined by Beck since it is mainly the expression of subpolitics, i.e. the expression of agents and individuals contributions to shape politics departing from the different and opposing positions usually excluded from politics, which are, in purpose, rule-altering. In this frame, the reflexivity comes from the tensions and conflicts that permeate politics and subpolitics and results into a cosmopolitanism permanently contested and revised (Beck, 1997; 2002).

⁸³ Here the author departs from Bosniak’s reflection on the current proposals of citizenship denationalization and the critique the author proposes to these accounts (Bosniak, 2000). We will consider this critical account of Bosniak in the next section.

citizenship has also changed (Sassen, 2002a). Thus, and considering these dynamics, Sassen argues that one must map the question of rights, authority and obligations differently (Sassen, 2002a). Sassen identifies two current patterns that challenge the view of citizenship as a formal status attached to nationality: the unauthorised and yet recognised, where there is a partial recognition of individuals as social beings; and the authorised yet unrecognised, where despite the legal status individuals political experience is limited (Sassen, 2002a). In addition to these categories, the author presents a third possibility where the meaning of national space has changed. Hence, and though the national space remains a referent, it is a “referent of a specific sort: it is, after all, its change that becomes the key theoretical feature through which it enters my specification of changes in the institution of citizenship” (Sassen, 2002a: 17).

For Sassen, denationalisation entails the transformation of the national as Sassen sustains, and it is thus concerned with new forms of citizenship not yet considered but which may emerge in this new understanding (Sassen, 2002b). This denationalised possibility is explored by Sassen through the “global city”, considered a strategic site for citizenship transformation in globalisation ages, since they create new structures of power, and rhetoric and operational openings for those traditionally excluded, therefore creating new possibilities for citizenship practices and identities, particularly in what concerns the institutional frame where citizenship is embedded (Sassen, 2002a; 2006). Ong also departs from the global space to explore new sites of citizenship. The author presents the global assemblages as the site for political mobilisations and claims, where the citizenship is a condition reconfigured by processes of territorialisation (Ong, 2006). These assemblages are contingent upon the specificity of the re-articulations, creating a heterogeneous political landscape where citizenship claims take place through the universalising criteria of neoliberal values and human rights. It is in this sense that Ong affirms that “the sites of citizenship are not defined by conventional geography” and the multiple assemblages of disparate elements create new political spaces (Ong, 2005: 699).

Overall, the contributions that engage in discussing citizenship beyond the nation-state force us to reflect on the plurality of spaces where individuals and groups move and how these spaces question exclusive membership. Furthermore,

such plurality has not only a profound effect on the identification and membership of individuals, altering the process of identification-recognition that defined the modern state's political community, but also multiplies the spaces and possibilities of claim-making, which are fundamental to affect the inclusion/exclusion divides that have marked modern citizenship.

Considering what we have exposed, we must recognise that the concept of citizenship as the signifier of state-society relations is being challenged and affected by the affirmation of difference and the emergence of political spaces beyond the state. Therefore, and in order to proceed in our reflection, we will explore these challenges and possibilities along the four elements that constitute the concept of citizenship: the location, the subject; rights and practices and its meaning. Our purpose, which will be developed in detail in the next section, is to discuss the current state of the art in citizenship debates along the axes we have identified in order to capture the main issues and questions that mark our current understanding and practices of the concept. By doing so, we seek not to develop a full fledged theory of citizenship but rather to establish a conceptual reference that enables us to explore the complexity and possibilities opened by citizenship in post-armed conflict statebuilding scenarios.

3.2. Exploring possibilities

Departing from the contributions we discussed previously, we have identified four elements in the concept of citizenship and which we can divide in two categories. The first one concerns the subject of citizenship, its location and its content and practices and we term it here as definitional elements. We classify these as definitional elements because they guide the delimitation and definition of citizenship. The fourth axe identified, the meaning of citizenship, corresponds to the second category. It draws on the definitional elements and through the relation projected between them, it projects a meaning.

The definitional elements must be understood regarding the clarifications they force and the interrelation between them. For instance, when we explore the location of citizenship we address the spaces where citizenship is forged as well as where it is expressed and exercised. Locating citizenship entails creating a political referential both in the definition and practice of citizenship. Moreover, this process of location is crucial in the definition of who the subject of citizenship is, since it mediates a process of identification/recognition that draws a line of inclusion and exclusion where issues of access – who is the citizen and how one becomes a citizen – are also established. Together, locating citizenship and identifying who the citizen is project patterns of social and political interaction between citizens and between citizens and the political referential identified. And this interaction is mediated by rights and practices and, therefore, they can also affect our definition of the subject as well as challenge the location of citizenship.

The meaning of citizenship departs from definitions and delimitations but it deals with different perceptions that can coexist within this delimitation. What this conveys is that even if one agrees on the delimitations of the concept, the elements privileged and emphasised will clearly affect the meaning attached to it. When evaluating the post-national reconfigurations proposed to citizenship Bosniak states that the task demands an approach that relates to the different understandings of the concept. The author identifies four broad understandings of citizenship: as a legal status; as a system of rights; as a form of political activity; and as a form of identity and solidarity (Bosniak, 2000). These categories suggest us that, depending on the issue we privilege as definitional elements – rights or practices, the relation between

citizens or legal recognition and identification –, our perception of the concept is necessarily different.⁸⁴ However, and even if the division proposed by Bosniak (2000) is particularly useful to explore the possibility of meanings attached to citizenship, we must not conceive these understandings as distinctive and mutually excluding perceptions of the concept. For instance, an understanding that perceives citizenship mainly as a political activity does not deny the existence of rights or their importance for citizenship. Thus, the meaning of citizenship assembles the elements together but it combines and unfolds their relation differently.

We have opted to structure our reflection on broad categories in order to explore the elements of citizenship in a non-excluding way. Departing, at this moment, from a location rather than considering it as a dimension would necessarily condition our discussion. That is not the goal at this point. Instead, we have chosen to identify dimensions of the concept that allow us to explore the different views over them in order to assess how the concept has evolved and explore the different possibilities that now co-exist in citizenship.

In order to proceed, however, we will depart from the definition of modern citizenship. In this sense it is useful to consider the definition of citizenship proposed by Janoski (1998) where citizenship is “passive and active membership of individuals in a nation-state with certain universalistic rights and obligations at a specified level of equality” (Janoski, 1998). Janoski departs from rights and obligations because he considers them as the dependent variable – they are foremost dependent on states validating norms as legal frames and seeking their implementation – while he defines the interactions and relations that occur in civil society and between civil society and the state as independent variables that account for the frame of rights and obligations defined (Janoski, 1998).

Within this definition, citizenship is located inside the borders of the nation-state, and even if civil society is crucial in building citizenship, it is the nation-state the political reference in the definition of citizenship. The citizen is a member of the national community of citizens and through this membership principles of equality and universality in the rule of law are established. The citizen, identified through

⁸⁴ For Bosniak these differences are particularly important because they mean that even if we are all discussing citizenship we may be talking about different things, depending on the understanding we have of the concept (Bosniak, 2000).

membership is then granted with different rights – political, economic, social – but it is also expected to contribute to the community it belongs, either in a more passive or active way.⁸⁵

However, as we have seen previously, the definition of modern citizenship as proposed by Janoski has been a matter of discussion in a variety of ways. We have assisted to a constant debate in what concerns the content of citizenship rights even if their role as an expression of citizenship is not contested. Furthermore, we have progressively assisted to critics of modern citizenship demanding an alternative conception that goes beyond the dispute of meaning between a more legal or political account to fundamentally question the definitional premises of modern citizenship, mostly its location and subject and the type of rights attached to them. It is important then that we consider the possibilities conveyed in the concept of citizenship along these elements

The locations of citizenship

Modern citizenship has been exclusively located in the national territory, defining the state as the political agent responsible for the effective exercise of governance. The social contract emerged from states' location and sought to formalise state's legitimacy as the political agent of governance while granting universal rights based on the equality of those who had their citizenship located in the nation-state.⁸⁶ This location has faced multiple challenges that have questioned, territorially and politically, the exclusive relation between citizenship and the state and demanded an attention to (1) spaces within the state as well as (2) spaces beyond its borders.

Regarding the first, the demands focus on the need for considering the different spheres that, within the state, intersect and constitute the exact location of citizenship. Janoski's account of citizenship, assures civil society with a particularly

⁸⁵ Janoski's definition is particularly useful because, by bringing the passive and active membership to the concept, it is able to grasp how modern citizenship has assembled both liberal and republican views of citizenship.

⁸⁶ One may live in a state without having his citizenship located there. As we will explore later the question of location is closely connected to the question of access and how this access is granted, which, in modern citizenship, is conceived in terms of membership in the political community. We will explore this issue in more detail when we consider the subject of citizenship.

relevant role in the definition of citizenship, by questioning state's political choices or demanding advances in the sphere of rights. However, and if one considers Janoski's account of the influence civil society has on citizenship while accepting the state as the exclusive political reference where citizenship is granted, one can, according to Sommers (2008), be misled into not acknowledging the economic and market dimension present both at the public sphere and the state, and how the interaction established between these spheres affect citizenship. Consequently Sommers considers citizenship as the result of a "triadic assemblage of shifting institutional and discursive relationships and struggles for power among state, market and civil society" (Sommers, 2008: 20). Sommers identifies two distinct poles in a continuum along which citizenship regimes move. In the dystopian model of citizenship the inclusionary and equal stance of the concept is replaced by a contractual logic that aims to reorganise state-society relations within the market postulates and where, in the triadic relation, we assist to a colonisation of other spheres by the market ethos (Sommers, 2008). To this pole, Sommers opposes a democratic socially inclusive citizenship where the balance in the relation between these spheres is restored. In this view the state mobilises political power to regulate and limit the activity of the market and transforms it into a supportive dimension of citizenship livelihood (Sommers, 2008). It is in this search for an inclusionary democratic citizenship that Sommers affirms civil society as the site of citizenship, considering particularly two main reasons: first, it is here where citizenship fulfils its ethos as the individuals' rights to inclusion in a political community and recognition by others as equals; and second, it is here, in this in-between sphere, that the equality and solidarity that binds citizens is safeguarded from the excessive behaviours both of the state and the market (Sommers, 2008).⁸⁷ Ku denounces how civil society has been associated with the market (especially in a liberal account of the term and its relation with citizenship), undermining its role as an autonomous sphere while it is

⁸⁷ Sommers perceives citizenship as the right to have rights and distinguishes two fundamental rights related to citizenship: first the right to membership, which is related with the right of becoming a member of a polity where citizenship rights are granted, and second the right to inclusion in civil society, where individuals are recognized as equal. According to the author, this view "combines aspects of republicanism and communitarianism, while at the same time it regrounds the principle of individual liberty not in nature but in the solidarism and membership of civil society" (Sommers, 2008: 28). We will come back to this issue once we address how the view of rights as the content and practices of citizenship has evolved.

detached from citizenship. Instead, civil society should be considered as a site of “practices and struggles over rights claims, both legal and non-legal” where citizens struggle for “political recognition of neglected rights, needs, and values” giving citizenship “a set of cultural, symbolic and political practices” (Ku, 2002: 542-543). Both Sommers and Ku’s accounts of civil society as the location where citizenship materialise and how civil society is foremost the space where citizenship and the relation established with states and other individuals is (re)defined. This view of civil society as a space of citizenship is thus different from liberal accounts of the term: civil society acquires here a political density, based on the relations it establishes with the other spheres, which is different from the liberal view of the term as the associative realm entrusted with states’ behaviour control. Hence, the location of citizenship refers not solely to the place where citizenship unfolds but also, and foremost, where citizenship is (re)negotiated. This is particularly significant, as Ku argues, to consider those individuals who are not yet recognised as citizens but develop in civil society a dynamic or struggle for inclusion (Ku, 2002).

In addition, more attention has been given to the informal spaces where individuals establish their livelihoods, and particularly to the impact this causes on individuals’ citizenship, especially in what concerns the effective enjoyment of those rights. Kruijt *et al* (2002) departed from the context of Latin America and the informalisation of economy to assess how this informality limits individuals’ substantive citizenship, i.e. to the degree on which citizenship rights – political, civil and social – are developed and fulfilled. Accordingly, and considering how the economic activity is crucial for individuals to access citizenship rights and in face with the growing informality that mark the economy in Latin American countries, Kruijt *et al* (2002) concluded that the informal economic situation creates an informal citizenship as the expression of a precarious substantive citizenship. This notion of informality is generally related to an unrecognised and thus unaccounted dimension of social life.

Here it is particularly relevant to understand that even though citizenship is considered as belonging to the formal spaces of social life – specifically because it entails recognition by to become effective – informal spaces, and the economic and social relations established there affect how citizenship unfolds. Boege *et al* (2008)

have developed the hybrid political order category as an analytical frame in alternative to the failed states categorisation. According to the authors, the analysis of citizenship would benefit from this analytical framework since it recognises existing “customary, non-state institutions of governance” that shape “everyday social reality” (Boege *et al.*, 2008: 7) and moves from the general dichotomy between formal and informal and the connotations usually attached to it. The notion of informality Boege *et al.* (2008) use is different from the analytical perspective of Kruijt *et al.* (2002), but it is equally important, because it reminds us that in the informal spheres one is also likely to find actors of governance which necessarily affect state-society relations and social relations.

In what concerns the spaces beyond the state, the globalisation related phenomena has forced and strengthened demands for transnational frames of governance which entailed an identification of actors of governance and other spaces in the assurance, recognition and claim-making of citizenship rights. These emergent spaces where different actors and possibilities of governance emerged greatly affected the exclusivity of the relation of governance established between states and citizens through a social contract. As we have seen, two transnational realities are often related with this: first, the existence of regional political organisations, especially the EU which has adopted a clear frame of rights and a discourse of citizenship, as well as international organisations or international legal instruments of human rights that affect states' relation with citizenship rights; and second, the emergence of global networks of civil society actors where citizenship related struggles gained transnational dimension.

The EU is perhaps, and so far, a unique institution in this sense, and has progressively affected the experience of citizenship in its member states, while raising important questions. Bauböck and Guirandon (2009) have stated that contemporary debates on citizenship have focused on boundary transgressing phenomena – migrations, for instance – as well as multilevel citizenship, which combines sub-state with supra-national modes for membership and rights. According to the authors, the EU has been, in this new scenario, a “laboratory”, where a plethora of issues, ranging from supranational integration to the territorial dimension of citizenship, and how the EU provides a second sphere of rights protection,

enforcement and claim-making (Bauböck and Guiraudon, 2009). Preuß has stated that European citizenship, still being forged, has assumed a non-national character, which means not the denial of the nationalities that constitute the EU or the role of the state in the lives of the citizens, but foremost “the abolition of the nation-state’s monopoly on individuals’ affiliation to a polity” (Preuß, 1998: 148). Thus, and foremost, the EU constitutes a space of governance and offers a location of citizenship that transcends the boundaries of the states and its exclusive membership. Nonetheless, and because it departs from the states, European citizenship builds on state citizenship while broadening the political spaces where individuals can forge and renegotiate the content of citizenship and challenge the conduct of their states. This condition is also shared by international instruments of human rights: albeit they provide a reference of protection outside the state and additional spaces and possibilities of claim-making, states remain their privileged enforcing actors.

The possibility to transcend the territorial state boundaries to engage in governance discussions and/or to question state’s actions is particularly expressive in the emergence of the global networks of civil society actors. Bartelson draws a parallel with the functions assumed by civil society at the state level to grasp whether global civil society can be or is a vehicle of change (Bartelson, 2006). Global civil society is mainly concerned with the constitution of the global as a political space and with its transformation into a governable realm (Bartelson, 2006). It provides therefore an international alternative to the absence of a transnational *demos*, able to bring legitimacy to governance processes. In this sense, the concept of global civil society is both descriptive and instrumental, since its articulation conveys an image of global tendencies in motion but also seeks to deepen the global realm of governance (Bartelson, 2006).

These views represent, however, a rather optimistic view of the international realm in opposition to the national sphere. They seem to convey the idea that the international realm, the spaces of governance as well as the transnational or supranational actors that constitute it, represent a definitive possibility to overcome the problems recognised to national citizenship. As we have seen in the critiques appointed to cosmopolitan views on the future of citizenship, this view is not consensually accepted. The critics to these views have framed their claims around a

series of questions and limits. First, and in what concerns international and regional institutions potential, critics remind us that these institutions accept and depart from the state logic of governance, and its evolution and action is crucially limited to states' will to comply and become part of these dispositions. This critique is related with human rights instruments and legal mechanisms at the international level in general but is particularly evident in the EU context, since the rights granted with European citizenship are dependent of its member states' actions regarding the conditions needed for its compliance or the enforcement of these rights. Second, there is a warning in what concerns the highly hierarchical feature of the international realm. According to Castles (2005) a citizenship located on the global space would entail a legal principle of equal rights to all individuals but this principle tends to mask a real hierarchy dependent of the location of the individuals in the international relations hierarchic frame. Thus, "the legal principle of equality of nation-states and of citizens is in stark contradiction to a reality of hierarchy and exclusion" (Castles, 2005: 691). In such a hierarchical context, citizenship at a global scale is particularly problematic because it may become a privilege of some and, thus, reinforce the inequalities that are already so evident between the states that interact in the international system (Pallas, 2012). Moreover, a promotion of a citizenship located at the global or transnational level which fails to capture these differences may ultimately justify interventions in other states, or claim rights on the behalf of others, thus reducing or dismissing the other's agency and capacity for self-government (Chandler, 2003; Pupavac, 2005; Pallas, 2012).

Considering what we have just exposed, one is forced to address the location of citizenship as a fundamentally questioned, challenged and disputed issue. There are however important conclusions that can be drawn from this debate and divisions. First, citizenship location concerns not only where and by which institution/agent its content is assured but also where its practices unfold and citizenship is renegotiated. Second, and related to this different perspective towards citizenship location, we have identified a multiplicity of spaces where citizenship can be contested, defended and (re)negotiated. These plural locations must be understood beyond a geographical delimitation, since, as we have mentioned, they have a political aspect attached, and we must necessarily depart from their co-existence in

the context where citizenship is (re)enacted. Thus, this vision of multiple locations and their simultaneous existence offers different possibilities to affect citizenship. It is important to understand that this view towards the location of citizenship does not deny the national domain as a location but it seeks instead to replace the exclusive notion it carried with a more dynamic and interrelated view of the different locations that currently affect citizenship.

The best way to capture the new nature of the relations between space and citizenship is through the concept of scale. Scale is often approached from dimensional and hierarchical perspectives which entail a classification of scales based on sizes and levels (Howitt, 2003). The spatial scale in citizenship traditionally focused on the national level, departing from the modern definition of the concept which located citizenship in the nation-state's territory. This is particularly evident when we consider the cumulative tone of scales stretching from the local to the international or transnational. In this stratification, the citizen projects citizenship upwards and downwards the national level, both in terms of citizenship enactment and (re)definition (Kofman, 2003).

However, these scales are simultaneous and individuals tend to gain mobility across them in a continuum that departs from the local, up to the regional and transnational level. This is visible not only in what concerns the agents with whom individuals relate in the process of governance but also in the protection, enactment and redefinition of citizenship rights and/or practices or in the (re)constitution of the subject of citizenship. In this sense, the distinctive spatial feature of citizenship has become the overlapping nature of its scales: discourses and practices of citizenship can be forged at one specific scale and be effective at another (Kofman, 2003; Marston and Mitchell, 2004). The overlap of scales in citizenship is deeply connected with the ability to engage and make claims at different spaces, either echoing local struggles at the global level or bringing transnational issues to the local domain. This overlapping simultaneity of scales, and how it affects citizenship, entails perhaps that one approaches scales not solely from a view that stresses their size and level and how individuals move between them, and, foremost, that engages with the interactions established between different actors. Cox has defended a different approach to the concept of scale based on the image of networks

which provides us with the idea of unevenness in the penetration of these scales by different actors (Cox, 1998) but also enables us to reflect on the alternative interactions established through the constitution of networks in face of this “unevenness”. This vision of scale, both as different but yet connected by the interactions established, is particularly relevant if one wishes to relate these spatial notions with the understanding that spaces have also come to be distinguished according to the relation established between individuals, institutions, and political actors.

Mapping these different types of spaces and crossing them with the possibilities and dynamics of scales, is then crucial to frame the current relation between space and citizenship. Let us illustrate: spaces of participation, either invited or created (Cornwall, 2002) can be located at the national scale but the actors which interact in these spaces are also connected to local and global or transnational scales through networks.⁸⁸ The connection to the global scale might be providential in creating more inclusive dynamics on national projects of development – consider the emphasis on gender issues, for instance – but local dynamics and claims on the subject of citizenship are crucial to mobilise such support. This implies that even though the relation between space and citizenship has changed, exploring spatial dynamics is crucial to understand how political agency is conditioned and exercised through citizenship and how it unfolds in different locations, particularly in post-armed conflict scenarios, considering the variety of actors and scales present.⁸⁹

The subject of citizenship

We have seen in the previous section how rethinking citizenship beyond the state alters the identification-recognition established between state and society. Accordingly, and considering what we have exposed above, the possibilities of citizenship have affected the exclusive relation between state and society which has been central to determine the subject of citizenship. Identifying the subject of

⁸⁸ We will address Cornwall’s distinction between invited and created spaces of participation in detail when we discuss participation as the content of citizenship later in this section (Cornwall, 2002).

⁸⁹ Nelson for instance uses the concept of topographies to explore the different scales at which Purhépechan Mexican women structure and enact their citizenship and how this affects their political subjectivities (Nelson, 2004).

citizenship has been, in the modern view of the concept, inextricably linked to the location of citizenship. The bordering processes of the modern state settled a geographic demarcation where the inclusion/exclusion divide forged a community of individuals considered equals. This bordering entailed a process of identification/recognition of individuals as members of the state's community and an identification/recognition of the state as the political reference in governance. In this frame, the subject of citizenship was identified through membership in a (nation-state) community, which granted individuals a status based on the equality of their membership condition and the universal reach of its content.

This membership has been defined through different legal frames of identification/recognition which focus mainly on *jus sanguinis* (blood) and/or *jus solis* (birthplace), but has also contemplated the acquisition of this membership through marital status or residence in a country. The specific articulation of these legal frames, broadly defined as nationality laws – legal recognition of membership in the political community of the nation-state – are specific to each country and represent in this sense an attribute of state's sovereignty. Thus, and according to Weil (2001) the identification/recognition of individuals as subjects of national citizenship expresses a state prerogative: “determination of nationality is an inherent element of a sovereign state's power to decide who is a citizen” (Weil, 2001: 18).

Nevertheless, the relation between citizenship and exclusive membership and the condition of access it defines have been progressively questioned. The contributions which questioned the universal and equal condition of this membership through an emphasis on difference have shown that the social and sexual condition and the cultural background must be considered as useful (but not mutually exclusive) categories that necessarily affect the modern definition of citizenship and membership to the national community. This is particularly evident in the case of women, immigrant and indigenous communities. Obscuring the different categories that interact in one's identity has meant that membership has been an oversimplified question. But foremost, it means that the non-recognition of these groups has not promoted an integration based on their specific needs. These groups' specificities have been diluted in the political community of the nation-state and, as a consequence, their integration has been framed by a blind universalism.

Accordingly, the modern articulation of citizenship has been clearly affected by these critiques which often translate in groups' struggles for recognition of their differences and singularities in face of what is considered a dominant culture. Departing from a vision of citizenship located in the state, Joppke identified two changes related with the challenges to the modern subject of citizenship: first, the author identifies a liberalisation of access to citizenship status, which has become "de-sacralized and less nationalistic"; and, second, state membership and identity were structurally decoupled and "states can no longer impose a substantive identity as a precondition for acquiring citizenship, and primordial group identities even enjoy the status of rights" (Joppke, 2007: 39 and 44 respectively).

The appeals for a differentiated citizenship are at the centre of several accounts of citizenship. Stretching from Young's proposal to Kymlicka's multicultural manifest, and despite the clear divergences between them, these contributions focus on the effective inequality that the modern universal and equal citizenship status conceal under the veil of membership. Against this pretense homogeneity, the promotion of a differentiated citizenship or a multicultural project seeks foremost to nurture equality through the recognition of difference, specifically in what concerns the plural identities that co-exist in the political community of the state. Fundamentally, these views assert that no equality is possible if the specific circumstances of these groups are not recognised and considered properly.

It is important to note that the identification of the citizenship subject affects the relationship projected between citizens. When modern citizenship identified the citizen as member in the nation-state community it sought to forge a sense of belonging that bounded the subjects through solidarity, who shared identification and interacted within the states' territory. Shifting the foundations for identifying the citizenship subject thus profoundly affects the relation established between citizens, particularly because it questions the exclusive membership to the nation-state community where this solidarity is grounded. If this exclusive membership is questioned by other possible and plural processes of identification that come together to build one's identity, citizenship sees its main source of solidarity and of social cohesion potentially threatened. Also, and because citizenship location plays a crucial role in the identification of citizenship subjects, the emergence and

affirmation of multiple spaces further questions this exclusive membership and nurtures different visions of community. For cosmopolitans for instance, the emergence of global spaces of governance entails that citizenship as membership transcends the political community of the state to establish a wider community of equals. For Falk (2000) new forms of political identity and multiple loyalties are emerging and changing the emphasis away from a territorial frame towards an allegiance based on shared values. This seems to echo Sassen's global city or Ong's global assemblages, where citizenship is structured on complex and yet fragmented processes of identification.

But for Purvis and Hunt (1999) the proliferation and fragmentation of identities that mark the late modernity bring along conflicting political loyalties and obligations, which challenge any universal pretension of citizenship and necessarily thickens any attempt to theorise the concept of citizenship. The authors ask "how does (indeed, can) a concept which has as its core the principles of universality and equality accommodate the politics of particularity and difference associated with the new wave of identity politics?" (Purvis and Hunt, 1999: 458). The authors have captured the dilemma that currently crosscuts the attempts to preserve the political heritage of citizenship equality with the need to address the existing differences between subjects and groups as well as multiple forms and understanding of belonging, i.e., of establishing an identification.

But for Nyamnjoh "such essentialist and rigid articulation of belonging" – based on exclusive membership to nation-state as an equaliser – is not suited for "a world pregnant with mobility" (Nyamnjoh, 2007: 79) and must be replaced by a "flexible citizenship", an unbounded model that manages to critically grasp the hierarchies masked by the nation-state citizenship, to create space for excluded nationals and non-nationals, individuals and collectivities and to listen to "multitudes (...) clamour for inclusion" (Nyamnjoh, 2007: 80). For those who share this view, membership may provide access to the status of citizenship but it does not assure that (1) members have equal access and (2) that the legal status is not disarticulated from citizen's needs and demands. Moreover, this membership might exclude from citizenship individuals and groups who, though they are not members, share in fact the political spaces of governance.

To this emphasis on the recognition of difference, others have opposed how fragmentation risks the creation of solidarity between individuals and a political existence beyond a utilitarian vision of politics. The main question is that citizenship project of inclusion departs from an identification of equals in a community. With the fragmentation of identities and its effects on the constitution of (political) communities, some fear that the search for difference will erase from citizenship the promise of equality between individuals that constitutes its political legacy. The question is then how can citizenship maintain its project of inclusion without resorting to an exclusive membership to the national political community.

In order to answer to this question, or to avoid it altogether, there is a growing emphasis on decoupling the access to citizenship from identity and membership. Kostakopoulou (2010), for instance, proposes an ‘anational citizenship’, a concept of citizenship based on individuals’ domicile, where individuals place their livelihoods and establish connections. In this sense, citizenship becomes a network good, this is, a valuable condition which is recognised to all the participants in a given network but which does not conflict with the plural identities that co-exist in states’ territories.⁹⁰

Others, however, have embraced the juggling between difference and equality. Lister, departing from the radical democracy proposal, pledges for a “differentiated universalism”, an approach that embraces the tension between the universal and particular and where the achievement of the universal is contingent upon the attention to difference (Lister, 1998). Lister considers this approach feasible both at the level of rights and participation, first because rights can be considered differently according to the specific position of groups so that the values of equality and justice are effectively promoted; and second, because participation can be guaranteed that difference is addressed through solidarity and a plural conception of community (Lister, 1998). For Purvis and Hunt (1999) this tension, and apparent paradox between particular and universal, and Lister’s suggestion to embrace it, represents the precondition of democracy and politics. Placing this tension at the core

⁹⁰ Kostakopoulou establishes three objectives to guide the variable geometry of citizenship, i.e., the balance between equality and differentiation, in an ‘anational citizenship model’: first, the realisation of equality and full citizenship would be promoted and no regressions on this would be possible; second, the equal dignity of all human beings and their rights would be respected; and third, the enhancement of democracy would be a privileged goal (Kostakopoulou, 2010)

heart of politics, the authors believe “citizenship rights provide a framework – a framework that is stable but never fixed” with “criteria for the granting of differential rights, namely that such differential rights are only legitimate insofar as they serve to fulfil citizenship rights available to all” (Purvis and Hunt, 1999: 474-475). The understanding of reflexivity in relation to citizenship put forward by Ellison (1997) seems particularly relevant to frame the possibility of change Purvis and Hunt (1999) refer. Accordingly, reflexivity

refers to the general process, driven by social, political and economic change, by which social actors, confronted with the erosion, or transformation, of established patterns of belonging, readjust existing notions of rights and membership to new conceptions of identity, solidarity and the institutional foci of redress (Ellison, 1997: 711).

What these last contributions suggest is that even though the exclusive relation between membership in the nation and citizenship has faded, one must not discard individuals and groups identity and the role this element plays in the (re)definition of citizenship. However, recognising difference may in fact mean that we build a more inclusive condition of citizenship even if this entails one’s awareness and acceptance to the possibility of change. The management of these differences in non-excluding ways seems, then, to rest on the articulation of difference through a democratic ethos, which becomes crucial to promote a sense of inclusion and provides a non-violent context for the demonstration of power relations. This approach is even more relevant to contexts where difference and differentiation was a cause and instrument of violent armed conflict, since it poses specific challenges to the creation of a peaceful sociability.

Citizenship rights and practices

Considering the challenges and critiques posed to the modern conception of citizenship, specifically in what concerns the location and the subject of citizenship, the content of the concept, the rights and practices associated to citizenship, has also been targeted. The appeals for a multicultural or differentiated citizenship have pushed a reformative agenda of citizenship rights. Such developments might lead us to rescue the evolutionary vision of citizenship rights articulated by Marshall. It is in fact tempting to add to the civil, political and social rights, cultural, sexual and

reproductive, and even environmental rights. Such a cumulative view however, despite grasping the extension of rights to dimensions once excluded from the legal frame of citizenship, conceal the struggles and setbacks that have marked and continue to mark the rights conferred to citizens across the different categories put forward by Marshall and the ones added to them.

In fact, rights are also object of dispute and disagreement, through which membership, issues of access as well as the specific content of the legal status of citizenship are affected and changed. They become, in this sense, a crucial site for the struggle of citizenship since the social norms codified in the legal frame may maintain a status or induce social and political changes with the extension and expansion of rights as well as with the introduction of new rights, thus affecting the inclusion/exclusion divides established. As Armony states “the bundle of rights available to citizens does not move from incomplete to complete stages in the direction of full evolution, but it relentlessly expands and contracts in arrhythmic ways” (Armony, 2007: 96). Furthermore, and because the inscription of rights in the recognised legal status of citizenship does not necessarily mean that all citizens have equal access or enjoy those rights equally, this dimension becomes a particularly important question in the discussion surrounding the inclusion/exclusion divides that mark citizenship. For Armony, the law, and citizenship rights particularly, can only become a form of empowerment if individuals are able to transform the law into effective rights, and for this to happen complementary conditions are needed (Armony, 2007).⁹¹

Together, the struggles for rights as well as the claims for their effective application, play a crucial role in affecting citizenship. For this reason, Ariely (2011) analysed the power potential of citizenship rights and concluded that the rights of cultural representation, together with political rights, have more power potential because they have the capacity to affect governance.⁹²

⁹¹ Armony uses the term “fields of citizenship”, defined as the “extent to which rights are effective for a given social group in relation to other groups”, in order to establish a comparison of the distribution of rights across different groups and in different countries (Armony, 2007: 98). The purpose of such comparison is to establish a causal story which explains why some groups are systematically more disadvantaged in the enjoyment of rights than others.

⁹² According to this vision, Ariely believes that the fact that non-citizens are entrusted with social rights and not political rights is not a coincidence, since in this way, and even though individuals have

The vision of rights and its power potential is also (re)affected and (re)defined and it has been further strengthened by the international instruments of human rights. These instruments work as additional spaces of rights granting and enforcement, pushing the content of citizenship rights further or filling the citizenship gap of non-citizens (Shafir, 2004).⁹³ They also work as a mechanism to question states' behaviours and actions which are considered as obstacles to human rights respect and, equally important, the existence of these international frames and instruments may serve as a crucial reference to mobilise support internationally – either in institutions, third states and civil society actors which interact at the global level – and demand reforms and changes at the state's level.

Even though citizenship rights and human rights are two distinctive legal frames, their interaction is marked by the possibilities opened by the existence of regional and international institutions and civil society actors who operate at the international level. But these possibilities are not necessarily equal to all individuals. We have mentioned previously that one of the critiques pointed to cosmopolitan views is that they tend to rely on rather optimistic views of international relations and dismiss the hierarchy that permeates the relations between states. These differences are once again made visible in this case, where these possibilities are not equally available to all. Civil society actors interacting in transnational networks and engaged in human rights protection play a decisive role here, acting as an alternative mechanism to mobilise international attention to particular issues.

Moreover, human rights are, themselves, targeted with criticism, pointed as a perspective that is centred on the individuals and departing from liberal views over rights and social and political life that assume a rather imposing nature (Chandler,

access to the social rights inscribed in citizenship, they lack the ability to influence their content and distribution (Ariely, 2011). In our opinion, and even though this is a challenging view, Ariely does not engage with the political nature that is intrinsic to rights-claiming. This is, even though non-citizens are conferred with social rights and not political rights this is the result of political action, either from the part of the state that recognises the contribution of non-citizens to the community or because it seeks to manage their claims in a given territory. What we mean is that even if social rights provide social goods to individuals, they are part of a project of governance and thus imbedded in politics. Moreover, the enjoyment of social rights by non-citizens have provoked a crucial reflection that have pushed the legal realm further but has also questioned the foundations of modern citizenship, particularly in what concerns the definition of its subject.

⁹³ Citizenship gap refers to the condition faced by refugees, for instance. Though they may possess the status of citizenship, outside their political community their rights lack an agent of governance to assure their protection. Accordingly, human rights serve, in these cases, to enforce and demand protection on a legal basis.

2003; Sommers, 2008). It has been widely discussed how human rights came to occupy a central role in what concerns the approaches to conflict throughout the 1990s and how human rights violations have impelled armed interventions in countries. For Chandler, as we have mentioned earlier, this challenges others' right to self-government, which is perhaps one of the central rights carried by citizenship. Considering this, the relation between human rights and citizenship rights is not, and could not be a straightforward relation, even when the purpose of their interaction is to affect existing inclusion/exclusion divides.⁹⁴

Despite the new terms for (re)affecting citizenship rights, some remain as core principles of the concept. Citizenship has embodied the right to self-government and notwithstanding the changes which currently mark the processes of governance, no longer exclusively under the responsibility of the state, citizenship continues to embody this right, understood as one of the most important political affirmations of modern citizenship. Benhabib, for instance, refers to the need for new forms of popular sovereignty, i.e., the exercise of the right to self-government, in a post-national, cosmopolitan frame of politics (Benhabib, 2007). This means that even when citizenship is thought beyond the state's space of governance, the question of self-government persists, even if it is as an aspiration. Additionally, and departing from Arendt's line on the "right to have rights", Sommers defends the right to membership into a political community where frames of governance are defined and individuals' right of recognition by others, specifically in civil society. Together these rights assure social inclusion of individuals as citizens. This membership must be understood in relation to individuals' quest for recognition and inclusion. Because individuals interact in spaces of governance, its recognition as a part of that space is

⁹⁴ In fact, even for those whose focus relies on human rights development, this is a particularly problematic association. Franke for instance questions the current effect that citizenship, as a located concept framing the rights of "emplaced people" might cause on a development of human rights. For Franke the idea of citizenship thought it proclaims a universality of rights, departs from located processes where the human subject of rights is formed and disciplined. This view entails notions of civilising the other which are rather excluding. For Franke "the supposed humanity of citizenship is expressed through a dehumanisation of those excluded from it", through a displacement of those who are not citizens (Franke, 2011: 44). Thus, a hierarchy is established between the emplaced citizen and the displaced human. For Franke then, the universal condition of human right can only be established once they become the right to not have rights; this is, in the possibility of claiming rights not on the basis of what is settled in citizenship but departing from a debate that claims are made as humans rather than as citizens, or non-citizens.

fundamental if inclusion is to be effective. Membership here is more relevant if understood as the location of individuals in a space of governance rather than as a narrow reference to identity and belonging. The specific contours of membership and recognition will necessarily vary (and membership can assume identity traces), but they provide powerful driving principles which have influenced the content of citizenship rights and the social struggles over them.

In addition to rights, citizenship is expressed in its practices which are not only the obligations usually attached to it but mainly refers to the exercise of the rights inscribed in citizenship, including the right to participation. Participation is an important dimension of citizenship for liberal views, but for republicans participation is a central aspect of citizenship and it is what materialises the rights to self-government.

Not surprisingly, the majority of the critical accounts of modern citizenship have sought to rescue the concept from a utilitarian view and promote an understanding of citizenship practices beyond the simple exercise of citizenship rights. The critiques that emerged to this modern understanding transcended its delimitations regarding the location, subject and rights of citizenship. These critical views retained and developed the idea of citizenship as a crucial political activity according to each one's critical proposal. This political turn in the new proposals of citizenship is perhaps best captured if we bear in mind how the location and the subject of citizenship have been questioned and how citizenship rights represent a particular site of struggles and changes. If one considers that citizenship is a rather contested condition, which individuals and groups seek to affect, individuals and groups' actions must be considered first, as political, and second, as the expression of citizenship itself. Thus, citizenship practices are not simply the exercise of rights and include the practices which seek to (re)affect, (re)define and (re)negotiate citizenship and the inclusion/exclusion that mark it. The practices to which we refer are the ones which not only express an existing condition of citizenship but also those which challenge its contours and, therefore, we must assume that they can be enacted by different actors.

The appeals for citizens' participation in the public sphere expressed the need to deepen and sustain the legitimacy of democratic systems and their decisions

and to involve individuals in actively affecting governance, beyond the election of their political representatives. The quest for improved citizenship participation has co-existed and evolved with the emergence of new spaces of participation and the attempt to improve the existing ones (Cornwall, 2002) As Cornwall states

Levering open spaces once closed off to citizen voice or public scrutiny and creating new interfaces and institutions, these moves are about *positioning* citizens in newly emergent political and policy arenas, and *repositioning* them with regard to older structures, of 'traditional' governance as well as of the 'modern' state (Cornwall, 2002: 1).

This (re)positioning is particularly relevant if one considers how citizenship unfolds and is affected in different locations and by different political actors. In this frame the definition of the citizen is also changing and that allows us to understand why the current discourses on participation are marked by “complex configurations of actors and political spaces within and beyond the nation-state” (Cornwall, 2002: 1). While western democracies deal themselves with challenges of participation, or thereof the lack of it, participation was also inscribed in the relation with other states, particularly non-western. The development sector, which is the specific context that Cornwall explores, is, in this respect, an illustrative example of this dynamic of (re)positioning and how the interaction of different actors in pressuring for participation affects the application of the concept. Here we do not wish to make a critical assessment of the impact this focus on citizens participation has caused on development. But this example is useful to consider the types of spaces where participation occurs. Cornwall distinguishes between invited and popular spaces departing from the process that created them: while in spaces of invited participation “external resource-bearing agents bring them into being and provide a frame for participation within them”, spaces that emerge of popular mobilisation “are constituted by citizens *themselves* rather than created for the participation of *others*” (Cornwall, 2002: 17).⁹⁵ Though these are useful distinctions to explore the variety of

⁹⁵ This distinction is further crosscut with the question of durability which has led Cornwall to further identify four broad categories of spaces, depending whether the spaces are invited or popular, and whether they represent a durable engagement or not: first, spaces of regularised relations, where a set of institutions become a regular interface between individuals and authorities, especially the state; fleeting formations, whose actors remain mainly individuals and the state but which have a more performative and ephemeral nature; alternative interfaces, where citizens act outside or on the state and interact mainly with intermediary organisations, such as civil society actors; and fourth,

spaces where citizens' participation occurs, it is nevertheless crucial to consider two fundamental aspects when engaging with these categories. First, and despite the demarcations, the boundaries between these spaces are mutable and not fixed: popular spaces may become sites where the status quo is kept while invited spaces may become sites for expressing dissent, rather than collaboration or compromise. Second, and precisely because this demarcation or the type of participation promoted is not static or evident, other factors should be considered when one explores a fundamental question: how and on what basis people participate (Cornwall, 2002). Cornwall states that beyond the specificities of the institutional frame of invited spaces for instance, one should consider the particularities of context such as "histories of governance and experiences of rule, whether those gained through popular struggle or through decades of being treated as passive recipients of a paternalistic state", and also the "prevailing cultures of politics", which include citizens' everyday relation with the arena of the political, expectations towards politicians or the practices of decision-making and dissent (Cornwall, 2004: 3). These are in fact crucial issues to consider not only in what concerns invited spaces but also the spaces of participation which result from popular mobilisation.

These approaches to participation have as a guiding frame the search and promotion of an active citizen, whose participation in the public sphere is expected to improve the democratic experience in a space of governance, and materialise the idea that citizenship expresses individuals' right to self-government. However, and to the image of the active citizen, Isin opposes the activist citizen, a condition achieved after individuals perform citizenship acts. Acts of citizenship, distinguished from action or practice by the author, assume a performative and yet purposive character, and are acts through which subjects question an established order – politics – and become citizens – political (Isin, 2008; 2009). Isin affirms that "acts produce actors that do not exist before acts", addressing foremost the question of how individuals become part of body politic. Activist citizens, in contrast to the active citizen "who act out already written scripts such as voting, taxpaying and enlisting", "engage in creating scripts and creating the scene" (Isin, 2009: 381). Though this is a challenging category, the most important is the question behind it – what makes the

movements and moments, marked by flexibility and its ephemeral character, and their ability for forge critical mass.

citizen? – because it forces us to reflect on the practices of citizenship and their constitutive power.

Thus rights and practices are not only the content of citizenship: they are foremost a crucial site where the power relations that structure citizenship are visible, particularly because the dispute or claim-making of rights have become an important tool to legally sustain an inclusive project of citizenship. This image of rights and practices as the site and means of change is particularly relevant in post-armed conflict spaces where rights disrespect and violations constitute a benchmark of social relations.

Meanings of citizenship

If, as we have seen, the definitional elements of the concept of citizenship have been so disputed and the possibilities offered by different locations and other subjects of citizenship has rendered the term so complex, deeply affecting the content of citizenship, can we engage with the possible meanings of citizenship along the four images that Bosniak (2000) proposes and which we have mentioned previously? We believe that these images are still meaningful and useful to discuss the meanings carried in citizenship and thus we will depart from them to discuss how and for whom these are valid meanings.

The first possibility of meaning Bosniak proposes us is a perspective where citizenship is first and foremost a legal status which provides individuals membership in a political community and assures them the protection of certain rights (Bosniak, 2000). The legal condition of citizenship is still a powerful dimension of what it means to be a citizen and is carried by the current practices of nationality laws. This centrality is further reinforced by more flexible nationality laws which allow for the reality of dual citizenship. This means that the legal recognition has gained a relative primacy above processes of cultural identification through which some have come to match citizenship and a cultural identity.

But this emphasis as a legal status can be interpreted from a different perspective. It might mean reducing citizenship to a minimum definition in face with economic and political processes that have tended to adopt a minimalist approach of citizenship, reducing it to a legal condition. Kantola, exploring the current patterns of

political governance, posits how it currently occurs in a frame of consensual politics, this is, a tendency to blur the differences between the actors who come to effectively implement governance and whose policies are mainly directed to the economic needs. For Kantola, “in consensual politics the citizen’s power is reduced as the main channels through which private problems can be expressed as public political issues disappear” (Kantola, 2005: 206). Therefore, and in practice, the right to choose between democratic alternatives is not only reduced as the political scope for the enactment and (re)definition of the concept is limited. As a consequence, rights are questioned and dismantled; the political space for participation in governance is progressively replaced with allegedly technical criteria of governance, and identity and solidarity are diminished in face with the demands of a globalised economic system where the mobility of flows demands a legal dimension of rights recognition that enables the economic practice.

This view is in tension with those who understand citizenship mainly as rights. Obviously, the recognition of a legal status entails the establishment of certain rights to citizens. But its concern is mainly with the inscription of rights in the legal frame and not necessarily with the conditions needed for their enactment. Marshall was perhaps one of the first to challenge this view by establishing his evolutionary understanding of rights and assuming that civil and political rights were not enough to achieve the equality promised and, therefore, social rights were needed to materialise this promise of equality, or at least attenuate the tensions emerging from the confront between a promised equality and an excluding experience of citizenship (Marshall, 1992). The focus on rights has progressively claimed an understanding beyond a legal existence and as the effective enactment of those rights and the conditions needed to do so. This view over rights allowed individuals to reflect on their condition as rights bearers, and while doing so, analyse the content of citizenship itself. Citizenship as the right to have rights, using the arendtian precept, entails more than a recognition of a legal status and demands the effective protection, enforcement and enactment of recognised legal rights. This notion of citizenship as (effective) rights has led to a growing consciousness over excluding realities primarily related to the detachment between a legal status and the effective exercise and enjoyment of citizenship rights. Consequentially, citizenship as rights has also

become particularly relevant to those who ground their struggles for recognition and inclusion in the definition of new rights – sexual, cultural, environmental –, or extending and expanding existing ones. Citizenship as rights is particularly relevant if we recall how rights are themselves a site of struggles for inclusion, not only for those who are already recognised as citizens but also for those excluded from this condition.

For others, however, the enjoyment of citizenship rights and the definition of a more inclusive citizenship are not possible outside an understanding of citizenship as an intrinsically political activity. Only through political engagement can individuals affect rights and be a part in the definition of the frames of governance, thus materialising the right to self-government. This is the premise from which civic republicans depart, but as we have seen, they are not alone in emphasising the political nature of citizenship. As we have mentioned, citizenship as political activity faces nowadays a series of challenges which have led to a question of the possibility of citizenship expressing individuals' political agency. However, as the debates on citizenship testify, it is precisely this political dimension that has enabled crucial transformations in citizenship in the past – as the extension of its condition to previously excluded groups, and the expansion of rights attached to citizenship – which is particularly crucial in a moment where the modern definition of the concept is no longer exclusive and its reality co-exists with other locations and subjects of citizenship.

Precisely because of this, the political dimension of citizenship has gained a renewed breath along with a sense of urgency. For those who engage with different locations of citizenship and its actors, with different subjects, and the complex questions that citizenship rights encompass, the political nature of citizenship, mostly as the expression of individuals' right to self-government, is considered as the element that can guide individuals' relations in shared spaces of governance. Only a political understanding of the concept, necessarily democratic, and which transcends and replaces the promise of cohesion unfold in nation-states communities, can become a reference for a concept of citizenship that accepts and democratically articulates difference and promotes inclusion. This is one of the strongest messages which can be drawn of Habermas or Mouffe's reflections and also from feminists'

contribution. Accordingly, those who appeal to this political turn proclaim foremost a democratic solidarity, where the democratic process is able to bind the citizens in a project of governance, despite their differences and divergences.

This view of citizenship promises a solidarity that departs not from a cultural matrix but rather from a democratic political process through which individuals can be included in the governance processes that affect them. Identity is still considered in these approaches but in a non-excluding way. Nevertheless identity and citizenship remain strongly connected and in some case citizenship is the political materialisation of an identity and the shared identity provides a strong sense of inclusion and membership. Bearing this in mind is crucial to engage with demonstrations of nationhood or other identities, but they are particularly challenging when engaging with indigenous communities, since their cosmovision does not separate identity rights from their economic and environmental rights.

In addition to these four categories proposed by Bosniak (2000) we would like to add two interrelated meanings attached to citizenship: citizenship as inclusion and exclusion. As we have seen, modern citizenship has been built on different divides of inclusion/exclusion, whether they are placed at the borders of the state or refer to non-material divides along lines of social inclusion/exclusion. Depending on the individuals' particular position regarding these divides, citizenship is understood as an effective source of exclusion or inclusion. This is a crucial aspect of citizenship and the challenges that have emerged throughout the years along these divides have been responsible for crucial changes and reflections on citizenship. For those who develop their livelihoods in the margins of these divides, citizenship is a matter of rights (the right to have rights, the right to inclusion and recognition) but because they constitute a challenge to an instituted division, their position is also and foremost a challenge to established frames of governance becoming a political affirmation. If we consider citizenship either as inclusion or exclusion, and we bear in mind the possible interpretations discussed above, we are forced to acknowledge that not only citizenship meanings are multiple, in the sense that different perspectives co-exist and are combined, but also and foremost, that the meaning of citizenship varies greatly between individuals, depending of their condition in the spaces of governance.

Citizenship and post-armed conflict statebuilding

So far we have sought to map the main contributions and issues that have marked the discussion of citizenship. We have enunciated different theoretical contributions which we believe to be of particular relevance to question modern citizenship in present days, and we have tried to understand the discussions over the concept of citizenship and the possibilities they pointed. In the next pages we will try to draw on the main implications that this reflection entails in order to choose and clarify the lenses through which we will explore citizenship in the complex and challenging context of post-armed conflict statebuilding.

The first element which we need to consider is that the specific configurations of citizenship are neither fixed nor consensual. Citizenship has evolved along non-linear paths. This non-linearity is mostly related with its inherent political dimension, particularly because citizenship is contingent of located power relations and their (im)balances in the definition of the frames of governance in which citizenship content and practices are inscribed. We evoke again the definition of Purvis and Hunt, where citizenship is a stable and yet never fixed condition, to recall precisely how the concept has in it the premise of change. This feature is not exclusive of the late-modern fluid approach to the concept. On the contrary, and though citizenship has excluded individuals and groups to maintain a status, different movements have questioned citizenship subject, and rights and practices throughout the last two centuries, expanding and extending citizenship to dimensions and individuals once excluded. This forces us to acknowledge the dual nature of the concept as the expression of politics: it is simultaneously a source of inclusion and exclusion, an expression of empowerment and agency and domination. As such, it is simultaneously a tool for maintaining a status or a driving force of social and political struggles. This duality is materialised along the different inclusion/exclusion divides that characterise different spaces of governance and the elements that sustain them, and therefore it is precisely in the disputes over these divides – for the establishment of new divides, the maintenance of others, or for profoundly questioning and altering them – that citizenship is (re)affected and (re)defined. More

important, it is precisely here that different narratives on the condition of citizenship are (re)built and (re)enacted.

Second, and if we depart from the complexity citizenship currently entails in terms of locations, subjects, rights and practices and the possible meanings and understandings of the concept, its political meaning, as the expression of self-government, and its impact on the legitimacy of governance actors also demands reflection. The political relation established through citizenship between the state and society was based on legitimacy and accountability: the state was the expression of society and because of this it had to answer for its actions to the citizens. State sovereignty was structured on and conditioned by popular sovereignty, i.e., the recognition of the state as the legitimate political authority which mediated social relation, enforcing the rule of law and effectively implementing governance. As we know this is a theoretical underpinning and the legitimacy of states and how they are accountable to their citizens varies. Nevertheless, this relation, framed under an exclusivity clause, served as a guiding principle, mostly in the efforts to promote democracy at a worldwide scale and it continues to structure the claims of state's centrality in political life. The multiplicity of actors which interact in the definition of governance frames at different scales as well as in the implementation of governance and protection brought along two fundamental questions. First, state sovereignty, as we have discussed in the first chapter, has been progressively internationalised, particularly in what concerns the recognition of states' legitimacy, which fostered a relation of accountability directed outwards (framed under the good governance criteria), thus profoundly affecting state-society relations in what concerns the legitimacy conferred by individuals and the accountability demanded by it. Heater affirms that "legitimacy is weakened as accountability is undermined" and, consequentially "legitimacy and citizenship are consequentially impaired" which affects the democratic principle that characterises citizenship (Heater, 1999: 162). However, we must bear in mind that to this impaired relation matches an internationalisation of legitimacy, which in practice means that state's sources of legitimacy are redistributed instead of its legitimacy being questioned. Second, this situation is further aggravated by the lack of accountability in the relations that exist between the citizens and these actors, even if they do in fact affect governance in the

spaces where citizens' livelihoods unfold. This means in practice that to a multiplication of the actors involved in governance there is a reduction of citizens' ability to materialise the democratic principle of self-government and be included in the definition of the processes which define governance principles and goals. This is more relevant if we consider how citizenship project of inclusion, especially in the recent attempts to detach the inclusion from national belonging while respecting the different identities that co-exist in spaces of governance, is currently centred in a democratic purpose of including individuals in the democratic definition of frames of governance.

The third and last idea we would like to emphasise, which partially explains the democratic and political challenge of the previous remark is that we are currently engaged with profound transformations that are still far from being concluded or even clearly defined for that matter. The political, socio-economic and cultural context at which citizenship is being (re)defined and (re)enacted is at best confusing, if not contradictory. We are currently discussing citizenship beyond the definition set by the modern account of the concept while the state remains a cornerstone of political life and of citizenship. More expressive, much of the discussions on citizenship built on the modern principles and rights protection to propose alternative views of the concept. Beck's image of transition between modernities draws an illustrative caricature of this context: the muddle between the old and the new political forms and principles is the canvas where citizenship is being re-drawn (Beck, 1997). Instead of describing the present context as "muddle", we prefer to understand it as marked by the convergence of different temporalities: modern frames – either existing or ambitioned – converge in space and time with post-modern demands and alternatives conceptions of the world. This convergence forces us to address the current moment not necessarily as a moment of transition towards an expected outcome, but rather as the expression of the political, in which its outcome is currently being (re)shaped.

Post-armed conflict statebuilding and the different processes that define it are particularly evocative of this image. The states being (re)built are expected to reproduce the modern state but have to deal and engage with the spatial dynamics already in place. They are expected to protect rights and deploy a democratic

political project of governance both inclusive of its citizens as respectful of international norms and practices. And, on top of all of this, states are considered as pre-condition for establishing a durable peace project. This task is particularly complex, especially in what concerns the international facet of this project which necessarily affects the process and how the state relates with its citizens. Migdal states that “statebuilding will not simply mean mobilizing a pre-existing nation or creating a nation coterminus with the boundaries of the state” (Migdal, 2004b: 40). This means that in the interconnected world where states are being (re)built, the relation between the state and society cannot simply reproduce the patterns followed in the 19th century by European states. Instead, the states (re)emerging in the current international system will necessarily surface from the intersection of different processes, where the nation is just but one element in the creation of social cohesion in state-society relations.

In what concerns the specificity of post-armed conflict spaces, the question is how to address complex issues without risking oversimplifying or rendering them impossible to grasp. This is a fundamental issue when we are seeking to establish an analysis of citizenship in post-armed conflict that simultaneously attempts to grasp an alternative view to the depoliticising narrative built on international actors’ practices and discourses of statebuilding without having the liberal frame as the exclusive reference.

Departing from the possibilities of reflection offered by citizenship debates, we approach citizenship as a relational concept, which frames and mediates the relations established between political actors of governance and individuals, and between individuals in a shared space where their livelihoods materialise and intersect. We adopt the term of political actors of governance to grasp the multiplicity of actors that currently engage in governance processes just as we adopt the term of shared space to grasp the possibility that currently marks citizenship of transcending the exclusive space of the state. Second, we consider that citizenship is affected by the power relations established between actors, groups and individuals and as such, and though citizenship may have a durable configuration, it is subjected to contestation and change. Power relations are related to the dual nature of citizenship as a driver of inclusion and an instrument of exclusion, and therefore

refer to the interaction between different individuals or groups' agency. Accordingly, we understand citizenship as an inherently dual political concept which is simultaneously the expression of a prevailing view and the possibility of change.

This view has two main analytical implications. First, citizenship is a located concept since it necessarily depends on the configuration of power relations established on the spaces of governance. Second, what results from this configuration is a condition of citizenship. We use this term to convey precisely the idea that citizenship depends of power relations that unfold in a specific space but it is also possible to be affected and changed. Thus, engaging with post-armed conflict scenarios requires that we bring our analysis from the abstract level and locate it on the spaces where power relations unfold. This is an exercise that we will refer as placing citizenship in context and entails that we locate our object of analysis both in space and time and analyse, departing from there, the processes that have led to that specific condition of citizenship.

Considering that we depart from international intervention at states' level the location of our object of analysis is determined. We depart from citizenship as the signifier of the political relations established in a space where the state is the central agent of governance. It must be made clear that this location is related to analytical purposes and neither excludes the multiple locations of citizenship we have previously explored nor the variety of actors that intervene in governance. Instead it means that we depart from a location precisely to explore others and how they interact and affect citizenship.

In order to map the processes that converge to create a specific condition of citizenship, we will depart from what Cornwall (2002) has referred as "histories of governance and experiences of rule" to grasp the power relations which have affected citizenship and how they have evolved and affected the inclusion/exclusion divides. This analysis of citizenship in retrospective enables us to consider the different political actors that have marked and disputed governance and their evolving role and interaction in different spaces where citizenship is (re)affected and (re)enacted. It also allows us to carry the analysis in continuum, before, during, and after violent armed conflict so that we can assess its impact on the specific condition of citizenship in formal peace times, including the role of international statebuilding

actions. Before we carry this reflection to the specific case of Guatemala, it is nevertheless fundamental that we assess the understanding of citizenship carried in international post-armed conflict statebuilding discourses and practices to understand not only how it relates with its normative reference, but also and foremost the discourses and practices which are carried to spaces of intervention and explore their interaction with local power relations.

4. Statebuilding and Citizenship: re-engaging with power and politics

As we have previously stated, post-armed conflict statebuilding departs from a diagnosis of fragility to define a project of intervention and rehabilitation. This diagnosis has the image of the modern state, its monopolies and functions, as a reference, and departs from this vision to create the conditions for the transformation of violent armed conflict. Within this project relies the expectation of creating the institutional conditions for a peaceful sociability where states effectively deploy order and security, wealth and welfare, and legitimacy and representation (Milliken and Krause, 2002). (Re)building states in the aftermath of violent armed conflict meant then (re)founding the social contract, i.e., the terms and frames of governance, between a functioning state and its polity, based on the functions states were expected to perform, and on good governance criteria.

Considering the reach of this project, assumed as a precondition for any prospects of a successful peacebuilding, it is natural to assume that such project of governance necessarily affects state-society relations and the condition of citizenship on intervention spaces. However, and despite what citizenship entails for the definition of states' political communities or as the signifier of state-society relations in the modern frame, it is intriguing to note how citizenship has not been considered for analytical purposes, not only by those engaged with the deployment of statebuilding projects on intervention spaces but also by those who have criticised how international actors have engaged with local populations. This absence has implied a silence over citizenship in the particular contexts of post-armed conflict statebuilding which is, at least, awkward and yet revealing. Such silence has been duly noted throughout the last years, impelled mainly by the refocusing of statebuilding discussions on state-society relations as an attempt to correct statebuilding actions trajectory.

In 2006, the Development Research Centre on Citizenship, Participation and Accountability issued a report as a result of the first five years of its research which sought to present important findings able to contribute to the ongoing discussion on effective states and country ownership. In this document, the authors recognised that

even though “effective states are based on an evolving relation between the states and the citizens” it was surprising that this debate had not “picked up, defined, debated and put to use, the concept of citizenship” (Eyben and Ladbury, 2006: 5). Some explanations are put forward to help us understand why the concept was such a novelty for international development actors. Three fundamental reasons are pointed to justify this silence:

One reason is that it tends to be seen as a term that is connected with formal, documented membership of a nation state and thus excludes from consideration some of the most marginalised, such as migrants and refugees. Another reason is that until recently the ultimate recipients of aid have either been seen as ‘beneficiaries’ who got what others decided was good for them or as ‘users’ who make choices in relation to services provided. A third reason is that ‘citizenship’ is a word containing a bundle of over-lapping meanings. Citizenship can thus be variously understood as belonging (to a certain place, group or community), as status (as compared with a non-citizen) as national identity (Swedish rather than Swiss) and as relating to rights and duties. This can be confusing” (Eyben and Ladbury, 2006: 5).

Notwithstanding the reasons pointed to this silence – the complexity attached to the concept of citizenship, either through the different meanings the concept may assume or the dialectic relation between inclusion and exclusion that nationality criteria usually confers to its status, and the challenges it poses to international actors involved in the task of statebuilding – this does not mean that state-society relations were simply left aside, especially if we consider how the state has always occupied a key role in peacebuilding, first through democratisation and second, through statebuilding.

During the first years of peacebuilding actions, the engagement with the state was done through a promotion of regime change which meant, specifically, a transition to a liberal democracy. A regime change was expected to create in post-armed conflict spaces a relation between state and society able to overcome, through representation, separation of powers, and the rule of law, the patterns of violent armed conflict and, accordingly, establish a social contract that could empower individuals, by reconciling power/security and individual liberty and autonomy (Held, 1995). Citizenship meant, then, an empowerment of individuals and the materialisation of the principle of self-government through the rights and representation assured in a liberal democratic frame.

But the reach of this promise came to be very limited and democratic achievements did not completely fulfil its goals. Democratisation processes applied what Pouligny identified as a “democratic grammar”, i.e, faced with an absence of a clear definition in UN lexicon of what democracy should mean and entail, democratisation became an “intangible ‘thing’ comprising a variety of formal procedures” and “external interventions tend, in practice to focus upon a ‘democratic grammar’ of which the organisation of elections is a central component” (Pouligny, 2006: 239-240). Civil society promotion was also part of this grammar since it was perceived not only as a consequence of the legal framework of liberal democracy but also had a supportive role to it, as a space of democratic socialisation of populations and as states’ deviant behaviours “watch-dog” (Baker, 2004). It is important to note that this also reflects a growing trend to perceive civil society as the site of citizenship. However, such view is different from the one Sommers (2008) expresses, and it is mainly liberal-inspired, i.e, is understood as an alternative associative realm and mainly non-political in nature.

Such an approach departed from a replicable model at a worldwide scale and necessarily entailing a set of practices which did live short to their promise of peace and empowerment. Indeed, the critiques to democratisation attempts are rather consensual on stressing how they missed local realities and conditions and the lack of context sensibility. In what concerns citizenship, it was believed that a democratic elected government, and the legitimacy conferred through elections, would materialise the promise of empowerment into citizenship rights. This focus on elections seemed to narrow citizenship to a circumscribed political dimension: political rights of representation and participation were privileged over social-economic rights, often assumed as a consequence of local development, but this privileging was circumscribed to elections, narrowing the scope of individuals’ political agency to specific spaces of participation. Additionally, civil society assumed a decisive role in this democratic grammar as an alternative site of citizenship, where individuals reinforced their autonomy from the state, performing and even replacing the state in some sectors. In practice, and if we depart from Marshall’s account on citizenship rights and their relation to citizenship in liberal democracies, three main implications could be drawn: first, and if we consider the

evolutional logic of rights development, this privileging of political rights could be seen as a previous and necessary stage in the development of social rights able to manage the existing inequalities; second, and because these rights were relegated for a second moment – a moment of socio-economic development – the citizenship promoted lost part of its potential as an inclusionary and empowering condition; third, and because elections reduced the scope of political agency, the role of individuals in the development of citizenship content was also not considered properly, which necessarily affected the legitimacy of the democratic reforms and thus imperilled the peace promoted through democratisation. Thus, and instead of improving state-society relations by contributing to a new social contract, international efforts on democracy promotion limited the role of the citizenry thus creating counterproductive impacts to its ambition of empowerment.

The change of focus from democratisation to statebuilding engaged with the limits of the former in effectively promoting local empowerment and legitimate frames of governance. As we have discussed, the limited achievements of democratisation strategies were understood as a direct result from negligence on state institutions effective capacity to deploy governance and perform their tasks. Accordingly, post-armed conflict statebuilding actions came to be perceived as the creation of enabling conditions for a sustainable and legitimate project of peace. However, and despite this change, statebuilding shared with democratisation actions the criticism of their detachment from local realities. Nevertheless, and though international actors enrolled in peacebuilding activities had for long been criticised for their actions on the ground, especially in what concerns the unexpected local consequences of their actions and their disregard for the specificities of the contexts where they intervened, statebuilding interventions seemed to have radicalised this detachment, especially if one considers the technical approach to states' sovereignty pointed by several authors and critics (for example Richmond, 2004; Chandler, 2005; Bickerton, 2007; Richmond, 2008).

The growing emphasis on a performative vision of state's sovereignty retains the liberal democratic view of individuals' empowerment and self-government. It assumes the political project of liberal democracy and the vision of citizenship therein inscribed, but since statebuilding becomes a precondition for

achieving these purposes, empowerment becomes a promised end, one which can only be properly addressed after functioning and viable institutions are in place. Thus, and notwithstanding this continuity between democratic grammar and statebuilding frame in post-armed conflict scenarios, it is nevertheless clear that statebuilding deepened the dependence of individuals' empowerment of international actions and statebuilding interventions. Moreover, and by attaching a technical character to the statebuilding project and grounding its evaluation on good governance criteria, international actors relocated the sources of state's legitimacy, privileging the international domain. This focus on good governance was in fact central, not only to state's recognition as legitimate sovereign but also to recreate state-society relations. International actors' approach to state-society relations departed from the state and privileged good governance criteria, believing that it would create the local legitimacy necessary to the new institutions.

Progressively, it became clear that neglecting the input dimension of legitimacy, which deals with the recognition, acceptance and support that must come from society, was rather harmful to post-armed conflict aspirations. Indeed, and with the radicalisation of local detachment sustained on the growing trend of internationally driven and projected reconstruction of states, demands for increasing attention to local actors and conditions vigorously emerged. As we have exposed, there is a renewed emphasis on the need to improve, or not to harm, state-society relations. This attention is mainly related with the need to strengthen states' legitimacy, specifically in its input dimension, considering how the (lack of) social support and endorsement of the reforms affect the long-term sustainability of the actions developed. This means that even if international actors maintain the centrality of good governance in affecting state's legitimacy, they have progressively acknowledged that the legitimacy which emerges from society's recognition of state and its project of governance is crucial to ensure the effectiveness, sustainability and legitimacy of the statebuilding project under motion.

It would seem logical to expect that this emphasis on state society-relations would bring the concept of citizenship to the discussion over statebuilding, especially because this concept is, in the modern state frame statebuilding hopes to reproduce, the framing concept to the relation of identification-recognition established between

states and the members of its polity. However, and as we have seen in the final section of chapter 2, international actors have instead deployed an alternative concept to generate the needed input legitimacy. The engagement with local actors and individuals and the attempt to re-affect state-society relations was then framed by the promotion of local ownership as an attempt to root statebuilding in local acceptance of an internationally driven technical process. Thus, and paradoxically, a strategy of local ownership promotion was unfolded under international actors' guidance to address the limits and criticism of international statebuilding radicalised detachment of the spaces of intervention.

Local ownership was firstly used in the development circles and was officially inscribed in the field with the OECD recognition that local ownership was a crucial condition for the success of development policies (OECD-DAC, 1995; 1996). Overall, it implied that local populations should be given a central role in the definition and implementation of development projects and strategies. To address its critics, peace and statebuilding borrowed the concept of local ownership from development circles, transforming it into a referential map to those involved in post-armed conflict statebuilding actions. However, post-armed conflict statebuilding also inherited some of the fuzziness and lack of rigorous definition and operational strategy that marked the concept in the development field (Chesterman, 2007). Generally, and in what concerns building peace, local ownership “conveys the common wisdom that any peace process not embraced by those who have to live with it is likely to fail” (Donais, 2009: 3). But moving beyond this quite simple image may prove problematic. For Zurn and Herrhausen (2008) the lack of a clear definition, together with the multiple possible meanings it may have is a clear problem. Chesterman for instance recognizes six senses of ownership, ranging from responsiveness to sovereignty (Chesterman, 2007).⁹⁶ Considering how these different perspectives may intersect in the same space and temporality of intervention, the question of what ownership international actors promote becomes even more necessary.

⁹⁶ Chesterman defines responsiveness, consultation, participation, accountability, control and sovereignty as senses of local ownership in order to capture the multiple meanings the concept may assume (Chesterman, 2007: 9-10).

For Pouligny ownership represents “relations among stakeholders” particularly in what concerns

their respective capacity, power or influence to set and take responsibility for an agenda and to muster and sustain support for that. This means that part of the implementing bodies need to be firmly rooted in the recipient country and represent the interests of ordinary citizens (Pouligny, 2009: 8).

This view calls our attention for the relational nature of this concept, the plurality of actors involved and the needed connection to local spaces of intervention. Moreover, it forces us to address the concept departing from the relation established between outside/international actors and inside/local actors. In post-armed conflict statebuilding scenarios, ownership represents a relation established between different stakeholders of the process, and specifically between international actors and local or national stakeholders in what concerns the definition and execution of reforms and actions. These relations are marked by an undoubted power asymmetry between actors’ capability, power and influence (Pouligny, 2009), and the appeals for local ownership implicitly recognise these asymmetries and how they have affected the sustainability of the actions, since states’ legitimacy is undermined by the empty authority ascribed to national governments. Therefore, ownership promotion becomes a process through which international actors seek to bring their local counterparts closer to the actions undertaken in order to reverse the asymmetries identified and create a positive impact on legitimacy and, consequentially, sustainability. In this sense, ownership, local or national, is not defined by opposition: it’s not a matter of putting local opposite to international ownership but, instead, a process, internationally driven, to make stakeholders in a partnership more equal.

Ownership depends, then, of the role international actors assume. For Zurn and Herrhausen (2008) local ownership meaning necessarily depends on whether we are referring to an ongoing mission or to a situation where the internationals’ exit from the country demands a strategy (Zurn and Herrhausen, 2008). In the first case, and with the presence of international actors, local ownership refers to “minimum endorsement of policies by the majority of formally empowered national elites”, while in the second case, in the imminence of internationals’ absence, local

ownership “must mean the actual agenda setting, executing and controlling of the local elite” (Zurn and Herrhausen, 2008: 274).

Thus, it is possible to infer that ownership is contingent on internationals’ presence or absence, since the role they assume during and after the intervention is expected to affect the national and local actors’ behaviour. With the international presence and the establishment of a partnership, local or national ownership is necessarily partial since international actors have a prevailing role on the definition and implementation of reforms. Under these partnerships, we tend to assist to a process of ownership promotion, perceived as a crucial strategy to affect the asymmetries understood as counterproductive to internationals’ purposes.

Therefore, ownership becomes the end purpose of this process, becoming closer to a self-determination meaning only in the wake of the internationals’ absence. This vision is summed by Narten (2009) when the author defines local ownership of statebuilding actions as

the process and final outcome of the gradual transfer to legitimate representatives of the local society, of assessment, planning, and decision-making functions, the practical management and implementation of these functions, and the evaluation and control of all phases of statebuilding programs (Narten, 2009: 254).

Narten emphasises another crucial aspect of ownership promotion: the gradual transfer of power. Indeed, if one considers how ownership is deployed internationally to address power asymmetries on the ground and what the notion of partnership entails internationally, it is clear that we face a project of power transfer where local ownership expresses the final stage of the internationals’ actions. However, and according to Zurn and Herrhausen (2008), the transfer of power must be dependent and conditional of the perceived capacities and willingness of local actors to contribute to the overall purpose of the intervention. This view adds a second level of contingency to ownership: first, ownership depends on the internationals’ presence, and then it depends on finding the correct stakeholders to transfer the power.

Hence, ownership promotion entails an identification and capacitation of local actors in order to guarantee that they will be able to sustain the reforms promoted. In what concerns the identification process, international actors may

identify their local partners on three levels, governments, civil society and community level, but the process tend to reflect the priorities, principles, and interests of the outside party (Reich, 2006; Pouligny, 2009), and the chosen partners will necessarily be close and/or familiar to the international actions and reforms (Narten, 2009).⁹⁷ Moreover, capacitation assumes, in what concerns ownership promotion, a similar meaning used when we refer to a vision of statebuilding as capacitation. Specifically, it addresses the needs – material, educational and training, financial resources – necessary for the actors to affirm themselves as valid interlocutors during the process and become able to assume the reforms in a future. National governments and local elites have been privileged in this process: on one hand, if the country has an elected government or representatives they become natural stakeholders in the process; on the other hand, local elites maintain some influence in different sectors and their involvement may prove crucial to capture public support towards the process. Nevertheless, civil society actors have also been involved in this process and have become key partners in this process, particularly because international actors believe that through civil society actors, local populations will be reached, thus extending the potential creation of ownership. Though these two levels have been the grounds on which national ownership is distinguished from local ownership both are, however, considered equally fundamental to ownership promotion (UN-PSO, 2011).⁹⁸ Perhaps more important, they have been merged on the ground, being promoted simultaneously by different actors, actions and programmes, that see in civil society a key site of ownership promotion.⁹⁹ Nurturing a vibrant civil society where international actors can rely is a method of action inherited from the democratic focus and is very much appreciated

⁹⁷ This process is not exclusive of statebuilding actions. Indeed Narten (2009) uses some concepts applied previously by others in the description of a general identification process of local partners and brings it to statebuilding field. This adequacy to general international patterns in identification processes of local partners is noteworthy and will be explored later on.

⁹⁸ In a recent workshop promoted by the UN Peacebuilding Supporting Office, this semantic distinction was addressed as the existing tension between a perspective which privileges central governments or political elites (considered to be closer to top-down statebuilding strategies) or one which addresses the relation between state and society through civil society (a bottom-up approach to peacebuilding) (UN-PSO, 2011). See also Donais (2009) to explore this division and how the author approaches the concept from different peacebuilding approaches – liberal and communitarian.

⁹⁹ Here we follow a close stand on Heathershaw's view on the merge of different peacebuilding discourses (Heathershaw, 2008).

by international actors to promote local participation along the process of (re)building the state. In post-armed conflict settings, and to the eyes of international actors engaged in statebuilding in such scenarios, civil society is expected to develop its action in order to foster processes that are expected to sustain peace in the long term. To the “amalgam” of what civil society is and what is expected to do underlies its image as sign of change from a previous set of political practices and relations, due to different roles and functions civil society is expected to perform (White, 2004; Hagopian, 2007).

Paffenholz and Spur (2010) have identified seven fundamental tasks that civil society can or is expected to perform in peacebuilding: protection, monitoring, advocacy and public communication, in-group socialisation, social cohesion, intermediation and facilitation, and service delivery (Paffenholz and Spurk, 2010: 66-77). It is in the intersection between the performance of these functions and the relations established with the state that civil society is expected to contribute to the creation of a viable peace and to the establishment of a ‘responsible democratic state’. Therefore, and notwithstanding the different functions performed, civil society is expected to become an intermediary between the state and individuals, fostering a relation of mutual recognition and respect between them and therefore contributing to local ownership promotion, national capacities development and an inclusive political system which ultimately nurtures resilience (Peacebuilding Support Office, 2010; Ban Ki-moon, 2011; UN-PSO, 2011; UN, 2011; UNDP, 2012).¹⁰⁰

Accordingly, and while the emphasis for local ownership grew, so did the attention towards civil society and the impact it might have on promoting local ownership and mediate state-society relations more broadly (World Bank, 2005; UNDP, 2009a; OECD, 2010; UNDP, 2012). Civil society actors are expected to fulfil particular roles in ownership promotion, according to the components of the concept fostered, the international actors prevailing role and the process of identification and capacitation initiated. Departing from the six senses proposed by Chesterman (2007) and the components of the concept identified by Pouligny (2009)

¹⁰⁰ Civil society will act apart, against, in support, in dialogue, in partnership or beyond the state (Chambers and Kopstein, 2006).

we explore the set of components/meanings deployed.¹⁰¹ According to Pouligny local ownership “encompasses the different components of local involvement, participation, capacity, accountability and empowerment” (Pouligny, 2009: 9). These components can be used to describe the international expectations towards local actors and we add to this the notion of control, sovereignty and self-determination (Chesterman, 2007)¹⁰². Beyond this there is also what international actors assume as their part which is responsiveness (Chesterman, 2007), capacity-building and power transfer. During the first stage of this promotion and while internationals’ role on statebuilding reforms is still evident, ownership entails local involvement, participation, accountability and sovereignty and demands responsiveness and capacity-building efforts from international actors.¹⁰³ This first phase is mainly focused on the identification and capacitation of local stakeholders. The local involvement and participation of civil society actors promoted at this stage happens in invited spaces of participation (Cornwall, 2002), created with the main purpose of establishing the grounds for effective capacity-building of local civil society actors while fostering future demands of accountability towards states’ actions. Empowerment, just as self-government and control, appears here as a guiding principle which will only gain its true dimension after local actors acquire the capacity to lead and sustain the reforms in the internationals’ absence. Only at a second moment, when international prominence in statebuilding reforms diminishes substantially, will empowerment, self-government and control transcend the realm of

¹⁰¹ Here we rescue Chesterman’s (2007) definition of the six senses ownership may assume and we crosscut them with the view presented by Pouligny (2009), that dismantles the concept into components. We establish a division between what components are directed to local actors and the components which refer to internationals’ actions. Our purpose is to explore how the components are assembled differently to create a vision which fits the idea of ownership as an end goal of international actions. Hence we privilege here a possible “international display” of meanings. The meanings of the concept from the local actors’ perspective will be explored later on we present the critiques currently pointed to this vision.

¹⁰² Chesterman uses only control and sovereignty. This last concept can be considered similar to self-determination but we chose to distinguish between the two. We believe that self-determination is closer to the notion of ownership as empowerment rather than sovereignty. Self-determination and empowerment may assume different configurations while sovereignty is usually associated to the state.

¹⁰³ It may appear rare to place sovereignty under this first stage while leaving control, self-determination and power transfer out. However, we refer here to an international vision of sovereignty, which, as we have seen in the previous chapter, departs from a partnership approach that reconciles international presence with states’ sovereignty. Hence, it is this understanding of sovereignty that unfolds during ownership promotion.

guiding principles of ownership promotion, to become the expression of ownership. Accordingly, this entails that in the last phase, power transfer by international actors to local authorities will be effective and civil society actors are expected to continue to promote local involvement and participation and promote accountability in state-society relations.

Notwithstanding its more inclusive and comprehensive tone, this emphasis on civil society has been generally targeted for its limits, impacts and meaning. Two fundamental critiques have been pointed to international actors' reliance on civil society actors: first, the image of civil society international actors carry to the spaces of intervention is misplaced; and second, the engagement of international actors with civil society has been exclusive and hierarchical in some degree. In what concerns the first, it has been pointed that international actors often depart from an uncritical celebration of the concept as a consequence of the political changes and democratic transitions during the 1980s and 1990s which have sanctified the concept around a perspective that perceives civil society as "merely supportive of liberal democracy" (Baker, 2004; Chandhoke, 2004). In such view civil society becomes an associational realm between state and society with a non-conflict and non-power character which accounts for the relevance international actors give to civil society (Chandhoke, 2004; White, 2004). This consensual view, however, is misguided since it presents us a consensual ideal type vision of civil society that does not necessarily matches the complex realities on the ground (Parekh, 2004; White, 2004). In what concerns separation and autonomy there is a clear emphasis on the fact that civil society steams from the larger society and thus, necessarily reflects the struggles, divisions and interests that mark each society and depends of the specific context (political, social and economic) where the society is located (Belloni, 2008). If we recall the vision of civil society defined by Sommers (2008) in her dystopian and democratic model, civil society is permeable to other spheres influence. Civil society autonomy is necessarily limited and only this assumption allows us to perceive the dynamics of power that in fact permeate civil society and are a constant feature of democratic activity (Chandhoke, 2004). Such limits gain especial dimension in post-armed conflict spaces, where the power relations or power disputes have assumed a violent

armed expression and therefore, one may face the reality of a fragmented version of civil society (Belloni, 2008).

The second set of critiques is closely related with the first. Because international actors depart from a conception of civil society they adopt a biased approach when seeking for partners in civil society (Parekh, 2004). In fact, international actors' search for representative structures of civil society that corresponds to an existing vision tends to neglect the contribution and significant roles traditional structures may assume (Pouligny, 2005; Belloni, 2008). This biased approach often denounces a consequential view of civil society that defines the eligible civil society partners for capacitation so that they can form a civil society that will ultimately match the liberal ideal. Here civil society depends on the international actors support to flourish (Baker, 2004; Götze, 2004). This view necessarily affects the process of identification and capacitation of local civil society by international actors: their attention will focus on urban groups, "English-speaking, receptive to western ideas and ready to overlook traditional sources of power and counsel" (Mac Ginty, 2006: 52). Such identification will tend to (re)create lines of exclusion since, by privileging certain actors, international actors will affect the distribution of resources and the ability to act of local groups or associations or the possibility for some excluded groups to organise (Parekh, 2004; Pouligny, 2005). But beyond this line of exclusion, a relation of dependence/influence is established, since civil society actors seem to be dependent of international support and actions to flourish and to act. Belloni (2008) identifies three dimensions where this dependence/imposition is materialised: first, the deployment of international resources neglects the existence of local resources and knowledge and creates a circular relation of dependence and reliance reinforcement between the international actors and the chosen local organisations; second, this relation of dependence between international actors and local organisations tend to set in motion an agenda that matches the international actors' priorities and demands; and third, the technical mould of international strategies necessarily reinforce an international position of expertise, thus reinforcing an existing hierarchy (Belloni, 2008).

NGOs are an illustrative example of these criticisms. Civil society has progressively reduced the chosen interlocutors of civil society to non-governmental

organisations, often conflating civil society with NGOs (Mertus and Sajjad, 2005).

These organisations

respond quickly, are not bureaucratically crippled, cannot coerce and therefore are widely respected. Most important, the combination of these assets means that they can fulfil roles and tasks which states and their liberal organisations simply cannot achieve (Richmond, 2005a: 24).

Progressively, NGOs stood out as trustworthy and privileged partners to assure an aid channelling that circumvents states' limited capacities to reach for communities, and guarantee an involvement of civil society's actors in the reforms while anchoring them in local societies. Considering the availability of resources for civil society actors and the international expressed support for it, we have assisted to a multiplication of NGOs, which became progressively oriented towards the outside world (Pouligny, 2005; Fischer, 2008). Through this privileging as representatives of civil society, NGOs become the finished expression of the western biased vision towards civil society actors, materialising logics of exclusion that ultimately reduced the heard voices of civil society to a small group of organisations. Moreover, and departing from the distinction between international and local NGOs, Pouligny alerts us that "there is much more proximity between northern or international NGOs (...) and international organisations (IOs) than between the northern and southern NGOs", and it is common that they compete for resources and the same "symbolic space" (Pouligny, 2005: 501). More important, international actors tend to privilege international NGOs, which basically means that "while pretending to work with the local civil society, outsiders actually collaborate with other outsiders - in other words, with themselves" (Pouligny, 2005: 501). Hence, international actors do not only exclude multiple civil society actors when they privilege NGOs but they also create a hierarchy amongst them. This support for NGOs also deepened a relation of dependence/influence, considered by some as a dilemma that results from international support to civil society (Belloni, 2008), which has three related consequences.¹⁰⁴ First, NGOs' intervention agendas are more and more directed towards international demands rather than social needs and social change (Mertus

¹⁰⁴ Belloni (2008) defines this relation of dependence as the result of the systemic dilemma that crosscuts international support to civil society between too much or too little support. We aim to stress the recognised outcomes of international support that currently largely sustains the civil society promotion strategies in post-armed conflict statebuilding. See also Carey (2010) to explore other configurations of dilemmas faced by NGOs whose actions are directed towards peacebuilding.

and Sajjad, 2005; Pearce, 2010).¹⁰⁵ Second, this influence deepens the distance between local populations and those who were expected to serve them, since the focus of NGOs' accountability is directed towards the international donor community and away from society (Mertus and Sajjad, 2005). And finally, we observe how, through NGOs, international actors tend to indirectly affect and direct the intermediary role of civil society in state-society relations, since the asymmetries of power evidenced and expressed in the relation between donors and NGOs necessarily affect how local societies perceived these actors and the reforms and projects they implement.¹⁰⁶

Considering the critiques pointed, it is relevant to question how this international engagement with civil society, that the privileging of NGOs so neatly illustrates, affects the purpose of ownership promotion, especially in what concerns the meanings/dimensions the concept assumes. The functions ascribed to civil society in peacebuilding by Paffenholz and Spurk (2010) interact with the dimensions that ownership promotion entails. However, understanding how civil society actors perform these functions entails a context-driven reflection, which establishes a relation between these functions and seeks for causal relations between them. Therefore, assessing civil society actions and its contribution to peace or local ownership is necessarily complex. Our purpose though, is not to perform an exhaustive evaluation of these functions but foremost to add a crucial aspect to this analysis. Indeed, we believe that the functions performed by civil society actors are necessarily curtailed by the issues we abovementioned and the current relation established between civil society actors and international actors. Thus, and considering this, the answer to the question on how civil society involvement may

¹⁰⁵ In her article, Pearce discusses the meanings of social change, especially in its relation with transforming power as opposed to empowerment. Regarding NGOs and their possible impact on social change the author posits that this impact is highly dependent on the idea of social change that guides their actions. If NGOs answer to international donors linear view of change as the direct result of a project funding – which seems to be the most common approach that guides the contractual relationships between NGOs and international donors – then their role on social change and transforming power is necessarily limited, since, as the author says, “social change cannot be reduced to funding” (Pearce, 2010: 632).

¹⁰⁶ Indeed, and even though NGOs have a strong compromise with transparency (towards international and local actors), this must not be confused with accountability, which entails transparency but goes beyond it, since it demands the justification of actions. NGOs are generally transparent but they are firstly accountable to those who provide the resources for projects and interventions (Mertus and Sajjad, 2005).

affect local ownership is not linear. It will certainly vary from case to case, depending on the actors involved, the relation established between them and how these elements reflect on the functions performed.

There is however general conclusions that may be drawn departing from the impacts the current approach to civil society creates on state-society relations. First, the current record of identification of actors for ownership promotion in civil society creates a sense of “exclusive ownership”, available only to specific members of (civil) society and which hardly reaches key stakeholders and actors who may in fact affect the process. Thus, this approach creates fragility in the process of ownership promotion since it limits its potential scope. Second, the relation of imposition/dependence created throughout the identification and capacitation processes limits the beneficial impact of local participation and involvement, since the chosen civil society actors tend to guide their actions towards international demands, which also necessarily affects the accountability promoted locally. This relation directly contradicts the purpose of social recognition, involvement and support of the reforms, thus, necessarily threatening their sustainability. Finally, and related with the previous two, the actions undertaken by international actors to support civil society contradicts the purpose of power transfer local ownership promotion entails and derails the achievement of local ownership as self-determination and control. Thus, it’s plausible to state that current international actions of local ownership promotion centred on civil society partners seem, at least, counterproductive to the purpose of ownership promotion.

But the effects of this counterproductive, and apparently contradictory process, stretch beyond local ownership promotion and reaches the state-society relations more broadly and, necessarily, states’ legitimacy and international statebuilding actions. This is necessarily so not only due to the reasons stated above, but also to the tendency recognised internationally to channel funds and reforms through NGOs which creates a parallel public sector that undercuts states’ ability to perform their governance tasks which are necessary to improve state-society relations. This is clearly stated by OECD, whose 2010 report “Do No Harm”, recognises that even though NGOs can be very effective in service delivery there is a real risk of affecting state’s legitimacy through the creation of a dual public sector,

led by NGOs, that minimises the role of the state in delivering basic services to its society (OECD, 2010). Moreover, and beyond this counterproductive effect, both dimensions result from apparent contradictory international actions which sustain a promotion of local ownership while in reality it places internationally sponsored processes at the core of state-society relations. The promotion of local ownership, with the engagement it supposes with civil society actors, contradicts its purpose of improving the legitimacy of statebuilding actions and reforms while postponing ownership as the expression of self-determination, empowerment and control.

And it is precisely from here that stem the strongest critiques to the international promotion of ownership. Reich argues that, against the international vision of ownership, one must consider that the principle of ownership is “directed against domination by external partners in foreign-funded development cooperation and peacebuilding activities” in order to “shift the balance of power in favour of local actors” (Reich, 2006: 8). Hence, the concept has a dual interpretation that necessarily entails different meanings and temporalities. While for international actors we are discussing ownership promotion, for local actors such concept is assumed as inherent to local politics and is under threat by the existing power asymmetries. Precisely because of these differences, internationals’ use of ownership seem, to the author, as rather pretentious since, it attempts to cover the differences and asymmetries that mark reality (Reich, 2006). Accordingly, and

taken seriously as a guiding principle for action, local ownership would mean far more than a consulting or participatory role given to the local on behalf of the donors of external parties. Rather it means that local actors have the final decisive power over a project’s process and outcome. Local ownership then means a power shift which goes far beyond existing practices. Local actors would not only be involved in the information gathering process or strategy development, but should have the means to decide about the agenda, strategy and budget management themselves, even decide who the beneficiaries of the project should be (Reich, 2006: 15).¹⁰⁷

In this sense, Richmond poses that local participation is a better framing concept to describe current attempts to bring local actors to the discussion of matters and reforms, since local actors “have little choice over what they come to own but

¹⁰⁷ The author develops her arguments explaining how the term local ownership is misplaced to define the relation between insiders and outsiders and how practice dismantles its intended meaning. The author builds on the need to depart from peace constituencies to define local partners able to cooperate with internationals to deploy and sustain some reforms (Reich, 2006).

are expected at least to participate” (Richmond, 2012: 359). In fact, and for the author, local ownership, as it is currently promoted by international actors, “is neither local nor ownership” and is instead “international, elite or national, and defined by participation in pre-existing programmes” (Richmond, 2012: 371). Thus, the concept is assumed by Mac Ginty as a rescue package of peace interventions orthodoxy (MacGinty, 2010) and it is defined by Chesterman as a conciliatory mechanism of international quasi-dictatorial practices with the principles that are suppose to guide them (2005). For Chesterman, and since ownership does not mean control nor does it imply direct control over the process and means instead that ownership is at the end of transitional administrations, “openness about the trustee-like relationship between international and local actors” would, at least, ensure “transparency about the powers that they [international actors] will exercise at various stages” (Chesterman, 2005).

Others, however, have naturalised this apparent contradiction in a “dilemma/contradiction” package which crosscuts statebuilding interventions and conciliates the international control with local ownership. Paris and Sisk (2009a) state that “if full local ownership of the domestic affairs in the host state could be achieved without direction, there would be no need for robust, multifunctional statebuilding missions in the first instance” (Paris and Sisk, 2009a: 305). Thus, such perspective accepts the consequences and impact of such vision of ownership, internationally directed, where the main issues concern “who the ‘owners’ should be”, and where participation and local ownership can have perverse results “no matter how well-intentioned the international actors” due to the distorting effects international presence causes, “like a powerful magnet in an electric field” (Paris and Sisk, 2009a: 308). This view of local ownership does not seem to contribute to improve state-society relations or to the goal of inclusion recently formally inscribed as a priority by the UNDP (UNDP, 2012) and the Secretary-General’s report on peacebuilding (Ban Ki-moon, 2009b) which seem to testify an intention to move beyond this perspective.

However, and even if this reflection on local ownership promotion as an international attempt to affect the legitimacy of statebuilding reforms is important, one must foremost explore (1) what this international engagement with local ownership in alternative to citizenship entails and (2) how this engagement and its

consequences directly affect the condition of citizenship on the spaces of intervention.

International actors' deployment of local ownership promotion strategies to affect statebuilding reforms legitimacy is consistent with the overall pattern of engagement that permeates statebuilding. It adopts logics of support while deploying discursive devices that reduce their role to a technical and non-political dimension. Citizenship is considered as a prerogative of states' sovereignty and therefore, engaging with its condition, would necessarily entail assuming states' role. Engaging with citizenship condition openly could have two possible meanings: first, international actors assumed their prevailing role in determining statebuilding; and second, this would establish a political relation between local populations and international actors, recognised as the political agents of governance. This is precisely what international actors have avoided by deploying what Cunliffe (2007) has termed as "politics without responsibility" which is visible on how international actors have engaged with states' sovereignty and also with ownership promotion. Framing its actions as local ownership promotion allows international actors to affect chunks of the concept of citizenship – namely, involving individuals in governance to produce legitimate outcomes, even if this participation is induced – while avoiding assuming a political role in intervention spaces. Accordingly, in this non-political mediation of state-society relations, which is effectively exercised by international actors through ownership, internationally induced legitimacy is not counterproductive to state-society relations, but it is rather depicted as necessary.

There are two main implications of this non-political engagement. First, the existing power asymmetries are naturalised and assumed as necessary to create a viable state and peace but this exercise of power is not accountable locally since its naturalisation dismisses it from any political questioning. Indeed, and within this frame, and even though accountability is established from the state and civil society towards international actors in a technical dimension, deprived of political meaning, international actions are not framed by these principles of accountability towards the local populations where their actions impact. In this view local actors are expected to participate and to become invited owners and participants of the policies defined internationally but their voices are only partially listened. And second and related

with the first, international actors transform statebuilding interventions into pre-political moments, where individuals' status as citizens is not questioned, but where their political agency is postponed until viable state institutions are in place. Two fundamental images merge to sustain this delay of individuals' political agency. International actors often perceive individuals in the spaces of intervention as (1) victims (2) in need of empowerment. Hughes and Pupavac (2005) affirm that this social victimisation upholds an international pathologisation of post-armed conflict societies, which reduces the social and international dimensions of the conflicts and renders conflict as irrational or deviant behaviour, and cause of traumas and violence (Hughes and Pupavac, 2005).¹⁰⁸ Accordingly, and through this process, not only local individuals are perceived as in need of treatment measures to eradicate the trauma as they are mainly perceived as victims of violence, deprived of power and agency amidst the violence that has disrupted their lives (Hughes and Pupavac, 2005). These victims are then individuals whose empowerment becomes an international compromise. This promise of empowerment focuses on the individuals' capabilities to assume themselves as agents of change and promises individuals a future autonomy while it simultaneously assumes the moment of intervention as a stage of non-autonomy existence, obscuring individuals' agency prior to international intervention. Together, these two perspectives depict local populations mainly as victims whose empowerment is dependent of international actions to capacitate individuals and transform them into empowered individuals.

Hence, and even if citizenship is not discussed directly in post-armed conflict statebuilding contexts, the international engagement with local ownership promotion, and the internationalisation of legitimacy unveil assumptions and practices that affect the concept directly and expose how they have become an expression of a depoliticisation narrative previously pointed. The sanitised exercise of power limits social contract as the result of state-society interactions and mutual recognition upon which citizenship has been (re)built and (re)negotiated until new state institutions can assume the responsibilities sovereignty entails towards their citizens, and until individuals are prepared to exercise their political agency in a

¹⁰⁸ This view is close to Chandler's understanding that the new wars frame enabled international actors to remove politics from the understanding of violent conflict and thus from the construction of peace (Chandler, 2005).

functioning political society. Such vision shows us a condition of citizenship that departs from a hierarchical connection of scales, where the international space plays a central role in the definition of citizenship rights and practices and in affecting, according to international criteria, matters of inclusion.

International actors do not in fact deny citizenship and it is not unlikely to see local populations referred to as the states' citizenry or local citizens. It could not do it since the image of the citizen, as an autonomous empowered individual, is at the core of liberal democracy's promise of peace for which statebuilding has been defined as a pre-condition. However, current international practices suspend the mutual constitutive relation that, in a liberal democratic frame, is established between citizens and the state, while addressing specific dimensions of the concept. A consequential vision is clear: citizenship political dimension, beyond a status of nationality, depends on the international intervention to create a political context for it to bloom and to capacitate and socialise individuals for democratic political life.

Consequentially, it is not a surprise to read Richmond and Franks' statement that "ultimately, the focus has been on building the state rather than a social contract" and "the universal contractual nature of liberal peace ideas – as a system derived from citizenship – has been lost" (Richmond and Franks, 2009: 190). In fact, and bearing in mind the technical critique ascribed to international understanding of states' sovereignty or the depoliticisation argument, together with the current internationalisation of states' legitimacy sources materialised in the good governance and local ownership promotion, one could easily affirm that the basic postulates and conditions for citizenship, as liberalism proposes, seem to have been distorted. Nonetheless, for Chandler, this international view and treatment of local populations is not so much a sign of how liberal assumptions regarding political subjects have been lost in statebuilding sites, but foremost a sign of the shift in intervention assumptions materialised in statebuilding. Statebuilding represents a post-liberal governance paradigm where we assist to a transition from government to governance: what matters in intervention is the rationality of governance and not how governance is legitimised. This lack of articulation between state and society is pointed by Chandler as a crucial element to classify the current international practices of statebuilding as post-liberal and expresses the dominant trend of post-

liberal practices that downgraded the liberal political premises of autonomy and self-determination (Chandler, 2010b). This transition and downgrade of autonomy and self-determination testify how citizenship political dimension is circumvented and overshadowed even under liberal standards. Moreover, it embodies two simultaneous ideas: individuals are not just considered as incapable of political agency but their agency is no longer considered crucial in face of the growing trend of international outsourcing of power, where it is not clear who governs and who is accountable for governance practices.

The question that must necessarily emerge at this moment is if this depoliticising narrative of which citizens' political agency seems to have become hostage tells us the complete history regarding the political dynamics in spaces of intervention. As we have seen, international statebuilding actions, and the logic supporting it, have been targeted by a growing criticism of their detachment of the specificities of intervention contexts. As a consequence, recent contributions have sought to approach the spaces of intervention differently by exposing local elements and practices, and, consequentially, to enlarge our understanding and recognition of the different political dynamics and expressions of agency.

This appeal to look beyond the international dimension to the local spaces of intervention has been a crucial point in Pouligny's work. Her reflection is a noteworthy effort to criticise international actions from a perspective that seeks to understand these actions in the spaces they unfold. In her book *Peace Operations Seen from Below. UN Missions and Local People* (2006), Pouligny confronts UN actions and assumptions with the "various faces of local populations" and how they engage differently with the UN on the ground (Pouligny, 2006). For Pouligny the call of political anthropology to consider all social practices and daily power relations is fundamental to achieve a broader understanding of these dynamics and challenge the assumptions of international actors with the reality found on the ground.

Discerning this requires distancing oneself from the many preconceptions made of local societies. The situations on which peace missions are called upon to intervene are generally characterised by a very high degree of fluidity, defying the traditional criteria used to define the status of political and social actors, this status being permanently altered following a large number of logics and issues (Pouligny, 2006: 44).

Hence, Pouligny explores a number of different local actors, stretching from military, political and economic entrepreneurs to “indigenous civil societies”, formal organisations and community actors (Pouligny, 2006). Regarding the first group, Pouligny identifies how oversimplifications are inadequate to understand the UN negotiation and peacebuilding partners on the ground: local political configurations are neither as straightforward as their apparent divisions appear, nor are the alliances amongst groups predictable and lasting. Thus, Pouligny says, the UN will find “directly or indirectly, a very wide range of actors linked by many variable ties, with multiple meanings” (Pouligny, 2006: 67). It is therefore necessary to understand how these actors move along and across these networks and how these changes obfuscate their status and their intentions towards the creation of peace and the presence of UN. In what concerns “indigenous political societies” Pouligny also contrasts the assumptions of international actors with the reality found on the ground, beyond a division based on the figure of the “victim – the civilian – passive” and the search for institutions that resemble those of western civil society. In what concerns community actors the author stresses how the contact between them and international actors vary so greatly in the urban and rural areas.

In order to engage with local spaces of interventions, Richmond departs from the concept of hybridity to explore and map what he defines as the fourth generation of theories about peace and conflict which move beyond Westphalian answers to conflict (Richmond, 2008).¹⁰⁹ Accordingly, what is needed is (1) a research agenda able to develop “multiple conceptions of peace, focused upon the everyday life of their constituents in the context of an institutional framework and social contract together with (2) a *via media* between them” (Richmond, 2008: 163). In this sense the author develops an eirenist approach to international relations and

¹⁰⁹ The author uses the contributions the critical and post-structuralist strand to deepen his reflection and suggests the need to develop an agenda for peace that departs from an inter-disciplinary perspective where the study of multiple concepts of peace is at the centre of IR. For the author, by believing in the mutability of the system social structures and human nature, Critical Theory has sustained a powerful critique of current liberal orthodoxy with its neo-liberal nuances and has promoted a conceptualisation of an emancipatory peace in IR. An everyday, post-Westphalian peace is its aim” (Richmond, 2008: 109) And Post-Structuralism, through its deconstructive approach, questioned current orthodoxies sustained in misleading oppositional binaries, therefore exposing power relations, even in spheres traditionally considered private that, in fact, cover foundational assumptions that reproduce and reinforce power relations. “An everyday, post-sovereign peace represents the more extensive aim of post-structuralism informed approaches to peace and conflict studies” (Richmond, 2008: 109).

peace, which entails an interdisciplinary approach, able to shed light into the practices of the everyday currently obscured by liberal peacebuilding and points to a need to return to the everyday and its relation with the practices of emancipation.¹¹⁰ Departing from the work of De Certeau, Richmond states that the everyday refers to the ways individuals “navigate” and try to create spaces for their activities while dealing with existing institutions of power (Richmond, 2009: 571). Such concept assumes that “people adapt and take ownership over structures and institutions so that they begin to reflect their own everyday lives rather than structural attempts at assimilation” (Richmond, 2009: 571). Hence, the everyday becomes the site of politics and allows a re-appropriation and a transition from “subjects to active citizens, from de-politicisation to self-government and self-determination”. The everyday precludes an agency that is related to self-determination and self-government through everyday practices that give meaning to life and community and thus form the basis for peace before institutions can (Richmond, 2010). The encounter between these everyday practices and international actors creates a hybridity – the overlay of multiple identities and ideas and how they interact without domination of one idea or identity. By using this hybridity and recognising the everyday as an alternative site of knowledge, Richmond presents peacebuilding as the place where the international encounter the local, and where a transmutation of both liberal and local arise, opening ways to insofar neglected and unrecognised agencies. This encounter has been identified in East Timor and in Solomon Islands (Richmond, 2011), thus showing the possibilities for peace offered by the intersection of the everyday and its hybridity that Richmond depicts as a post-liberal peace, “an everyday tactic of engagement between liberal states and non-liberal alternatives, or locally imagined polities” (Richmond, 2009: 572).¹¹¹ This via media entails empathy and care (in a foucaultian sense) as well as a recognition of

¹¹⁰ “Eirenism” refers to the analytical lens by which “one evaluates the claims, apparent or hidden of a particular epistemology, concept, theory, method or ideology” and is used by the author to define an approach to an ethical re-evaluation of liberal peace (Richmond, 2009: 563).

¹¹¹ For Richmond there are three currently overlooked dimensions that sustains such vision: (1) local attempts to develop assisted rather than guided processes of reconstruction and governance after conflict by international actors; (2) really existing forms of governance on the ground that exist and represent “peace” even if the internationals do not recognise it; and (3) the emergence of hybrid forms of governance associated with the local patterns of politics.

differences as enabling conditions for a kind of agonistic dialogue with “unscripted conversations” to build a post-liberal praxis.¹¹²

The growing emphasis on the need to recast social relations in a way that recognises individuals’ agency and the local specificities offers an alternative approach to engage with spaces of intervention while trying to transcend the depoliticising narrative the international actions promote. However, others have drawn their attention to the controversial and counterproductive impacts of addressing local spaces of interventions and local actors as “non-liberal alternatives” since this may fuel a sense of irreconcilable differences between international liberals with non-liberals which may translate into a resign over liberalism demands (Chandler, 2010b). For Sending (2011), and despite the important contributions of “context sensitivity, of local ownership, of bottom-up and hybrid forms of peacebuilding” such insights are mainly used as “ammunition to criticise external actors’ strategies and behaviours” instead of a contribution for an explicit account of the interaction between international and local actors (Sending, 2011: 56) which must be the primary focus.¹¹³

Indeed, and despite the glimpses of political agency the hybridity frames have shared, this political agency is mostly presented as a resistance of the locals towards international actors. By posing agency as resistance to international actions, as important as it may be, one only explores a part of political agency on the ground, as if individuals’ political agency only gained dimension with international presence. However, and while departing from state’s sovereignty is an important dimension to consider how the liberal principles of self-government and autonomy have been downgraded by this post-liberal governance, a renewed, and somehow nostalgic,

¹¹² Something Duffield (2007) had already demanded and Richmond uses here.

¹¹³ Sending assesses this interaction departing from peacebuilding political infrastructures, which he believes to frame the interactions between internal and external actors shaped by sovereignty (Sending, 2011). The author’s purpose is to show how local actors and institutions are in fact able to receive, select, use but also discard elements of donors’ programmes, which only attest how they are actors with interests, identities and projects. The presentation of sovereignty appears to be, in this account, underexplored, and thought of as a one-dimensional concept understood by local and international actors in the same way. We do not share this view and instead we believe that sovereignty, as a framing concept to mediate the relations between nationals and international actors is necessarily a disputed concept, depending on the perspective of actors and, therefore, it differently affects actors’ behaviours and reactions. For instance, the current view of sovereignty as responsibility can be opposed to a view of sovereignty that is closer to self-determination. Both internal and external actors recognise sovereignty but their views do not necessarily entail the same behaviours.

engagement with state's sovereignty guides our attention to the relation between the state and international actors. As useful as this may be, it continues to explore political agency through state lenses, even if this agency is considered as the expression of popular sovereignty, this is, as the expression of national citizens' agency. As we have discussed, this image of state's sovereignty as embodying the polity is based on an exclusivity assumption that citizenship debates have exposed as over-simplistic, at best.

Citizenship is, in this sense, particularly useful, especially if we consider it as a conceptual alternative to overcome the limits of an analysis structured on state's sovereignty, since, as we have exposed in this section, it allows us to grasp the depoliticising narrative that permeates international approaches to post-armed conflict statebuilding but it opens a possibility to engage with agency beyond the state level. Exploring the condition of citizenship in these contexts forces us to centre our attention on state-society relations and recast them in order to recognise and map individuals' agency, as well as the factors that affect it in formal peace scenarios.

The growing emphasis on state-society relations has been crucial to the appearance of reflections centred in citizenship in the aftermath of violent armed conflict. In a publication of the World Bank Communication for Governance and Accountability Program (CommGAP), Kaltenborn-Stachau identifies the national dialogue – understood as the exchange of ideas, perspectives, information and opinion that are responsible for the kind of relation that citizens establish with their state – as a pre-requisite for the success of statebuilding (von Kaltenborn-Stachau, 2008). The purpose of strengthening these relations has been the missing link between recent interventions and their long-term success: even though national dialogue and citizens' rights are mentioned in the existing literature and programs their dynamics and requirements have been, overall, neglected (von Kaltenborn-Stachau, 2008). The UNDP report (2012) seems to address this negligence, by developing its reflection around the concept of governance and the (re)establishment of a social contract. Overall we assist to a growing appeal to put citizens at the centre of intervention and replace the state-civil society divide that has marked donors' funding and policy (Benquista, 2010).

Regardless of the reasons that have so far supported this absence, the advocates of this citizen's centred approach state that only a focus on citizenship, that rescues the vision of the citizen as actor and agent of change rather than consumers, voters or beneficiaries, will create legitimate and responsive states (Eyben and Ladbury, 2006; Benquista, 2010). Both Eyben and Ladbury (2006) and Benquista's (2010) contributions – inserted in the DRC-Citizenship, Participation and Accountability – depart from a relational account of citizenship, this is, a view that comprehends the relation between state and society as well as the relations in society. In this sense,

effective statebuilding requires addressing not only vertical relations between the state and the people but the exclusions and discriminations that occur within society and that affect state capacity to be responsive, legitimate and accountable to all (Eyben and Ladbury, 2006: 5).

Furthermore, Eyben and Ladbury add, a citizenship sense does not necessarily start with the state and is best described as a “societal sense” that emerges from belonging or exclusion in different types of collective association and is built on concrete actions, through which individuals develop their reference of rights and responsibilities towards the society and the state (2006). Thus, not only is citizenship recognised as a relational and dual concept, marked by the interaction of inclusion and exclusion, as it is an inherent political concept, related with individuals' agency, i.e. their ability of claiming and acting (Benquista, 2010).

Though these reflections do engage with citizenship and are particularly important in their attempt to bring citizenship to the discussion of statebuilding, they are fundamentally concerned with the development and support of citizenship in spaces of intervention. Moreover, their accounts remain as rather state-centric, meaning that they do not engage with the impact that multiple spaces and actors have on citizenship, particularly in what concerns the exclusiveness of its relations with the state. Notwithstanding the importance of this reflection and effort, understanding the condition of citizenship in post-armed conflict demands a perspective that puts in context the evolving nature of state-society relations and the inclusion/exclusion divides that have marked them and the condition of citizenship. Accordingly, if one aims to explore the possibilities and expressions of political agency on intervention spaces to dismantle a depoliticising narrative, it's imperative to depart from an

analysis that considers the multiplicity of actors which, in different locations, currently affect the processes of governance at the state's scale, and what possibilities and constraints posed to individuals' political agency. But engaging with this, demands that we place agency in context, this is, in order to begin to understand the possibilities, constraints and expressions of political agency in post-armed conflict spaces, one must consider how citizenship condition has evolved.

In order to explore in (some) detail what we have exposed we will consider the case of Guatemala to illustrate the evolving compromise with the state in the creation of peace and to explore the processes that may affect the condition of citizenship. Our purpose is not to reach conclusions that are common to all post-armed conflict settings, but rather to deploy an approach that allows exploring through the concept of citizenship the complex and specificities of the political condition in different scenarios where international support for building peace has assumed the statebuilding form.

5. Building Peace in Guatemala

Understanding what has been and still is the task of building peace in a country where, after 36 years of armed conflict, violence still reclaims so many deaths in the country and permeates the social relations is necessarily a complex and difficult task. The following sections seek to map Guatemala's histories of governance, stretching from what led to the violent armed conflict to the creation of a peace project contained in the peace agreements – its design and implementation. After having revisited the main divisions inherited from the colonial and liberal period and which constitute the structural causes of the armed conflict, we will discuss the Democratic Spring and the counterrevolutionary response as the immediate causes of the armed confrontation. We then discuss the conflict in its different moments, as well as its actors and main strategies to understand the impact violence has had on the country. We also discuss the transition to democracy and the negotiation of the peace agreements. In a second section we discuss in some detail the content of the agreements and its implementation, with a particular emphasis on the tasks targeting statebuilding. After discussing the main obstacles to that implementation, we address the country's trajectory of fragility, departing from the justice sector, and how international compromise with statebuilding has evolved according to this trajectory and the frames of intervention that emerged internationally.

5.1. The violent armed conflict and the negotiation of peace

The histories of governance in Guatemala up until the armed struggle cannot be understood without a clear reference to the colonial history on which the country structured its project of independence.¹¹⁴ The country inherited the social differentiation along ethnic and socio-economic lines from the colonial period. The society was then divided in indigenous, *ladinos* and the direct descendants of the settlers and in addition to this hierarchy based on origin, the possession of property further divided society. The independence in Guatemala and its liberal project were based on the existing social relations and, though the 1824 Constitution proclaimed legal equality, these social cleavages were transformed and deepened in the liberal period. The elite who ruled the country, united by the modernisation flag, forged an economic transformation based on coffee exportation, which deepened the division between indigenous and non-indigenous communities. Three parallel dynamics occurred during this time: first, and due to the agro-business, the authorities gave a new impetus to the expropriation of indigenous lands; second, they tried to attract foreign investors to the country to increase the inversion in the coffee production; and third, they created the *mandamientos*, through which indigenous people were requested to satisfy the labour demands of business men (Lima, 1992). This economic project and the agrarian reform sustaining it deprived indigenous communities not just from their direct source of survival but also from the central element of their worldview and reinforced the different forms of forced labour (CEH, 2006; Rostica, 2006).

In addition to these economic reforms, the modernisation process also sought to forge a project of nation-state. Projecting a common identity sustained on *mestizaje*, a homogenising project gained impetus with the establishment of a laic project of education guided by the state and with the creation of the Military Academy, which aimed to embody the idea of nation in arms and provide Guatemala with professional armed forces (CEH, 2006). This project of nation reframed social relations but it kept a hierarchical nature where indigenous groups remained at the

¹¹⁴ Guatemala officially proclaimed its Independence from Spain in 1821 but only in 1824 it draw a constitution inspired by the European liberal revolutions where the legal equality of individuals and the protection of private property were inscribed as central aspects in the fundamental law of the country.

bottom of social relations (Lima, 1992). Though it sought to assimilate indigenous communities, in practice their significance in the historical process of the country was reduced, or made invisible, and they were kept at the margin as a social group (CEH, 2006). Moreover, the European nation-state project and its liberal principles of material and scientific development, individualism, the purpose of profit and the defence of private property which Guatemalan elites sought to reproduce were in profound contrast and disagreement with indigenous worldviews, who perceived the land as sacred and spiritual and for whom the individual and its possessions only made sense in relation to others (Lima, 1992; CEH, 2006). Concurrently, the ruling elite's project enabled *ladinos* to improve their social and economic position by assuming privileged positions in the control of land, municipalities and commerce. *Ladinos* progressively distanced themselves from indigenous communities to become an active part of a national project which could provide them a new role in the future (CEH, 2006).

This model of economic development and the consequent social hierarchy were guided by the ruling elite formed by the military and the agro-exporting oligarchy, which, at several moments in history, were particularly coercive and violent in the defence of their status. Until 1944, the state which rose from the liberal reforms was committed to the agro-exporting oligarchy and their needs, assuring the necessary forced labour to its profitable activity. General Ubico, which gained power in 1931 and, as his predecessors, conceded no space for dissent. In this phase, the efforts to train the military and create an apparatus of intelligence in the country became part of the government's attempt to control the consequences of the 1929 crisis and assure a repressive stability that could sustain an economic recovery. The oligarchy's policing powers at the *fincas*, were also reinforced in order to maintain the control over the indigenous labour force. Together, these measures bounded the modernisation process with a growing militarisation of the country (Short, 2007).

Therefore, Guatemala reached the 1940s deeply marked by the social hierarchy it had inherited from the colonial period even if it had adapted it to the needs and demands of a national project of political, social and economic modernisation. The opposition between those who owned the land and those deprived from it, between the indigenous and non-indigenous, remained as the main

pillars of social exclusion though they intersect. They also represented the structural causes of the 1944 political revolution in the country.

The Democratic Spring

In fact, and despite General Ubico's repressive efforts, the 1940s were marked by a growing contestation. Some *ladinos* and the urban middle class who was not included in the benefits of *latifundio*, joined the workers' contestation to General Ubico's political repression. The participation in the World War II, demanded an economic effort the country could not bear, leaving some sectors of the economic elite also deeply unsatisfied. The general strike in June 1944 led to General Ubico's fall, then replaced by a junta expected to hold power provisionally (Rostica, 2006). Until the end of 1944, the triumvirate of generals collapsed in benefit of General Ponce Vados, who assumed the compromise to organise elections. Amidst this changing context, and the promise of elections, new political parties were formed and the country assisted to a social mobilisation that would oppose the dispositions of the provisional president and start what came to be known as the October's Revolution.

Elections were held as a consequence, and José Arévalo was elected President. In 1945 a new constitution was drawn, introducing important changes that would imprint new frames of governance and change the ideological frames of the exercise and justification of power. The fundamental text recognised for the first time important political and social rights and introduced a different perspective to the indigenous question and to the issue of land possession. To the freedom of thought and association, the text added new labour regulation, which specifically reversed the dispositions regarding indigenous forced work and allowed the mobilisation and organisation of different movements across the country (Lima, 1992; Rostica, 2006; Short, 2007). Furthermore, the 1945 Constitution forbid the *latifundio* and recognised the social function of property, which in practice allowed the recognition of the meaning indigenous communities gave to land and their collective use (Rostica, 2006). Additionally, Arévalo introduced reforms to assure the military an apolitical

and independent role in the country, as the defender of state's sovereignty and as a guarantor against power abuses (Trefzger, 2001).¹¹⁵

The reforms initiated by Arévalo were deepened after the election of his former Ministry of Defence, Coronel Jacobo Arbenz, a strong opponent to Ubico's regime and an active part in the revolution. His project of modernisation is considered by Rostica (2006) more anti-imperialist than nationalist due to his attempts to reduce foreign monopolies in the economic sector by investing in infrastructures and industrialisation.¹¹⁶ Even if such measures had already been suggested by the WB in 1951, they significantly affected the status of foreign elites in the country thus creating an opposing front to the reforms. The difficult relations between the government and the foreign elite were definitively spoiled by the agrarian reform initiated which sought to rescue, through expropriation, the unproductive and idle lands. However, the criteria used by the government meant, in practice, that 85% of United Fruit Company property was eligible for expropriation, which led the company to demand a considerable compensation which the government refused to pay (Jonas, 2000; CEH, 2006).¹¹⁷ The agrarian reform also compromised the labour relations in the *fincas*, since by providing lands to peasants and abolishing all forms of forced labour, the labour force available to work at the plantations necessarily diminished, changing the traditional power relations in the countryside. These changes gained additional impetus through the creation of local cooperatives and workers committees which meant not only a challenge to traditional labour relations but also a new pattern of mobilisation and organisation of peasants (CEH, 2006).

¹¹⁵ Despite the purpose of transforming the military into a supportive institution of the public cause, this is also pointed as a crucial moment in converting the military into a political force, an ultimate guarantee of stability in face with state's frailty (Trefzger, 2001; CEH, 2006).

¹¹⁶ Both the port of Guatemala and the railway (of which the economic activity depended) belonged to the American United Fruit Company while the Electric Bond and Share, also American, controlled the Guatemalan electric company, thus controlling the electric supply to the country. Trying to reverse this dependence, Arbenz's government projected an Atlantic road, a hydroelectric station and the port of *Santo Tomás*, considered key investments in Arbenz's modernisation ambitions.

¹¹⁷ Though the percentage of property of United Fruit Company eligible for expropriation reached 85% , only 64% were effectively expropriated. The government set the value paid in compensation according to the fiscal value declared by the owners. Necessarily, and because the declared value didn't match the true value of the properties, the owners, and in this particular case the United Fruit Company, considered the value of compensation unsuitable (Jonas, 2000; CEH, 2006).

Consequentially, and though Arbenz's agrarian reform sought foremost to stimulate the national market and the abolition of properties which did not contribute to that purpose, it created a sense of panic in the oligarchy and economic elite and came to be perceived as the definitive measure that menaced the *status quo* (Short, 2007). In fact, the agrarian reform had an impact that stretched beyond the economic sphere, inducing a mobilisation in the country which questioned labour conditions and relations and challenged the social hierarchy considered until then a dogma. Particularly, it created the space for indigenous communities to organise and resist to both social and economic forms of exploitation (Lima, 1992).

Considering how the reforms and transformations occurred in this democratic period affected the national oligarchy and international companies' interests in the country, the reaction necessarily came from both national and international actors harmonised under an anticommunist rhetoric. The union forged across different sectors to support Arévalo broke with Arbenz's social basis and gained the opposition of bourgeois and other social sectors, who saw in these reforms a project progressively out of control (Rostica, 2006). The coincidence of the reforms with the social mobilisation and the creation of the *Partido Guatemalteco del Trabajo* (PGT), the national communist party, allowed the creation of a narrative of communist expansion in the country which deeply affected Arbenz's social basis of support, both in the civil and military sectors. Moreover, the challenging position assumed by Arbenz in face of big international companies' interests, especially the American, created an international concern with the advance of communism in the country. The Cold War logic played here a decisive role, since the USA were compromised with avoiding communist advances in their zone of influence. Accordingly, national and international actors collaborated in reversing the reformist project initiated in 1944. A counterrevolutionary army lead by General Castillo Armas invaded Guatemala from Honduras and a disinformation campaign over the imminent American invasion forced Arbenz to renounce and exile.¹¹⁸

¹¹⁸ The USA were directly involved in this coup, providing the means and training the militaries stationed in Honduras through the Central Intelligence Agency (CIA). The operation PBSUCCESS however also entailed direct bombing of strategic infrastructure and targets in the country. Despite the initial victories of Arbenz's supporters over the Castillo Armas's army, the possibility of an American invasion and occupation of the country weakened the resistance intents and lead Arbenz to resign on 27th June. It is also important to note that the commitment of CIA and the US Government with the

Though Castillo Armas was not in power for long, the fundamental purpose of the intervention was reached: the democratic constitution of 1945 was replaced for a Fundamental Law of Government in 1955, reversing the agrarian reform and returning the expropriated lands to their former owners, while the economic and social order relapsed to the pre-1944 patterns.¹¹⁹ The Constitution adopted in 1956 departed from an anticommunist ethos to eliminate a series of political and social rights of the previous text, and erased the social function once recognised to lands reinstating the *latifundio*. Additionally, the military hegemony in the political sphere was affirmed and when General Ydígoras Fuentes became president there were no doubts regarding the role the military would perform in maintaining the social and political status in the country. The political power was henceforth marked by a stable coalition of different forces: the military, purified of the democratic heirs, assumed the role of constitutional guarantors and defenders of the national interest and united, under the anticommunist rhetoric, with the economic elites, interested in maintaining the political and social conditions for the agro-business. This convergence was further sustained on the military high ranks' penetration in the economic activities which decisively prompted the military to use state institutions in controlling eventual subversive behaviour (Vilas, 1995). In practice, this meant that the polarisation which had marked the hierarchical social relations before the democratic period was restored and deepened (Jonas, 2000). The ruling elites' anticommunist rhetoric served then as an excuse to effectively reduce the authorised political space and eliminate the undesired organisations, such as labour movements, particularly those related with the agro-business.

Notwithstanding this regression in democracy and the closure of mobilisation and dialogue spaces, the decade of Democratic Spring that comprehended the 1944-1954 period left deep marks in the country that the repressive apparatus of Castillo Armas first, and Ydígoras Fuentes after, could not erase. First of all, the democratic period expressed a possibility for an alternative

overthrown of Arbenz was not just solely motivated with fears of communist expansion. It also became an opportunity to establish a precedent on how American interests should be considered in other countries. Last, it is also insightful to emphasise that the State Secretary and the CIA Director, James and Allen Dulles respectively, were members of the Dulles family which controlled part of the United Fruit Company.

¹¹⁹ General Castillo Armas was murdered in 1958.

engagement with the indigenous communities in the country and their role as integral members of a Guatemalan nation, while it simultaneously fostered a formal process of mobilisation and organisation of indigenous communities. Second, different sectors in society, namely some sectors in the military, having experienced the democratic period and ambioned a political and economic change, did not want the oligarchy's return and its agro-exporting model. The structural causes that had led to the reforms initiated by Arévalo and Arbenz were reinstated but the democratic experience established the grounds for its contestation (Jonas, 2000). The renewal process that affected the military after Ydígoras Fuentes assumed the presidency precipitated a radicalisation of different sectors that ultimately translated the confrontation into violence. With the sanitisation of the elements that supported Arbenz and the rising corruption amidst the military hierarchy, up until the figure of the president, the military institution faced a period of instability which affected its role as promoter of the order established (CEH, 2006).

On 13th November 1960, as a direct consequence of the radicalisation of positions, a group of militaries rebelled, protesting against the state of affairs within the institution and against the presidential permission regarding the training of irregular Cuban forces in the territory, perceived by some as a clear offense to the country's sovereignty (ODHAG, 1999; Trefzger, 2001). Though this was an upheaval with immediate causes and demands, it played a decisive role in the emergence of the first guerrillas in the country (CEH, 2006). Their manifest mentioned realities beyond the military condition and appealed for the establishment of a political regime able to promote social justice, thus assuming a subversive agenda that naturally transposed the rebellion immediacy (ODHAG, 1999). The oppressive and violent answer to the rebellion and the persecution of its participants by connoting them with communism, sought to rapidly eliminate any subversion attempt within the military institution. However, and in response, the insurrectional elements, compromised with the purpose of ousting Ydígoras Fuentes, organised and formed the *Movimiento Revolucionario 13 Noviembre* (MR13) and became the armed rebel forces which carried the manifest of the 13th November rebellion. The constitution of these forces marked the beginning of the violent confrontation between opposing actors in the country.

The armed conflict

Considering what we have exposed so far, it would be erroneous to consider the violent armed conflict that emerged in Guatemala in the 1960s simply as a “delegation war style”. Though its regional and international dimensions cannot be denied, the Guatemalan armed conflict was foremost a result of the social hierarchy and its patterns of exclusion reinstatement after the democratic period. Accordingly, the emergence of the guerrillas after the 1960s and the counterinsurgent answer deployed by the Guatemalan state represent a radical expression of a confrontation between divergent governance projects for the country. For analytical purposes we divided the discussion of what were the 36 years of conflict in three phases: the first, concerns the emergence of the first guerrillas and the definition of the counterinsurgent apparatus in the 1960s; the second; departs from the reorganisation of the guerrilla movement and the emergence of new groups in the 1970s until the transition to democracy in 1986; and the third, comprehends the years that followed the democratic transition until the signature of the Peace Agreements in 1996.

At the beginning of the 1960s, two other movements joined MR-13 in their armed struggle against the regime of Ydígoras Fuentes. The 20th October Movement, the armed expression of PGT, and the 12th April Movement, formed by students who had been involved in the March and April demonstrations against the 1961 elections alleged fraud.¹²⁰ These three movements joined efforts and formed the *Fuerzas Armadas Rebeldes* (FAR) which defined as their main target the North American imperialism, considered the pillar of national military and economic elites, and defended the armed struggle as the only means of reversing the *status quo* (CEH, 2006). During the 1960s, the guerrilla acted mainly in the east, in Izabal and Zacapa, where the population was mainly constituted of *ladinos*. This location is related with

¹²⁰ During March and April 1962, the country assisted to a national mobilisation which expressed not only the discontent over the oppressive and corrupt actions of the regime but directly contested the result of the 1961 elections. The official party claimed it had elected 50 deputies of congress out of 66 places and such results were considered the expression of an electoral fraud. The Association of University Students called for a Day of National Dignity and called for a general strike for 15th March. This mobilisation soon became the largest mobilisation and demonstration of civil disobedience in the country since 1954. These mobilisations were not able to force Ydígoras Fuentes to resign, particularly because the political parties who opposed the president did not join the protest once it became radicalised and the Catholic Church appealed to the respect of the order. Furthermore, the support of the military to the president enabled its maintenance in power (CEH, 2006).

the ideological grounds of the movement which departed from class divisions that absorbed the ethnic hierarchy that existed in the country (Rostica, 2006). In the peak of its activity, it was estimated that between combatants and supporters, the FAR had 5000 members in the corridors between Izabal and Zacapa (Figueroa Ibarra, 2006).

Nevertheless, the political events in the early 1960s boosted the profile of guerrillas for better and for worse. A growing fear rose in the oligarchy and between American diplomats that the upcoming presidential elections could result in the victory of the former president Arévalo. As a consequence, the military assumed that removing Ydígoras Fuentes from power was the only assurance against Arévalo's re-election. The coup came to daylight in March 1963 and placed Coronel Peralta Azurdia, former Ministry of Defence, in the Presidency until the 1966 elections. This period was of particular importance to crystallise the framework of the counterinsurgency actions deployed by the military and other state institutions. During Ydígoras Fuentes' presidency, and besides the purification of the military, new theoretical assumptions were brought together to forge a military doctrine able to eliminate any potential threat or communist advances in the country. The National Security Doctrine (DSN) was adopted as the guiding frame of defence, focusing particularly on the "internal enemy", individuals, movements and groups that could bring communism to the country.¹²¹ DNS in Guatemala projected national power based on four elements – the economic, the social, the political and the military – which defined military strategies and actions. Progressively, military actions across these different elements were seen as crucial to fight the internal enemy and consequentially a logic of total war, a constant fight against communism and the guerrilla in all fronts, was enforced leading to a juxtaposition between the different groups that came to embody the image of "subversive", regardless of their actions as democratic opponents or as *guerrilleros*. As the *Comisión para el Esclarecimiento Histórico* (CEH) affirms in its report

Una vez iniciadas las operaciones militares y en aplicación del enfoque de seguridad nacional, los restantes elementos del poder nacional, el

¹²¹ The National Security Doctrine was forged in close cooperation between different Latin American countries and the USA and sought foremost to establish a common military approach to the fight against communism in the region. This doctrine was adopted in Guatemala and was further developed in the military institution to consider the specific circumstances in the country and the threat of guerrilla (CEH, 2006).

económico, el político y el social, debían actuar para fortalecer la hegemonía militar dentro de una concepción de guerra total [...]. Esta concepción significó que todas las estructuras del Estado guatemalteco y todos los recursos del poder debían ponerse a disposición del Ejército para combatir y derrotar la guerrilla. En este contexto, el poder político era responsable de brindar las decisiones políticas apropiadas y los instrumentos legislativos y jurídicos para impulsar la guerra antisubversiva. Al poder económico le correspondía apoyar con los medios financieros necesarios, la modernización y tecnificación del Ejército. El poder social, debía respaldar al poder militar, a través de campañas de información, desinformación, adoctrinamiento y preparación ideológica para conseguir que la población aceptara el Ejército (CEH, 2006: 90-91).¹²²

This approach to national security provides a crucial unifying narrative that enables us to grasp the continuities between governments and presidents despite the changes occurred through elections or coups. Coronel Azurdía deepened the mechanisms of oppression established by Ydígoras Fuentes and during the years he ruled, corruption and impunity in face of the violation of the Constitution rose and new restrictive mechanisms were enforced. The military pursued a modernisation guided by the needs of counterinsurgent warfare and created Intelligence Units with the support of the USA (ODHAG, 1999; CEH, 2006). A law establishing the new rules for the constitution and activity of political parties brought the anticommunism to the normative realm and, in practice, reduced politics to a limited political game between parties considered as ideologically pure, i.e. non-communists (CEH, 2006). It was in this conditioned political scenario, that the 1966 elections took place with the authorised political parties each presenting their candidate. Surprisingly, the *Partido Revolucionario* (PR) civilian candidate, Mendez Montenegro, assured the majority of votes, and after signing a secret pact delegating the counterinsurgent functions in the military, he assumed the presidency. This fact serves foremost to illustrate how, in fact, the military assumed control of the country during the 1960s and how this control translated into a total war guided by the military institution and

¹²² Author's translation: Once the military operations were initiated, and departing from the national security focus, the other elements of national power, the economic, the political and the social should strengthen the military hegemony within the total war logic. This conception meant that all the Guatemalan state structures and all the power resources should be made available to the Army to fight and defeat the guerrilla. In this context, the political power was responsible to provide suitable political decisions and the legal and juridical instruments to fight the anti-subversive war. The economic power needed to provide the financial resources and assure the modernisation of the army. The social power should support the military power through information and disinformation, indoctrination and ideological preparation to guarantee the army's acceptance by the population.

their purpose of eliminating the guerrilla, regardless of the president being a civilian or not (CEH, 2006).

It was precisely in this period that a crucial transformation in the counterinsurgent mechanism of repression and warfare occurred. If up until this moment, the arrest of “subversive” elements had meant torture and prison but being released after a certain period, after 1966 the arrest meant not only prison and torture as it carried a strong possibility of clandestine death and disappearance (Figueroa Ibarra, 1999). Before the elections, the counterinsurgent apparatus captured and disappeared 28 leaders and activists related with the guerrilla. Certainly they were tortured and killed but their bodies were never found. The forced disappearance of these 28 individuals was, for Figueroa Ibarra, a “*parteaguas*” case in the history of repression in Guatemala, establishing forced disappearance as a deliberate act of subversion repression supported by complicit judicial institutions, commonly used during the rest of the armed conflict (Figueroa Ibarra, 1999; ODHAG, 1999; CEH, 2006).¹²³ The forced disappearance had a double function: it not only eliminated the subversive elements as it created a sense of uncertainty in the families and communities serving as a dissuasion for future actions. In fact, during the 1960s, the military understood the need to involve the population in its counterinsurgent effort and accordingly, and besides the intimidation assured through forced disappearance, it “delegated” in some groups, the *comisionados*, intelligence and surveillance tasks. These groups, constituted of former military or individuals loyal to the military purpose, exercised effective control in communities and were the basis of future death squads (CEH, 2006). These events had a profound impact on the future of FAR, which had been resisting to the counterinsurgency offensives while simultaneously facing internal divergences and leadership crisis. By the end of the decade, FAR were confined to the capital city where they carried their actions.

This situation, however, profoundly changed after the 1970 elections and onwards. After an electoral campaign marked by political violence and repression, Coronel Arana Osorio became president and launched a terror campaign, supported

¹²³ The Recovery of Historical Memory Project (REMHI) of the Oficina de Derechos Humanos del Arzobispado de Guatemala (ODHAG) affirms that one out of five testimonies collected in the project refer to forced disappearance (ODHAG, 1999) and Figueroa Ibarra has identified 518 cases of forced disappearance in the 1960s (Figueroa Ibarra, 1999).

on a state of siege that allowed the lockdown of the capital city and door-to-door searches and arbitrary detentions. Despite the virtual defeat of the guerrilla, the counterinsurgent state did not alleviate the oppression and constant vigilance of the internal enemy and Arana Osorio invested in the development of the military and its ability to control the country (CEH, 2006). He also evoked the image of a developmental state, able to deploy a national development plan to refrain the discontent that emerged with the negative consequences of the international oil crisis in the country's economy. This conciliation between the counterinsurgent apparatus and the developmental state was adopted and further developed by the General Laugerud Garcia, which gained power after fraudulent elections. By launching a second Development Plan, the president attempted to industrialise and protect the agro-exportation model and simultaneously tackle poverty (CEH, 2006).

Faced with this apparatus, the rebel movement tried to reorganise at the beginning of the decade. Two new movements emerged out of the reflection and redefinition in the guerrilla movements. The *Ejército Guerrillero de los Pobres* (EGP) regrouped around former guerrilla members in the exile. Trying to find equilibrium between a classist analysis and the needed inclusion of the indigenous population as an agent of change, the EGP sought to depart from an ethno-national problematic in order to deploy a different confrontation strategy (Rostica, 2006). Accordingly, the guerrilla established its actions in two departments with a majority of indigenous populations – El Quiché and Huehuetenango in the northwest, seeking not only to engage in the armed struggle but foremost to develop a social basis of support before it engaged in that confrontation (Short, 2007).¹²⁴ The 1970s also assisted to the emergence of the *Organización del Pueblo en Armas* (ORPA) which emphasised the racist nature of the social hierarchy in Guatemala and presented the indigenous as the necessary engine of revolution (Rostica, 2006). Just as the EGP, ORPA also established its area of intervention in indigenous populated departments,

¹²⁴ EGP refused the military approach deployed by FAR and defined a new strategic focus which divided the country in three zones: the mountains, where a popular army would be constituted with the support of poor peasants, the city, where the proletariat would carry the fight, and in the south coast, where the agro-business proletariat would join the struggle. All the actions in these spaces would be structured according to EGP need of social support (CEH, 2006). The EGP tried in this way to organise movements across sectors so that they could become a part of the armed struggle, though in the end, this view pushed the movement to a classist vision which ultimately tied the class condition and the ethnic identity in one approach (Rostica, 2006).

specifically in Quetzaltenango, Sololá and Chimaltenango. While it sought to professionalise its members, ORPA actively supported the emergence of social movements (CEH, 2006; Rostica, 2006). Simultaneously, both FAR and PGT searched for strategic redefinition. The PGT concentrated its efforts on a legal dimension, supporting popular organisations and unions and considering the possibility of alliances with progressive parties. On the other side, FAR sought to strengthen its social basis by supporting the work of unions and peasant organisations (CEH, 2006). With this new impetus, the guerrilla had in the 1970s and early 1980s its most active and visible period, giving a national expression to the armed struggle and its political purposes (Costello, 1997). In this phase, violence rose with the extension of the armed struggle throughout the territory and the consequent dispersal of the guerrilla groups to inflict defeats on the military structure (CEH, 2006). By 1982, the guerrilla was thought of being present in half the country with well established infrastructure, particularly the EGP (Figueroa Ibarra, 2006).

Parallel to this renewed impetus of the guerrilla, the counterinsurgent apparatus also reinvented its action by deploying more violent mechanisms. This was particularly evident after General Lucas Garcia became president in 1978 and gained a new dimension after the 1982 coup that brought General Efraín Ríos Montt to power. During the first years of the decade, and with the Development Plans, new organisational spaces emerged and, as a consequence, Guatemala assisted to a bloom of new organisations and movements. Once Lucas Garcia gained power the political spaces that had enabled this new organisational dynamic narrowed greatly and the repression of grassroots protests against rising urban transport fares unveiled the renewed compromise with the violent repression of any form of contestation (ODHAG, 1999). The REMHI project identified two distinct dynamics in the counterinsurgent campaign launched by Lucas Garcia. First, the repressive efforts focused on destroying the recently emerged grassroots movements through executions, massive repression, abductions, forced disappearance and massacres (ODHAG, 1999).¹²⁵ The second dynamic of this counterinsurgency was directed

¹²⁵ One of strongest illustrations of violent repression carried in these years was the killing of 37 people in the Spanish Embassy after 30 activists had occupied the building to claim Spanish attention and action in face with the massacres happening in El Quiché. It was latter concluded that the victims burnt alive as a consequence of the grenades thrown by the National Police.

towards the guerrilla movements and involved actions which, beyond a direct confrontation with the different groups, sought to eliminate their social basis of support and comprehended the period between January 1981 and March 1982. In January 1981 the military launched an offensive in the departments of Chimaltenango and El Quiché which targeted the populations thought of having any affinity with the guerrillas. The military also set in motion a coherent military strategy that combined military objectives with information gathering and psychological operations (ODHAG, 1999). The military actions and massacres focused mostly on Chimaltenango, Sololá, El Quiché and Sacatepéquez departments, considering the assumed affiliation between the population and guerrillas (ODHAG, 1999).

However, at the beginning of the 1980s the situation in the country and the international context of Cold War, where the military commonly found support for their counterinsurgency strategy, had changed. According to REMHI project

the criminal acts related [...] occurred in an extremely complex context in which evolving social phenomena – such as an increasingly active indigenous peasant movement and the expectations raised by the prospect of revolutionary change – came face to face the decline in “show-case democracy”, corruptions, and excessive ambitions of groups within the government bureaucracy and the business sector (ODHAG, 1999: 215).

Lucas Garcia’s regime was in fact more isolated both internationally and nationally. The traditional support of USA was no longer certain. Internally, the economic elites perceived the obstacles of maintaining a developmental political regime with the human rights violations growing in the country, and the military also perceived that a strict military solution might be counterproductive (Schirmer, 1998; CEH, 2006). This did not mean however, that the military was losing control over the situation: a counterinsurgent strategy had been defined and the military had made important choices in order to accomplish certain purposes.¹²⁶ Accordingly, and faced with the fraudulent election of General Aníbal Guevara and the opposition that followed the results, the military broke the “formal model of democracy” and placed

¹²⁶ With the evolution of the other regional conflicts, especially with international appeals to a negotiated settlement in El Salvador and the recognition of the guerrilla, the army understood that regional dynamics could interfere in the outcome of the conflict in Guatemala. Therefore, the army did not engage actively in the Reagan plans for the region in order to avoid intrusions in its strategy (ODHAG, 1999).

a triumvirate of generals in power, led by General Efraín Ríos Montt, and endorsed by some political parties. The Constitution was suspended and a Fundamental Statute of Government became the fundamental legal reference in the country. After declaring himself as President, Ríos Montt promulgated several decrees which sought not only to reshape the political landscape in the country but also to establish the legal frames on which the implementation of the counterinsurgent strategy could rely. In fact, and while the decree on Political Organisations considered all political parties as “committees of parties in formation”, formally eliminating the restriction on the formation of communist organisations, other decrees, such as the ones forbidding the dissemination of news concerning political violence, the amnesty for political crimes and the establishment of a state of siege, sustained the strategy to eliminate the guerrillas and achieve a military victory (ODHAG, 1999; CEH, 2006)

The counterinsurgency campaign, whose motto “*fusiles y frijoles*” (bullets and beans) framed the actions carried by the military, departed from the National Plan of Security and Development which established a relation between subversive behaviour and the lack of development (CEH, 2006). Accordingly, the military implemented a five-part strategy consisting of (1) raising the number of soldiers deployed, including forced recruitment or civil patrols, (2) a pacification campaign in “killing zones”, (3) establishing civil affairs units able to coordinate civil patrols and relocate refugees in model villages, (4) the expansion of legal justification for counterinsurgency, and (5) a psychological warfare to win the population’s support (Schirmer, 1998). Until Ríos Montt was ousted in 1983, the army put in practice the operation *Victoria 82* and *Firmeza 83*. The operation *Victoria 82* was a pacification operation and set in motion the scorched earth strategy to deprive the guerrillas from their social basis of support and isolate them (Schirmer, 1998). This campaign made no distinction between combatant and non-combatant, especially if the villages under siege were in the red zone, i.e. in the geographic areas where the guerrilla was present, where the orders would be to eliminate all elements.¹²⁷

¹²⁷ In these red zones, often remote and assumed as close to the guerrilla, entire villages were massacred, with the army resorting to rape, torture, killing with machete, hacking or bashing to death or even burning people alive. In addition to the red zones, there were also pink and white zones, which the army perceived as a smaller threat and in which it carried selective killing and torture without

Those who survived the military offensives were placed in model villages controlled by the *Patrullas de Autodefensa Civil* (PAC) where individuals were expected to behave according to new models of development. Though PAC were formally activated in 1981, the offensives of 1982 clearly enhanced the dimension of these patrols and role played in the counterinsurgent efforts. The military understood that PAC could be an effective tool to fight the guerrilla for several reasons: first, they forced the population to choose sides bringing them to the counterinsurgent apparatus; second, former indigenous soldiers could act in these patrols to mobilise human and intelligence resources, third, they allowed the army to present these paramilitary activities as popular support to the army; fourth, they contributed to develop a social opposition to the guerrilla. Accordingly, and after having been mobilised by the Army's Civil Affairs and introduced in a development project, those who survived the massacres were recruited to special reserves or to form local PAC (Schirmer, 1998).

It is crucial to note that the scorched earth strategy, as well as the creation of model villages and the (forced) recruitment of indigenous to integrate local PAC, must be understood at the light of the role given to indigenous communities, both by the army and by the guerrillas (Schirmer, 1998: 82). As indigenous communities were seen as potential source of subversive behaviour, the counterinsurgency defined a plan to re-socialise entire communities in order to eliminate any future threat. Resorting to the massacres and the scorched earth allowed the military so stimulate fear in the communities while depriving them of their social and cultural references by burning their villages, relocating them in different zones, and disrupting the social relations of indigenous communities with the inclusion of their members in the oppressive apparatus. The PAC revealed to be particularly useful in this purpose because they were not only a particularly effective control and surveillance mechanism, but they also socialised violence and assured a social division in communities. As Schirmer affirms

The military has been remarkably adroit at not only penetrating daily village life but also spreading around responsibility for the killing. [...]

necessarily resorting to the destruction of crops and infrastructure (Schirmer, 1998). According to Schirmer, it is important to note that the killings occurred during this campaign were not accidental abuses or excesses, representing instead, a "scientifically precise, sustained orchestration of a systematic, intentional massive campaign of extermination" (Schirmer, 1998: 45).

Every Indian soldier and patroller became implicated in or minimally acquiesce to the new order, with the subject of “loyalty” and “support” within the climate of concealment and intimidation useful in the army psychological war campaign (Schirmer, 1998: 82).

Between 1983 and 1984, about 1.3 million of indigenous men between the ages of 15 and 60 were part of the PAC (Schirmer, 1998: 82). In addition to the army, these patrollers were part of the most violent period of the violent armed conflict. Through the testimonies gathered, REMHI has extensively mapped the massacres perpetrated during the conflict as well as the actors involved and reached the number of 410. Looking to the collected data it is possible to see that 38.5% of the massacres (158) occurred during 1982, and the period between 1981 and 1983 comprises 296 of the 410 massacres documented. Additionally, the Army and PAC were identified as perpetrators in 91% of the cases. It is also possible to perceive that the massacres were carried in indigenous populated zones where the guerrilla, particularly the EGP, had established its fronts: El Quiché, Alta Verapaz and Huehuetenango were the stage of 364 massacres (ODHAG, 1998). It's also important to note that the guerrilla groups also carried massacres as the REMHI project has documented even if in a much smaller scale (about 3.16% of the massacres documented) (ODHAG, 1998; Schirmer, 1998). Figueroa Ibarra also shows us that forced disappearances were particularly expressive in 1980s accounting for 2260 of the 4042 cases the author identified (Figueroa Ibarra, 1999).

The coup that removed Rios Montt from the Presidency in 1983 halted, in some degree, the violent spiral that had swept the country in the previous two years. The military aimed foremost to reinstate the army's hierarchy challenged by the 1982 coup. This did not mean that the counterinsurgent efforts were relegated. However, and because of the effects of the scorched earth tactics the military focused their action on restructuring the cultural and economic patterns in the zones where the massacres were carried as well as reinforcing their presence, particularly their intelligence capacities, through the creation of development poles (ODHAG, 1998; Schirmer, 1998). In parallel, selective eliminations of guerrilla members or members of social organisations and movements continued.

On the other side of the barricade, the guerrilla movement, thinking of being closer to a military victory had united under the same flag. In 1982, the three armed

groups and PGT joined efforts and created a unified command of the armed struggle. The *Unidad Revolucionaria Nacional Guatemalteca* (URNG) became then a unified insurgent actor, even if marked by some divergences. However, and though the guerrilla had in fact a large projection in the territory, it was not able to protect the communities from the army's offensives. As a consequence, the army effectively weakened its social basis, inflicting a decisive setback to its structures. Despite these setbacks, and in contrast to what had happened to the guerrilla movement in the 1960s, URNG did not disappear and continued to develop its offensive actions. Nevertheless, and due to its limited military resources, it had to approach the conflict from a political perspective, in order to assure a relative leverage in the changes that were happening in the country in the mid-1980s and the political possibilities they opened (CEH, 2006; Figueroa Ibarra, 2006).

Indeed, the government of Mejía Vítores set in motion a political transition, inscribed in the counterinsurgent strategy of the army, and which sought to transfer power from a *de facto* military government to a democratically elected civil government (ODHAG, 1999). Accordingly, Guatemala started in 1983 a recreation process of its political institutions and in 1984 it formally initiated a process of power transfer from military to democratic rule. The Constitution dispositions approved in 1985 resulted from the interactions between the interests of the elected political parties, the military and the business class but they allowed nevertheless the presidential elections to happen in 1986. More important, the Constitution rescued protection philosophy, departing from the value of human rights respect to create the figure of the Ombudsman, an additional guarantee of human rights respect, and established a set of dispositions preventing former elements of military juntas or coups to run for presidency. Moreover, it reasserted the individuals' right of association and demonstration and created a Constitutional Court responsible for the defence of democratic institutions and rule of law in the country (CEH, 2006). In 1986, after the general elections, Vinicio Cerezo Arévalo assumed the presidency and the country formally started a process of democratic transition.

The transition to democracy in Guatemala was necessarily related to the regional dynamics that affected Central American countries. First, regional

confrontations reached an unbearable level: the support given by different countries to different guerrillas or paramilitary groups at the regional level strengthened a sense of imminent confrontation between them (González, 2000). Since the bipolar logics offered no solution to the existing divisions other than fighting and continued countries and irregular forces' arming, the neighbouring countries of these armed conflicts identified the need to establish a differentiated approach, in order to avoid an interstate armed conflict in the region (Leongómez, 1988). The Contadora Group, formed by Mexico, Colombia, Venezuela and Panamá, successfully tied regional peace with the solution of the internal conflicts and was able to regulate the sponsoring of irregular forces. Nevertheless, and because the achievements were limited, Oscar Arias, President of Costa Rica, defined a Plan for Peace, which came to be ratified by the Central American countries in the Accord of Esquipulas II that contained ten dispositions and a timetable to address the internal conflicts. Democratisation became a condition for peace and a common set of rules to be applied internally by these countries was defined (Oliver, 1999).

The democratic transition was carried by Cerezo Arévalo and important signs of effective political opening were given. The executive cooperated closely with the army, particularly in what concerned the attempts made by several society's sectors to bring the violent acts perpetrators to justice (ODHAG, 1999; CEH, 2006). His presidency was, nevertheless, marked by a fragile management of the military influence, the needs of economic and fiscal reform to diminish the public debt and other reforms, and the demands and interests of the business class, represented by the *Comité Coordinador de Asociaciones Agrícolas Industriales y Financieras* (CACIF).

The armed conflict however was still a reality and the offensives against the guerrilla continued during Cerezo's presidency. After committing the country to Arias's regional plan to achieve peace, the government and the army were progressively cornered by regional and international pressures to invest in a peace process to end the conflict. The end of the decade brought important changes to the international and regional context and President Cerezo and the military were forced to engage in a political negotiation with URNG to settle the end of the violent armed conflict. Of course, peace negotiations in Guatemala did not fully depend on the external dimension. In fact important internal changes and attitudes paved the way

for a negotiated settlement to the conflict. First, the transition for democracy opened a space for debate, discussion and negotiation in Guatemalan society. Second, URNG, though maintaining its operatives on the ground, pursued a parallel political agenda addressing its ambitions and demands in terms of socio-economic changes and promoted a negotiated end to the armed conflict (Figueroa Ibarra, 2006). And finally, the political and economic elite understood that a peace settlement was the only way to access the needed funds to modernise Guatemala and guarantee the needed stability for development (Holiday, 2000).

The peace negotiations proved, nevertheless, to be long and cautious. Their regional framing forced in practice URNG recognition as a political stakeholder. The official conversations between the *Comisión Nacional de Reconciliación* (CNR) and URNG started in 1990 in Oslo, after Norway offered its good offices. The meetings between the guerrilla and several actors of Guatemalan society, including the government and the army representatives reached a very auspicious result, since it led to a framing agreement for the negotiation, defining some limited but fundamental points to formally launch negotiations, namely the issues contemplated in the peace negotiations and the future role of UN in the peace process. Consequently, five meetings were held outside Guatemala in the context of these pre-negotiations agreements.

Nevertheless, and despite progress towards common dispositions for formal and substantial negotiations, the process was constantly challenged and derailed internally until 1993. Some sectors remained strongly suspicious of a negotiated peace with the URNG. The army continued to engage in its offensives, by then directed towards affecting the terms of the dialogue and CACIF did not intend to discuss a new national project of Guatemala but aimed foremost to establish the terms of cease-fire that assured the guerrilla's disarmament (Jonas, 2000; CEH, 2006).

The process was effectively stagnated surrounding the human rights discussion with the new President, Jorge Elías Serrano, sustaining that the effective protection of human rights depended of the internal conflict while his opposition considered that reinforcing the rule of law was the necessary condition of improve the human rights situation in the country. This impasse was only aggravated with the

Serranazo political crisis in 1993. Faced with what he considered to be an ungovernable situation, the president himself led a coup attempt, dissolving the Congress, the Supreme Court of Justice and suspending constitutional articles. However, the lack of support by the military and the rising social contestation prompted a decision of the Constitutional Court and the Supreme Electoral Court that not only removed Serrano from power but also impeded his vice-president, a part of the attempted coup, to assume the presidency. The constitutional order was re-established after the Congress nominated León de Carpio as President, the Human Rights Ombudsman until that moment.

The negotiations became entrenched on matters of governance that echoed not only internal concerns, but also international perspectives (Padilla, 1997). Therefore, both parties welcomed UN actions as guarantees of future political compromises. In 1994, the warring parties demanded the mediation of the UN as a neutral outsider to conflict. As a consequence, the CNR was dismantled and a Government Peace Commission, assumed the negotiations with URNG representatives. The Framework Agreement signed in Mexico in 1994 defined the future procedures and themes that would structure the peace process. This accord defined three spaces for third parties' intervention during the peace process: UN mediation, the Group of Friends and the creation of a civil space of participation in the peace process (Short, 2007). This agreement institutionalised the role of the international community in the peace process and intensified its scope of action and level of intervention in the peace negotiations (Short, 2007). The civil space of participation was formalised with the creation of the *Asemblea de Sociedad Civil* (ASC), which had the important role of informing the national discussion by promoting a space of debate of possible solutions and answers to the Guatemalan violent conflict causes.

Between 1994 and 1995 four important agreements were reached: the human rights agreement, which established United Nations Verification Mission in Guatemala (MINUGUA), the agreement concerning the resettlement of populations, the accord on historical clarification, which established the CEH, and the Indigenous rights agreement. But the peace process stalled again: first, the definition of CEH limited mandate caused public demonstrations of discontent and affected URNG

capacity at the negotiations table (Short, 2007); second, the delays of MINUGUA deployment, expected to act as a dissuasive element of violence in the country, matched a worsening record of human rights abuses (Jonas, 2000); third, UN role was constantly defied by conservative forces and members of government in Guatemala and its international role was also questioned by its limits (political and financial) during the negotiations period (Jonas, 2000); and fourth, 1995 elections limited the engagement with further agreements given the uncertainty on the future government's acceptance of the agreements.¹²⁸ Although UN mediation guaranteed that all the previous agreements signed would become state agreements, only after the 1995 election and *Partido de Avanzada Nacional* (PAN) victory did the peace negotiations gain a new rhythm. After holding secret meetings with URNG during the campaign, the newly elected president, Alvaro Arzú took several actions in order to make his commitment obvious to all involved in the peace negotiations (Stanley and Holiday, 2002). He correctly perceived that funding from the international institutions and other donors would only become available to Guatemala after a final peace agreement was reached (Jonas, 2000). Trusting the newly elected government, URNG decided to call an end to all armed offensive actions in March 1996. Consequently, the government halted the offensive counterinsurgency campaigns. The armed confrontations had, in practice, formally ended in Guatemala.

After these movements towards peace, the signing of the other peace accords appeared to be a relatively easy and quick task, since it took less than a year to sign several substantial and operational agreements (Stanley and Holiday, 2002). The signature of the socio-economic accord, the agreement on military reform and strengthening of civilian power together with the four operational agreements – definitive cease-fire, constitutional reform and electoral regime, reintegration of URNG and the agreement of a timetable to implementation – paved the way for the Agreement on a Firm and Lasting Peace. The Agreement was signed on 29th

¹²⁸ The mobilisation around the electoral results and the elite division between two major parties, *Frente Republicano Guatemalteco* (FRG, right-wing populist) and PAN (modernising agenda and pro-peace) denoted an uncertainty regarding the engagement of future government in peace negotiations. As a consequence, URNG had no intentions to negotiate any other agreement with a ceasing administration and with no assurances that the future government would in fact respect the previous ones (Stanley and Holiday, 2002).

December, 1996, putting an end to the armed conflict and establishing a comprehensive frame to build peace and promote important changes in the country.

5.2. The Peace Agreements content and implementation: a compromise with peace and an evolving engagement with statebuilding

The twelve peace agreements signed to end the armed conflict were an ambitious governance project compromised with the challenge of a long-term peace. Pásara affirms that these agreements were in fact more comprehensive than any political party or government's programme elaborated until then and that they represented, in this sense, an external exercise to the existing political dynamics and power relations in the country (Pásara, 2003). In fact, it has been acknowledged the UN fundamental role and its mediation to enlarge the scope of the agreements: without UN influence during the negotiation it was highly unlikely that the process and outcome would have been so comprehensive in what concerns the project therein defined (Torres-Rivas, 2006).

Two dynamics converged in the ambitious content of the agreements. First, the 1980s assisted to a growing mobilisation of social forces that contested in different ways the patterns of exclusion as well as the human rights abuses still under way. The possibility opened with the creation of ASC and its contribution to discuss these and other issues considered relevant to truly promote change in the country allowed for a discussion of social and economic exclusion as the structural causes of the armed conflict. Bringing this to a discussion where the two warring parties settled a re-foundation of the country was fundamental to affect the issues and lines of action in the following years.

These internal inputs on the close relation between social, economic and political reforms the country needed, which some social sectors had been demanding for long, were formally expressed during the negotiations by Quezada Toruño and they fundamentally converged with the international approach to violent conflict that was emerging at the beginning of 1990s (Pásara, 2003). UN involvement in the peace process was guided by the emerging notion of post-conflict peacebuilding (Boutros-Ghali, 1992) and its purpose of solving armed conflict by addressing the structural and immediate causes of violent conflicts. Additionally, and due to the conflict low intensity nature, the factors that dominated the national agenda needed to be brought to peace discussions in order to give them dimension (Arnault, 1999). Accordingly, and departing from a diagnosis of the causes of conflict, the peace process and the

definition of the peace agreements became a moment to define a national agenda able to change the existing frames of the social contract, i.e., to (re)design institutions and establish a different pattern of relations and interactions between the military and the civilian, between indigenous communities and ladinos (Arnault, 1999).

The constant human rights abuses, the non-democratic and military history of rule in the country and the fragile transition to democracy, the close relation between the state and the army, the inefficiency of the judiciary, the lack of development and the social exclusion of a large portion of society can be broadly identify as the fundamental causes and elements which fuelled the armed conflict in the country. These elements and causes were addressed along the different agreements. The question of rights crosscuts the agreements on human rights, the resettlement of populations, indigenous accords or even the operative agreements for constitutional reforms. Rights were a strong concern since there was widespread acknowledgment of human rights abuses and the absence of justice as central features of the armed conflict and, therefore, this was an issue present in different agreements. Hence, not only a set of rights came to be recognised as fundamental, but constitutional reforms were also planned to formalise and provide them with legal expression. The provisions necessarily included an articulated strategy towards the state, able to develop the necessary structures to enforce the rule of law and protect Guatemalans from the abuses of the past and define a new role for the armed forces (including the guerrilla) in a peaceful sociability based on liberal values. The Socio-Economic Agreement addressed the question of land and provided a broad conceptual framing development model, establishing a mechanism to access land and a public management and fiscal policy able to reverse the persistent patterns of underdevelopment that marked Guatemala. Indeed, and summing up the vast content and dispositions of the agreements, it is possible to identify a liberal facet to the project of peace set in motion with the final Agreement on a Firm and Lasting Peace (1996), particularly if we consider the agreements which address the social-economic issues and the deepening of democracy, even if the agreements do not necessarily express a particular ideological reference (Torres-Rivas, 2006). The harmony between institutions, democracy, rule of law and human rights and the market oriented development were defined in operative terms and became a project of

transformation. From the encounter between the demands of social sectors in the country and the international understanding of peacebuilding emerged a project of governance with a strong international echo and which became, according to Richmond, one of the first examples of the liberal peace consensus, fully articulated afterwards (Richmond, 2005b).

Considering our focus on post-armed conflict statebuilding, we will address in detail the evolving engagement with the state through the different reforms projected and in order to access (1) the implementation and obstacles to reforms, and (2) the international support to these efforts. Our purpose is to explore how the understanding of state as a condition for peace has been present and to explore if and how the depoliticisation narrative which we explored in the previous chapter is visible in the international engagement with statebuilding actions in the country.

The Guatemalan state's role in the violent armed conflict is widely acknowledged. This prominence is particularly relevant if one confronts the state's actions with the narratives of security and order, representation and welfare that often mark our vision of a functioning modern state. Looking at the Guatemalan state in such manner leads us to identify vulnerabilities that are not exclusive of the counterinsurgent apparatus but also result from the socio-economic relations on which the state was built and reveal how the state in Guatemala has been dominated by a particular understanding of modernisation, guided towards the maintenance of the economic and social elites position and interests (Pásara, 2003). Pásara identifies three historical moments where state modernisation was attempted: first, during the Democratic Spring reforms, with the reforms undertaken on education, health, social security and the investment on crucial infrastructure to the country's development; second, the transition to democracy in 1985, with the establishment of institutions able to sustain and protect democracy; and third, the programme of reforms established when firming peace in 1996 (Pásara, 2003). These attempts however are far from representing a linear evolution in the modernisation process to the country. As we have seen, the reforms of the Democratic Spring which envisioned the creation of a modern democratic state were rapidly reversed and only in 1985 can we perceive changes towards a more responsive, non-oppressive state. It might seem contradictory to depict the Guatemalan state, in the counterinsurgent apparatus form

assumed during the violent armed conflict period, as being weak considering the presence of the army in the different departments and their active repression and oppression of guerrilla and social contestation. Nevertheless, and if one departs from different criteria this perception might be contradicted. This was particularly the case of those who departed from the expected functions of modern democratic states, for instance representation and legitimate governance, or provision of public services, to name but a few, and who perceived the actions of the Guatemalan state as illegitimate. The Guatemalan state was an effective counterinsurgent apparatus and providential in maintaining and defending the interests of the economic oligarchy, but it was not able to provide a governance frame on which peaceful and inclusive social relations could be built. Such inadequacy was furthermore evidenced by the fact that the state was simultaneously the agent and the materialisation of the exclusions and hierarchies identified as the structural causes of armed conflict. An interviewee affirmed that Guatemala had not have a state but had an army instead (Interviewee 12).

Likewise, the changes which occurred in 1985 with the transition to democracy were partial and were described by Jonas as “a top-down liberalization of an authoritarian regime” which, in practice, meant a civilian version of the counterinsurgent state, where the military had the control over the opening process (2001: 101). This means that despite the changes brought with the 1985 Constitution, the state continued to fail in its function as a guarantor of citizens’ rights and in enforcing the rule of law. This is particularly evident if one recalls the selective killings of human rights activists in the country after 1985. Furthermore, the counterinsurgent state of the 1980s had left behind a scenario of destruction and internally displaced population, which only added pressure to the limited resources available to deploy public services in a democratic context.

Having in mind the counterinsurgent role in the violent conflict and the fragile and still very conditioned democracy, the content of the peace agreements established the parameters for supporting the democratic process through effective changes, able to provide the democratic institutions with the resources and capacity to act as providers of security and order, representation and welfare. In the report of the War-Torn Societies Project (WSP), Torres-Rivas and Arévalo de León (1999)

presented the result of the discussions and key aspects which were considered fundamental to a peacebuilding project. The need for a modern and strong state is considered a specific key element but it is nevertheless directly related with the other four – economic and social development, rule of law and citizens’ security, the recognition of the plurinational configuration of society, and the coordinated international cooperation. The identification of this need for a modern and strong state transcends state reform and has more comprehensive purposes. It departs from the acknowledgement that as a consequence of the armed conflict, the state faces a weakened condition while the reconstruction needed for peacebuilding demands a strong political power, present in all of its territory (Torres-Rivas and Arévalo de León, 1999).

According to the authors,

Las estructuras del Estado que se ha heredado, agravadas por la crisis de los últimos 30 años, son disfuncionales para esta nueva etapa y acusan rasgos preocupantes: corrupción, ineficiencia, centralización, marginación arbitraria, etcétera. Es necesario entonces establecer claramente las funciones del estado; su interrelación con los sectores que componen la sociedad civil y el desarrollo de políticas adecuadas, con mención especial a las fiscales; es imprescindible buscar una adecuada articulación de los niveles locales con los centrales en el marco de una efectiva descentralización; establecer mecanismos de participación local y popular en los procesos de toma de decisiones; fortalecer el rol de las organizaciones de la sociedad civil frente al Estado y mejorar sensiblemente el funcionamiento de los partidos políticos como intermediadores entre la población y el Estado (Torres-Rivas and Arévalo de León, 1999: 173).¹²⁹

This affirmation claims, then, needed reforms to deepen the democratic system and a reaffirmation and clarification of state functions in this new democratic moment. The content of the peace agreements echo these assumptions and have become a referential frame to redesign the institutions on which a peaceful sociability can be built. Though there are two fundamental agreements which address these issues – *Acuerdo sobre el Fortalecimiento del Poder Civil e Función del*

¹²⁹ Author’s translation: The state structures inherited, affected by the crisis in the last 30 years, are dysfunctional in this new phase and they demonstrate concerning traits: corruption, inefficiency, centralisation, marginalisation, arbitrary, etc. It’s important to define clearly the state function, its interrelation with the sectors that compose civil society and the development of the needed policies, fiscal policies particularly; it is vital to search for an effective coordination between the local and the central level in a decentralisation frame; to establish local and popular participation mechanisms in the decision-making processes; strengthen the role of civil society organisations in reference to the state and improve the role of the political parties as mediators between the population and the state.

Ejército en una Sociedad Democrática (1996) and *Acuerdo sobre Reformas Constitucionales e Régimen Electoral* (1996) – one cannot dismiss the implications that rest in the others, particularly the dispositions which affect states' actions in specific matters, such as the fiscal reform for instance. In order to facilitate this exercise, we will address the different Agreements dispositions in three areas: first those related with the security sector reform (SSR), second, the measures which target a political reform, and third those related with the affection of socio-economic aspects.

The SSR deserved particular especial attention in the peace agreements, particularly due to the counterinsurgent apparatus where the concept of security was clearly marked by the DSN, the figure of the internal enemy, and the role of the military. Accordingly, the concept of security promoted was related with citizens' security, which necessarily re-equates the role of security forces in the enforcement of the rule of law and protection of citizens' rights. In this frame, the peace agreements, namely the one concerned with civilian rule, established (1) the creation of a National Civilian Police (PNC), under the jurisdiction of Ministry of Internal Affairs and responsible for all matters concerning internal security; (2) a redefinition of army's role of the, circumscribing its action to preserving the state's independence and sovereignty and specific cooperation in other affairs, as well as the substantial reduction in its operatives number and budget; (3) the elimination of the Army Chief of Staff and its replacement by a civilian controlled entity; and (4) PAC demobilisation. A different agreement – *Acuerdo sobre Bases para la Incorporación de la URNG a la legalidad* (1996) – established the demobilisation, disarmament and reintegration (DDR) parameters for URNG and its inclusion in the political scene as a political party (SEPAZ, 2008). The need for a wide disarmament was also acknowledged and accordingly the compromise with new legal regulation on arms possession was established. Additionally, the judiciary sector was widely affected by the general content of the agreements, due to the impact and role impunity had had in the counterinsurgent strategy and the emphasis placed on the rule of law and respect of rights. Thus, the agreements referring to human rights, indigenous people's rights of and consuetudinary practices, as well as the agreement on civil rule, all have important elements that should be considered when reflecting on the reforms in the

justice system. The purpose of these reforms was, foremost, to affirm state monopolies in what concerned the provision of order and security, while simultaneously defining a new institutional distribution of actions and missions according to the principle of the rule of law in democratic societies.¹³⁰ These reforms, together with the emphasis on the rule of law and the changed army's role in citizens' security, depended of constitutional changes to provide legal substance to some dispositions.

Regarding the political reforms, the fundamental purpose was to strengthen the still incipient democracy while promoting a more inclusive political system, open to its citizens' participation and civil society's demands. The SSR reform was a crucial aspect to guarantee such political reforms, particularly because it promoted an effective separation of powers between the army and the executive power. The political reforms contained in the agreements envisioned foremost an opening of the political system and a reform of state's executive and legislative institutions in order to ensure broader social participation and legitimation of political affairs. It is again in the agreement on civilian power that these issues are displayed in some detail and we can identify (1) the dispositions regarding the modernisation of the Congress, to guarantee its representative nature as well as compliance with the Constitution and supervision of the executive policies, (2) the promotion of public services professionalism through the promotion of transparency and punishment of corruption, (3) a state decentralisation strategy able to strengthen the municipalities so that citizens could benefit from this process and social participation in the different governance aspects could be improved, (4) women's role in strengthening civilian power and the importance of their social role and political participation (SEPAZ, 2008). A particular relevant aspect of the state's political reforms was inscribed in the *Acuerdo sobre Reformas Constitucionales y Régimen Electoral* (1996), where the electoral system reform is considered in some detail in order to improve the representative nature of the Congress and broaden the participation in the electoral process to all citizens. Accordingly, and besides the mechanism needed to modernise the electoral system – documents and census, for instance – the reform

¹³⁰ For a discussion on the content and implementation of each peace agreement, please see Jonas (2000) and Pásara (2003).

engaged with the operational issues, particularly the question of facilitating access to voting centres (SEPAZ, 2008).

In what concerns the last area –socio-economic aspects – the *Acuerdo sobre Aspectos Socioeconómicos y Situación Agraria* (1996) contained a vast set of dispositions that established the state's future role as a promoter of socio-economic development and as a provider of public goods and services, such as education, health and welfare, for instance, as well as the need for a participative process to define development strategies. The agreement also defined the country's fundamental economic matrix, fully expressed in the market-driven solution to the question of land. In what concerns the search for a participated model of development, the agreements departed from state decentralisation and the revision of the municipalities and departments competences, to bolster their contribution for development promotion while rescuing the figure of the Local Development Councils. Regarding state's role in promoting social development, the agreement established that (1) an investment in terms of spending and coverage should mark state's compromise with education, though the specific issues of content and capacitation purposes would also be duly noted; (2) the national health system should be strengthened, providing particular attention to low income groups and pressing health issues, such as malnutrition and maternal health; (3) the national welfare system mechanisms needed improvement; (4) the housing problem should be addressed with proper funding and policies; and (5) employment should be promoted in the country as an integral part of economic policies that depart from labour legislation and capacitation (SEPAZ, 2008).

The Agreement also defined a frame of access to land, a crucial aspect if we consider not only the social value it has for indigenous communities and how it is central for the economic majority of the population and how it has for long structured the social inequalities and hierarchies in the country. As we have mentioned, the agreement echoes a market-driven solution based on modernisation of land possession regimes, establishing a land trust fund (FONTIERRAS) constituted by lands acquired by the government and made available to the population, particularly small peasants, at a small price. This redistributive pattern was to be complemented by a new property registration system after a national land survey. Additionally, and

even though the agreement did not include the social value of land and did crystallise the absolute right to private property, measures for protecting communal lands were nevertheless inscribed (SEPAZ, 2008).

Nonetheless, and despite the importance of the dispositions mentioned so far, the last section of the agreement gathers the most disputed and yet fundamental issue to the rehabilitation of state institutions and their ability to act across different areas. The country's fiscal policy had for long been an obstacle to the different governments in the country, which often faced limited budgets and lack of resources to deploy their programmes of governance. This was indeed a problem shared both by authoritarian/military governments and those elected after 1985. Opposing an extensive fiscal reform, CACIF had always managed to prevent tax rates that menaced their associates' economic activities. The agreement dispositions necessarily reflect these different dynamics, but they define, nevertheless, a tax revenue goal, which focused on increasing to 12% the taxes collected. Also, and in addition to tax evasion measures, the agreement also affirms the need to transform the tax system into a fair, equitable and progressive system (SEPAZ, 2008). These principles sought foremost to provide the state with the needed resources to fulfil its constitutional obligations.

It is also fundamental to note the dispositions established on the *Acuerdo de Identidad y Derechos de los Pueblos Indígenas* (1995), particularly because they crosscut the different areas of state reform established in other agreements, defining important principles and measures to be considered in SSR, political reforms and in socio-economic measures. In what concerns the SSR, the agreement inscribed the cultural rights of indigenous communities as well as their consuetudinary practices in the country's legal frame, which constituted an important change. Moreover, its proposal to inscribe in the Constitution the recognition the multiethnic, multicultural and multilingual nation, the agreement sought to rearticulate the boundaries of state's political community and to promote an inclusion of the indigenous communities that respects their differences. This legal recognition strengthened the inclusive and participative tone given to the dispositions concerning the political reform and the socio-economic aspects. Basically, the agreement forced the recognition of indigenous communities' right to participate and be heard in the political processes

and in the definition of public policies for development, particularly those which affected them directly.

In what concerns the task of rebuilding the state, it is possible to affirm that the agreements posited a project of governance where the emerging institutions could sustain a democratic system, able to attain the legitimacy needed and change the state-society interaction patterns. Moreover, it counted with the support of international organisations and third countries, not only because of the emphasis placed on the connection between peace and a viable democratic state, but also due to the reforms in the socio-economic front – namely a modernising and market-driven reform of land property and the fiscal reforms, which suited international financial institutions (IFI) criteria (Jonas, 2000).¹³¹

The implementation exposed, nevertheless, the fragility of the agreements, despite their comprehensive and ambitious dispositions, especially in what concerned state reforms. Two set of critiques are often pointed and perceived as a direct cause of the partial implementation of the agreements. The first departs from a question Pásara (2003) explores in his book and it is related with the realism of the agreements, i.e., their applicability, both in what concerns the content and the ambitious timings defined by the chronogram agreement. In the testimonies the author collected, the notion that the content of the agreements were not realistic prevailed. The demands for different constitutional reforms or the funding needed to promote the reforms inscribed in the agreements were particularly demanding, moreover if we consider the timing defined for their application, and did not anticipate the political dynamics which marked the peace negotiations and the implementation period. There was nevertheless an acknowledgement that the type of reforms contained in the Guatemalan peace agreements formed a long term project of governance which, and despite its limits, contained a premise of change regarding the political and social relations in the country (Pásara, 2003). The author further

¹³¹ For an analysis of the neoliberal post-conflict state in Guatemala, please see Short (2007). Though we also recognise the liberal traits in this project of state, the author focus relies mainly on the economic dimension and the conclusion it draws, both in what concerns the economy promoted and state-society relations established as a consequence, departs mainly from the agreement on socio-economic issues. The conclusions she draws regarding the citizenship project specifically lack an articulation with the political changes brought by other agreements which necessarily provides only a limited account of the changes introduced.

stresses that the comprehensiveness, or lack of realism thereof, was, nevertheless, precisely one of the factors that enabled the parties in negotiation to reach an agreement (2003). Torres-Rivas adds to these considerations the political will needed to push the implementation further absent from the political scenario after the peace signature – the second set of critiques (Torres-Rivas, 2006). Concerning the different actors, Torres-Rivas considers that URNG, now a political force, was distant from the organisations that emerged after the democratic transition which only diminished its real capacity to influence and push the implementation beyond the easiest measures therein inscribed (Torres-Rivas, 2006).¹³² Additionally, President Arzu imprinted a strong sectarian sense to the peace signature and when he lost the support of its party the broader engagement of other parties and the Congress, the peace agreements had already been affected. Moreover, and considering the conservative and ephemeral existence of political parties in Guatemala, their support and contribution to building a democratic and peaceful sociability was necessarily limited. Besides the parts who had signed the agreements, Torres-Rivas also mentions three other actors: first, the Catholic Church, which after the removal of Quezada Toruño from CRN became more compromised with the historical memory and reconciliation; second, the population's general limited support and knowledge of the agreements content which severed the reforms from the needed social support of; and third, the existence of profoundly conservative sectors and groups in society, who boycotted the agreements and tried to misrepresent them (Torres-Rivas, 2006).¹³³ In sum, and as Pásara wrote,

la mira y la profundidad de los acuerdos no expresó a la fecha de su firma, el estado político del país, la relación entre las diversas fuerzas sociales, la ecuación entre quienes estaban a favor del cambio de Guatemala y quienes se oponían a él (Pásara, 2003: 145)¹³⁴

The scope of the present work does not allow us to explore in detail the implementation of the peace agreements throughout the last 17 years. Nevertheless,

¹³² On the subject of the political left that emerged after the signature of the peace agreements please see Figueroa Ibarra and Martí I Puig (2007).

¹³³ For an analysis directed to the specific role to the private sector and other sectors and social groups please consider Rettberg (2007) and Peacock and Beltran (2003).

¹³⁴ Author's translation: The perspective and the depth of the agreements at the moment of their signature did not express the political context of the country, the relation between the different social forces, and a clear idea of who supported change in Guatemala and those who did not.

we will try to explore in the following pages what have been the main advances and obstacles as well as the current dynamics in the country towards the agenda contained in the agreements, specifically in what concerns the recreation of state institutions.

The first major setback faced in the implementation phase was without a doubt the outcome of the 1999 referendum concerning the needed constitutional reforms to provide with legal value the changes inscribed in the agreements. After a difficult process at the Congress and after the intervention of the Constitutional Court, the content of the popular referendum was defined and in May 1999 the questions were submitted to popular vote. The victory of the “No” in all four sections, with a considerable difference towards “Yes”, created an impasse in the implementation of the agreements, providing the more conservative sectors of Guatemalan politics with additional arguments for blocking important reforms that directly affected their social and economic interests. The question which immediately followed was how such a result had been possible in a country with so expressive inequality and with an expressive indigenous population. Jonas has identified through an analysis of the campaigns for the “Yes” and “No”, how the different actors involved in the reforms acted. Accordingly, she has concluded that the traditional sectors which supported the “No” were able to mobilise the vote by waving old myths concerning the division between indigenous and non-indigenous and the guerrilla programme of action. On the other side the “Yes” campaign was built on PAN and FRG circumstantial compromise with the reforms and on a limited reach and mobilisation of the left political parties. Indigenous and popular organisations directed their efforts towards clarifying the reforms in the indigenous communities. In the end, the “Yes” campaign was not able to articulate a mobilisation for reforms able to challenge the “No” apparatus (Jonas, 2000). Additionally, the lack of information regarding the content of the agreements which necessarily influenced the knowledge over the reforms being discussed as well as the overall level of participation in the referendum even in indigenous populated departments (Interviewee 3, ; Carey Jr, 2004). For Jonas, the results show us that beyond the alarming levels of abstention, the country was somehow divided between those who had been directly affected by violent conflict and those who had not

(Jonas, 2000). Torres-Rivas affirms that the abstention and the victory of the “No” expressed the lack of popular support to peace agreements (Torres-Rivas, 2006).¹³⁵

Considering this difficult start and the political dynamics it made evident it is important to assess how the project of redefinition of democratic state institutions has evolved. In what concerns the socio-economic aspects, and despite the improvements in the public spending towards education and health, the goals inscribed in the peace agreements remain unattained while the redistribution of land through FONTIERRAS have had a limited impact in effectively granting access to land, with the demand highly transcending the offer, while it has simultaneously indebted its intended beneficiaries (Garoz and Gauster, 2002; Gauster and Isakson, 2007). Furthermore, the country has not been able to define a rural development strategy and the current impasse on its draft prevents needed legal procedures and participative mechanisms established in the agreements to become effective (ASIES, 2013). Additionally, the fiscal reforms which were so crucial to provide the state with the necessary resources to implement reforms and deploy public services have not achieved the settled goals. Though the fiscal pact firm in 2000 established compromises in what concerns the state’s deficit and fiscal privileges, the achievement of the purpose defined in the agreement was postponed. As the 2010 Report of *Secretaria de la Paz* (SEPAZ) recognises, the purpose had not been achieved, and the attempt to promote such a reform in 2012 under the Presidency of Pérez Molina have also been blocked in different occasions by CACIF, thus remaining an open question and an obstacle to state capacity (SEPAZ, 2010; ASIES, 2013). At stake is not only raising taxes but foremost a progressive taxation that hurts the economic interests of economic elites.

In what concerns SSR implementation, important progresses have been effectively made, particularly in what concerns PAC and former guerrilla’s DDR. There are nevertheless issues which continue to demand attention. First, PNC remains a partially incomplete project, considering its operative capacity to guarantee security and order throughout the country. Though this was a specific issue strongly supported and funded by international actors, there were some problematic issues since its creation. Specifically, the PNC integrated former army and PAC members

¹³⁵ To a general discussion on the Referendum results please see Azpuru *et al* (1999)

which was perceived as a negative input to the new institution, considering particularly the purpose of establishing a different approach towards security and rights (Glebbeck, 2001). Moreover, and due to the limited resources or to political preferences and demands, the PNC has remained closely connected to the army which contradicts the separation principle established in the peace agreements. More recently the need for more effectives and arms has also been noted as an important obstacle in PNC actions against criminal groups. The army, and though its personnel was formally reduced in accordance to the peace agreements, the budget conferred to the institution has varied, especially due to the direct transferences that occur between PNC and the army. But more important, the army still plays a decisive role in internal security tasks, being a resource that different presidents have used to face organised crime and to support the PNC (Keen, 2003). Additionally, and even though PAC members have been demobilised they remain an important social group in the country, answering to appeals of social sectors or waving their demands for a compensation for their patriotic services (Fonseca, 2004).¹³⁶ The Intelligence structures created are still highly opaque and their collaboration with the army in internal security only adds complexity to the real separation of functions in the security sector.

Nevertheless, the most important aspect of SSR remains the judiciary and the needed rehabilitation of the justice system in the country. The intended reforms to the justice system were perceived to be crucial in establishing the rule of law and the respect for human rights as the basis of democratic state-society relations. Pásara affirms that the demanded reforms inscribed in the peace agreements were generally conducted and it was precisely the execution of the dispositions which showed, through an institutional analysis, the dimension of the problems that affected the justice system in the country (Pásara, 2003). Nevertheless, and notwithstanding the progresses regarding the professionals that work in the sector, the limited human resources to restructure the justice system and provide it with effective mechanisms of justice are especially relevant: the system needs more judges and more interpreters to extend its activity throughout the country. It also needs to develop investigation

¹³⁶ Concerning the DDR process in Guatemala and its impact in the country see Hauge and Thoresen (2007).

practices in order to provide proof and substance to prosecute criminal actions and human rights abuses. Additionally, the inclusion of consuetudinary practices and the *juicio oral* remain as highly unaddressed issues which necessarily demands attention (Instituto Interuniversitário de Iberoamérica, 2005; UNDP, 2009b; ASIES, 2011).

Perhaps the best perspective to address the fragility of the justice system in Guatemala is by exploring the effective and perceived impunity in the country.¹³⁷ This notion of impunity marked the armed conflict since the justice system became an instrumental accomplice of the counterinsurgent state. However, and if the counterinsurgent state finds support in impunity, a democratic state depends on the effective enforcement of the rule of law and protection of citizens' rights. In Guatemala this change has not happened. A MINUGUA report identifies "impunity as the main obstacle to the effective enjoyment of human rights" and acknowledges it as an "entrenched phenomenon" (MINUGUA, 2002). This notion of impunity is explained by the inability of the system to answer properly to (1) the human rights violations that occurred during the armed conflict and (2) the violations of the rule of law that have happened since the peace agreements, carried amongst others, by abusive behaviour of security forces (both public and private), and by the illicit activities of organised crime and the *maras*.¹³⁸ In what concerns the first, the limited mandate of CEH and the National Reconciliation Law approved in 1996, safeguarded the perpetrators, politicians or leaders responsible for the human rights abuses from being prosecuted and condemned for their acts. This allowed for a transition of impunity from the conflict to the formal peace period thus affecting people's belief in the judicial institutions, and in the state more broadly. The second one is mainly related with the different challenges that have marked the country since 1996 and are concerned with the justice system inability to provide an adequate answer to the organised crime and *maras* illicit activities, which may even occur during when they are in prison, after being convicted. This second set of events have particularly exposed the fragility of the judiciary system, in terms of infrastructure

¹³⁷ For an interesting account on impunity in Guatemala – its dimensions, actors and illustrative cases as well as recent dynamics – please see Molina Mejía (1999).

¹³⁸ The lynching phenomenon constitutes a violation of the rule of law. It has reached concerning levels after the Peace Agreements signature and constitutes a collective violent act. Nevertheless, it must be considered in relation with the issue of impunity, particularly because it is often framed as a social reaction to an ineffective justice system. We will discuss this dual aspect later in this chapter.

and human resources, the spread of corruption in the sector, the amount of legal appeals allowed and which overload and block the courts, as well as the threats to personal integrity to the judiciary workers.¹³⁹ In 2012 President Pérez Molina was able to grasp support for the Security, Justice and Peace Pact, which seeks to develop a cooperative approach to the security challenges and democratic governance needs while rescuing the institutional reforms defined in the peace agreements (Gobierno de Guatemala, 2012).

Concerning the political reforms projected in the agreements to reinforce the democratic institutions, the 1999 referendum created an important obstacle to such transformations in motion particularly because they heavily relied on the constitutional reforms. Nevertheless the Law of Congress and the Law of Elections and Political Parties (LEPP) have been revised in different occasions, in order to improve the transparency of the different institutions and promote the inclusion of women and indigenous people. The 2004 reform of LEPP affected the system of electoral organisation and allowed the creation of electoral circles in rural areas, thus taking elections closer to the communities (Núñez Vargas, 2008). State decentralisation has also evolved, particularly in what concerns the institutional and financial capacities of municipalities, even if the question of local participation remains fragile (Huerta, 2000; Amaro, 2001; MINUGUA, 2002).

There are, nonetheless, important issues to discuss. Beyond the accusations of corruption that crosscut the different presidencies, the legislative institutions of the state tend to affect the quality of democracy promoted. We have to consider the of in Guatemalan political parties' specificities to explore how presidents may see their supportive majority dismantled. The volatility of the political parties is commonly pointed as a central feature of the political system (Núñez Vargas, 2008). Indeed and according to Brolo, since 1985, 66 parties have disputed at least one election at the

¹³⁹ During my second research period in Guatemala an assistant prosecuting attorney was abducted and murdered on 13th May 2011, in Cobán, Alta Verapaz. He was decapitated and his body dismembered and separated into black plastic bags. The bags were placed at different locations: the head was placed at the local market and the rest of the body was placed in front of the Department government building. I remember I commented the symbolism associated this extreme demonstration of violence and it was often said to me that that was a symbolic act both demonstrative of power over individuals even after death as well as a dissuasive warning to the local community and authority. Several members of the Zetas in Guatemala have been arrested and condemned for this crime during the present year.

municipal, department or national level and we can observe in the data he presents that the majority of the sample disputed just one, which means that to a high number of parties created also matches a high number of parties cancelled (Brolo, 2012).¹⁴⁰ Additionally, Guatemalan political parties are often structured on formal and informal networks whose configuration necessarily affects their composition. This volatility reflects on the way the Congress works, particularly in the changes that occur between groups: the elected representatives may change their affiliation after being elected while keeping their seat, which means that the power configuration can be affected in the Congress after the elections. This is not uncommon and between 2008 and 2010, according to ASIÉS, this was a dynamic that affected almost all the parties thus conditioning the debate as well as the negotiation of the legislative agenda (ASIÉS, 2010).¹⁴¹ In what concerns political parties URNG is an exception in this debate, particularly because it materialised the revolutionary left in the country. Nevertheless, and even though URNG is still present at the Congress, it does not have the representative dimension to create an alternative pole to right-wing or social-democratic parties.¹⁴²

The democratic evolution in Guatemala has been marked by the Presidential elections and the history of their campaigns and results which occurred after signing peace tells us a crucial history of democratic consolidation. Until today four presidential elections have occurred. The first presidential elections after 1996 were held in 1999 and were won by Alfonso Portillo, from FRG. Portillo was not the leader but since Rios Montt could not run for office due to constitutional impediments, he became the party's candidate and assumed Presidency in 2000. These elections had a particular importance and relevance for the country's democracy: for the first time all political forces were able to present themselves for voting, including URNG which participated in the elections in the leftist platform *Alianza Nueva Nación* (ANN). The results were particularly expressive: FRG won in

¹⁴⁰ Núñez Vargas estimates a “mortality rate” of 5 to 6 parties after elections (Núñez Vargas, 2008).

¹⁴¹ Ortiz Loaiza *et al* (2008) provide an insightful and comprehensive discussion on Guatemalan political parties.

¹⁴² Figueroa Ibarra states that URNG has effectively produced a turn to social-democracy which, nevertheless, did not mean that its elections results improved. Quite the opposite, and until the victory of Alvaro Colom in 2007, social democracy saw its results worsen (Figueroa Ibarra, 2006).

all departments, even where Montt's counterinsurgent strategy of scorched earth was most felt. For Jonas, and considering that these results were emerging shortly after the defeat of constitutional reforms in referendum, they could be perceived as a victory of the *mano dura* approach and a setback in the peace agreements agenda (Jonas, 2000). But the author states that this victory must be read in context, resulting from an "astute populist campaign" with an emphasis on state reform, and the "punishment vote" of the Arzu presidency.¹⁴³ Besides the victory of FRG, the results obtained by ANN were also relevant since this platform became the third voted political force.

The 2003 election occurred in a difficult context marked foremost by Rios Montt's intent to be a candidate. As we have seen, the 1985 Constitution clearly prevented an active element in a coup to run for presidency and this was an obstacle that had prevented his participation in previous elections. The Portillo's years however, lay the foundations on which Montt could build its case, namely by affecting the Constitutional Court composition and by giving him the Presidency of the Congress. In 2003, after seeing his intents denied in lower courts, Rios Montt appealed to the Constitutional Court where his appeal won, with the argument that the 1985 constitutional dispositions could not be applied retroactively. The Supreme Court suspended this decision, but after a massive mobilisation of FRG supporters which invaded the capital city in July armed with guns and machetes, claiming Montt's right to run for President, the Constitutional Court annulled the suspension and allowed Montt's candidacy (Fonseca, 2004; ASIES, 2005). Thus, and contrary to the expectations, the 2003 election was not solely a moment of consolidated practices, but they were also a reminder of the challenges and limits of the Guatemalan democracy.

Despite this victory, Rios Montt only reached a third place, after Álvaro Colom, from *Unidad Nacional de la Esperanza* (UNE), and the future President Oscar Berger from the coalition *Gran Alianza Nacional* (GANAN), close to the business sector. According to Fonseca, this defeat represented a clear democratic counterattack message stating that

¹⁴³ It is also important to mention the close relation that exists in the country between the existence of criminality and the support for *mano dura*. For Godoy this has been inherited from the conflict period and it is still present in the country (Godoy, 2006).

no hay espacio en la nueva república democrática para el manipuleo de la memoria histórica, para la impunidad, para el manoseo de los principios constitucionales de la transición democrática o para la burla de la institucionalidad electoral y política que surgió, con todo y sus imperfecciones en 1985 (Fonseca, 2004: 173).¹⁴⁴

Thus, and even if the process that led to elections made the limits of democracy evident, the outcome of the election was an important moment in the democratic consolidation. The results affirmed the political ascension of Álvaro Colom, a social-democrat, and showed an increase both in the number of those able to vote and those who did effectively vote (ASIES, 2005).

In 2007, Álvaro de Colom was elected after disputing the election with Pérez Molina, a retired military, amidst a growing spiral of violence, which included the murder of members of political parties and political activists, and accusations of connection between political parties and organised crime. Colom was able to build a party with national projection and with a programme directed towards the social dissatisfaction that affected the country (Figueroa Ibarra, 2010). Despite the violence that marked the campaign and the challenges posed by a decentralisation in voting centres, these elections consolidated a tendency of growth both in terms of the people inscribed to vote and those who effectively exercised their right (ASIES, 2008).¹⁴⁵

Finally, the last elections occurred in 2011, with the results confirming Perez Molina as winner. The elections were necessarily marked by a growing opposition between Pérez Molina and Sandra Torres, who had recently divorced the President in exercise, Colom. Both exchanged accusations amidst the rising violence. In May 2011, a massacre of 27 *fincas* workers happened in El Peten, in the North. A week later an assistant attorney was killed and his body appeared in bags in Alta Verapaz. Reports of violent disputes between political parties' members were also registered. Nevertheless, and against the expectations of the majority of people, the elections occurred with no major incident (ASIES, 2012b). After a long dispute, Sandra Torres was not allowed to be a presidential candidate, since her divorce was

¹⁴⁴ Author's translation: There is no space in the new democratic republic for the manipulation of the historical memory, to impunity, to the manipulation of constitutional principles of democratic transition or to deceive electoral and political institutions that emerged with all their imperfections in 1985.

¹⁴⁵ Figueroa Ibarra (2010) addresses in detail the election of Alvaro Colom, particularly his supporters and his programme. He also explores some of the obstacles and actors that will come across his path when he tries to implement a social democratic reform.

not considered as a valid argument to circumvent the constitutional imposition regarding the candidacy of President's relatives. Manuel Baldizón from *Libertad Democrática Renovada* (LIDER) came in second place and LIDER is currently a strong political opposition force in the Congress. These elections were also the first in which *Movimiento Político WINAQ* (WINAQ) an indigenous group led by Rigoberta Menchu participated as a political party becoming the first indigenous movement gaining this status.

Notwithstanding the reforms which effectively occurred and the ones which are still pending, at this point it is necessary to affirm that the task of assessing the implementation of the agreements content in what concerns the reinvention of democratic state institutions in Guatemala cannot be done without considering what has become perhaps the most pressuring challenge to its implementation. The violence that currently marks daily life in Guatemala has different expressions, origins and purposes. However, these expressions converge in the type of challenge they pose to democratic state institutions capacity to deploy an answer able to alter the current course of events while consolidating the rule of law.

It must be noted that violence is not a new element in Guatemalan society.¹⁴⁶ In fact several practices and violent methods used during the armed conflict, such as abductions and extortions or even summary executions, can be found today in Guatemala. Nevertheless, it is important to notice that this continuum is marked by a transformation in the actors who carry it which necessarily transforms the meanings and purposes of the violent practices that have transited to post-armed conflict times. As Vela *et al* note, the peace agreements put in evidence new demonstrations of violence, more frequent and visible, and in this new institutional frame the understanding of violence abandoned its political justification to become part of delinquency and criminality (Vela *et al.*, 2001). These new demonstrations of violence, as the expression of delinquency and criminality, have four main traits: first, they mark a relocation of power, through which these groups seek to submit the economic and political realities to a cooperation needed for the maintenance of their activities; second, they are part of a business oriented logic that structure its activity

¹⁴⁶ For a comprehensive discussion on violence in Guatemala please see Zepeda López (2005) and López Garcia *et al* (2009).

on blurred divisions between legal and illegal activity; third, they become the expression of a transnationalised phenomena, where the criminal activities transcend state's territories; and fourth, they symbolise in fact a de-monopolisation of violence within state's territories which simultaneously challenges state institutions from the outside and fuels an institutional fragility within its institutions (Vela et al., 2001).

In Guatemala, the *narco* business has embodied these characteristics and it is commonly pointed by the Government, media and international organisations as the main security challenge the country has to face. It was also mentioned in all the the interviews we carried as the main challenge the country has to face. In 2010, the BBC declared *narco* as the new enemy of Guatemala (BBC, 2010) and recently, the Guatemalan newspaper *El Periódico* (2013b) explored the cartels' disputes over Guatemalan territory. Guatemala has become a privileged territory of transition between South and North America in drug trafficking circuits not only due to its geographic location. The 2010 SEPAZ report affirms that

la pobreza y la falta de oportunidades para la mayoría de la población, aunado a la poca presencia institucional de un Estado que fue reducido al mínimo de sus capacidades, débil y sin recursos, han hecho el caldo de cultivo perfecto para los criminales que, huyendo de México, se han establecido en Guatemala, queriendo imponer su ley, a sangre y plomo. En palabras del Ministro de Gobernación, un alto porcentaje de la violencia y delitos contra la vida en el país, se debe precisamente a disputas entre grupos del crimen organizado por el control de los territorios de trasiego y distribución de estupefacientes (SEPAZ, 2010: 157).¹⁴⁷

In addition to the cartels, *las Maras* have also gained a significant prominence in the criminal activity landscape. It is important to distinguish between these two groups: even though Maras are frequently related to the *narco* business, their actions and behaviours must necessarily be considered in a social dimension, due to the project of inclusion they embody. They are indeed a specific group: they act locally, through *clikas* (local groups), but they are an expression of a transnational group. Their bonds are forged on a strong sense of belonging and

¹⁴⁷ Author's translation: Poverty and the lack of opportunities for the majority of the population, together with the state's weak institutional presence reduced to the minimum of its capacities, fragile and without resources, have created the perfect conditions for criminals that, running from Mexico, have established their actions in Guatemala, trying to impose their law. According to the Governance Minister a high percentage of the violence and crimes committed against one's life in the country are related with the organised groups' disputes for the control of the transition and distribution territories.

loyalty to the group, which means that their actions cannot simply be considered as an expression of organised crime or random delinquency (Moser and McIlwaine, 2001).

Besides these groups and the violent acts they engage in, one must also consider the violent attacks and homicides that occur in the country which can be related to common delinquents but are also a consequence or outcome of social conflicts or radical expression of disputes. Gender violence has reached concerning levels and *femicidios* express this radical expression of disputes also in terms of power. Lynching also deserves a particular reference not only due to the dimension it has assumed in the country but particularly because of the meaning it conveys.¹⁴⁸ First, the phenomena has not just grown in numbers throughout the territory: as López García notes, together with demonstration of regret after lynching, it has also become visible public statements defending and justifying the violent acts committed by the community against crime suspects (López García, 2009). And second, and related with the first, lynching has acquired a strong sense of “perverse political empowerment”, in the sense that this becomes a mechanism of individuals and communities to effectively act in face with the impunity that grasses (Interviewee 2, ; Godoy, 2006: 123).

Therefore, and considering the state reforms limited implementation as well as the additional challenge of plural acts of violence and the multiple actors engaged in it, one may infer that the purpose of reinventing state institutions was only partly accomplished, pressured by democratic demands, conservative obstacles and violent sub-state actors in the country. The Guatemalan state institutions evolved from their counterinsurgent form, where though they had a strong coercive apparatus they lacked the legitimacy, to a period of formal peace where the counterinsurgent apparatus was demobilised and democratic legitimacy was instituted. This legitimacy was mainly expressed through elections, and was necessarily limited since the state had a limited capacity to deploy security and other public services, thus affecting the creation of legitimacy in its output dimension. Overall, the state lacked the resources and the political actors lacked the political interest/strength to carry the deep

¹⁴⁸ The edited volume by Torres-Rivas and Mendoza (2003), *Linchamientos: ¿barbarie o “justicia popular”?*, offers an enriching discussion over lynching possible causes, geography of acts and meanings.

transformations inscribed in the peace agreements (Interviewee 10). As a consequence, the violent acts and the groups we have previously mentioned only exacerbated the demands towards a state which continued to have, in formal peace times, a limited capacity to promote development, political representation and, most of all, to establish and democratically enforce order and security. The trajectory of the Guatemalan state shows us an evolving fragility, which has deepened and transited from a matter of legitimacy towards a matter of capacity, and whose evident expression is the security and justice sector.

This evolving trajectory of fragility has been duly noted by international actors particularly those involved with peacebuilding in the country and the agenda inscribed in the Peace Agreements. The UN engagement with Guatemala is in this sense quite illustrative, evolving from a verification mission with a strong emphasis on the rule of law and respect for rights to a pioneering commission, which targets a specific fragility of state institutions, considered as key to reverse the situation. MINUGUA was established after the parties reached an agreement on Human Rights and was deployed in Guatemala with an initial mandate of verification regarding that specific agreement. In 1997, soon after the parties signed the final peace agreement, the Security Council approved a new mission, which kept the name MINUGUA but had a different mandate. In this second moment, the mission continued to have a strong verification component concerning the implementation of all the agreements but it also provided technical support and public information regarding the overall implementation and MINUGUA results and activities. The mission nevertheless transcended peacekeeping missions traditional boundaries and participated in the state's restructuring process, mainly by providing technical support and assistance in rights-related areas, such as justice and public security (Louise, 1997; Palencia Prado, 1997). This particular emphasis on rights is directly related with the history of human rights abuses in the country and the accomplice role of a passive judiciary system. Nevertheless, the mission compromise with institution-building was foremost concerned with the implementation of the reforms inscribed in the agreements. MINUGUA stayed in the country until 2004 when it left with a limited record of achievements. For Pásara, the mission had four problematic dimensions: first, a limited capacity to assume its mandate; second, a dual relation with the

institutions on the ground, acting simultaneously as supporter and evaluator; third, its role in institutional rehabilitation; and fourth, the relation between the mission and society (Pásara, 2003). Pásara further states that the mission had a limited knowledge of the complex reality of the country and was in some degree detached from society which, together with the political context in the country, limited the mission's capacity to influence the implementation process (Pásara, 2003). An interviewee noted that the mission had in fact a limited knowledge on the complexity of the political and social relations in the country (Interviewee 17).

When the mission left the country in 2004, the reforms inscribed in the agreements were not fully implemented, and, as we have seen, there were severe limits to the state's ability to perform its functions. By then, it was evident that not only was the agreements implementation suspended but the problems Guatemala faced demanded an answer focused on tackling impunity in the country. MINIGUA exit only made this more evident (Interviewee 3). In 2003, during Portillo's years, a specific Commission was created to address impunity in face with the new security challenges and criminal actors – *Comisión de Investigación de Cuerpos Ilegales y Aparatos Clandestinos* (CICIACS). This Commission sought to intervene in the country, particularly in the justice system, through independent prosecutorial powers. The agreement was nevertheless denied at the Constitutional Court which left this issue pending to the Berger's presidency. In 2006 an agreement was reached and in 2007, after three Salvadorian members of the Central American Parliament (PARLACEN) were killed by PNC members, the Constitutional Court approved the mandate of a new commission, CICIG.

The Agreement establishing CICIG ascertains a diagnosis of state's fragility related with the problems of impunity affecting the country. The Agreement states that

Considering that illegal security groups and clandestine security organizations seriously threaten human rights as a result of their criminal activities and capacity to act with impunity, defined as the de facto or the de jure absence of criminal, administrative, disciplinary or civil responsibility and the ability to avoid investigation or punishment, all of which weaken the rule of law, impeding the ability of the state to fulfil its obligation to guarantee the protection of the life and physical integrity of its citizens and provide full access to justice, with the resulting loss of confidence of citizens in the democratic institutions of the country (UN, 2007)

Accordingly, it is established in Article 1 a) the purpose

To support, strengthen and assist institutions of the State of Guatemala responsible for investigating and prosecuting crimes allegedly committed in connection with the activities of illegal security forces and clandestine security organizations and any other criminal conduct related to these entities operating in the country (UN, 2007).

Considering the Guatemalan state's trajectory of fragility exposed previously, it is important to note that this international compromise reflects the international approach to statebuilding as a precondition to the creation of peace. The international engagement with the creation of peace in Guatemala has in fact started with a support of the democratic transformation of state institutions but the country's trajectory of fragility realigned the international actors' actions towards a statebuilding strategy able to capacitate the state to fulfil its functions and narratives. It is indeed an approach focused on technical capacitation of a specific sector of the state, considered to be crucial to rehabilitate institutions. More important, it is crucial to emphasise, that these efforts are nevertheless articulated with the peace agreements compromises – in the case of CICIG, Human Rights Agreement is mentioned particularly. This connection has been reinforced with the recent Pact on Security, Justice and Peace, which rescues (again) the rhetoric of the agreements and ties it with a capacitation of security and justice sectors and CICIG contribution (Gobierno de Guatemala, 2012). Furthermore, CICIG is funded through the Peacebuilding Fund providing a peacebuilding context to its statebuilding efforts. Likewise, it is important to note that this statebuilding approach is not exclusive of the UN compromise and other international actors have also aligned their actions with this diagnosis of fragility. The EU, for instance, has launched a programme to support security and justice in 2012, SEJUST, which has a budget of 18 million Euros and is mainly directed towards professionals' capacitation and construction of infrastructures.

6. Before and after peace: citizenship in Guatemala

In next chapter, we will discuss the condition of citizenship in Guatemala in the present context of post-armed conflict statebuilding. To achieve this purpose we will consider how power relations affected citizenship along the inclusion/exclusion divides that have marked the condition of citizenship in the country. We aim to explore in what terms citizenship has been (re)affected and (re)enacted and how these possibilities have interacted with international statebuilding efforts in formal peace time. Accordingly we will discuss in a first section the impact that the power relations that marked the armed conflict had on citizenship, particularly on the different elements that constitute it. The second section departs from the project of citizenship contained in the peace agreements to discuss the political puzzle that citizenship current condition exposes. Through this analysis we seek to re-engage with the power relations in the country to dismantle depoliticising narratives and rescue the political condition to the current reflections on post-armed conflict statebuilding.

6.1. The condition of citizenship in armed conflict times

The vision of citizenship that the 1944 Revolution sought to promote encountered a project of national community profoundly affected by the social hierarchy. As we have seen, this hierarchy was mainly based on identity and socio-economic condition and, as consequence, such vision nurtured a dominant culture in the country, even though that culture had no meaning to the majority of its population. This hierarchy created a social division, which reduced the rights recognised to indigenous communities and established a *de facto* inferiority expressed in the laws providing the agro-business with indigenous forced labour. Moreover, and because the country was conducted by the needs of the oligarchy, it tended to neglect other social groups' protection and needs. It must be said that since the country had been governed by dictators for so long, citizenship rights and its political dimension were necessarily limited and controlled. The protection contained in the citizenship status was mainly directed to the rights to private property of land owners and the political contained in the status of citizenship referred mainly to the oligarchy effective power to decide who assumed the control of in the state. Accordingly, one may affirm that the state-society relations established within this limited condition of citizenship assumed a rather exclusive expression, structured along inclusion/exclusion divides of ethnicity and socio-economic status.

The Democratic Spring and its modernisation project challenged this condition and affected these divides deliberately. Three aspects are particularly relevant. First, the October's revolution resulted from a social mobilisation that Ubico's repression could not stop, which meant in practice that the power relations which granted the domination of indigenous and peasants at the *fincas* or pacified the *ladinos* middle class were challenged, and different social sectors were able to force a change in the governance paradigms. Second, José Arévalo's election meant in practice that the condition of citizenship acquired a different political meaning, coming closer to a vision of citizenship as the right to self-government, and extended to groups previously excluded from this political dimension of the concept. The third element comprehends the changes introduced with the 1945 Constitution and with the policies adopted during the democratic interregnum. As we have discussed in the previous section, this Constitution introduced a bundle of political and social rights,

including the right to association, which necessarily extended the scope of rights and practices inscribed in citizenship. Moreover, and considering the project of land reform and the recognition of its social value, the inclusion/exclusion divides established through ethnic and social lines were necessarily affected. Indeed, this recognition meant, in practice, that fundamental elements of indigenous communities' identities were for the first time inscribed in the laws guiding the country. The vision over the subject of citizenship was thus enlarged and elements for recognising the multiple realities that constitute the state's political community inscribed. Rights acquired a renewed impetus and citizenship participation gained new possibilities with the growth of associations and cooperatives. More than a legal status, citizenship became, in this democratic phase, the expression of rights and a political condition attached to the exercise of governance. It is important to note that we do not aim to "romanticise" the changes that occurred in this period. The divides sustaining citizenship remained: they might not be proclaimed by the state but the hierarchy and the social exclusion associated were imbedded in the country, affecting state-society relations, and the effective enjoyment of rights and participation in the political life were necessarily limited. However, this period set in motion important events in the country and the impact it created in the inclusion/exclusion divides is fundamental to understand the reactions to the authoritarian rule of power that followed the democratic interlude.

In fact, the contestation and resistance to the authoritarian leaders that ruled the country after the 1954 coup must be understood in relation to the condition of citizenship during the democratic period and the setbacks imposed to it afterwards. The coup and the establishment of an authoritarian rule meant that, once again, state's governance was based on clientism between the interests of the economic oligarchy and the army, and on repression and exclusion of other groups. The condition of citizenship in the aftermath of the coup was profoundly affected by the abolishment of the 1945 Constitution, the rights therein inscribed and the spaces for political participation recognised. Likewise, social organisations were forced to return to political and social relations patterns previous to the 1944 period. The rebellion in some army sectors and the creation of PGT, showed, nonetheless, that this return to authoritarian rule was not consensual or uncontested. Indeed, and

though state-society relations were formally re-inscribed in strong divisions, the power relations established along the ethnic and socio-economic inclusion/exclusion divides gained a different expression, and the dominant position of the army and the oligarchy in maintaining a legal status of citizenship, emptied of a threatening political substance and which excluded the majority of the population, was progressively challenged by social forces on the ground.

The condition of citizenship during the armed conflict

The beginning of the armed conflict meant first, and foremost, a radicalisation in the power relations and disputes that sustained the inclusion/exclusion divides: on one side, the counterinsurgent apparatus, whose actions served the interests of the socio-economic oligarchy and whose violent actions served to repress and eliminate focus of social resistance and contestation to the reinstated order; on the other side, the guerrilla and other social organisations and groups who challenged the exclusionary and non-democratic nature of this order and departed from it to demand a different political project for the country, more inclusive and where state's strength relied on the legitimacy conferred by its citizens and not on the economic oligarchy's interests. One may ask if this polarisation between two sides corresponds to the complexity of the different social groups and organisations' agendas.¹⁴⁹ Our purpose is not to convey a sense of unity between the different movements but rather to explore precisely how the counterinsurgent apparatus departed from this polarisation to create totalising categories where it found the rhetorical and legal justification for the violent acts committed.

The totalising nature of the counterinsurgent apparatus was conveyed in the DSN, particularly with the creation of the "internal enemy" figure. The category of subversive, inspired by an anticommunist neurosis widely diffused in society, allowed the army to direct the violent acts indiscriminately, stretching from the repression of popular demonstrations to the direct fight against the guerrilla. Within the governance frame of the counterinsurgent state, the category of subversive

¹⁴⁹ For an overview of the political movements that emerged in Guatemala from the 1960s onwards please see Brockett (2005).

framed all the subjects, groups and movements that could bring the communist threat to the country. This category had a two-fold purpose and utility for the counterinsurgent governance frame: first, by creating an internal enemy and waving the communist threat, the army sought to radicalise the terms of power disputes and remove them from the realm of politics to the realm of military action, thus enabling the army to claim legitimacy in deploying the violent mechanisms of repression and control; second, and with the totalising categorisation of subversive and the polarisation it sought, the army framed the social and political movements that emerged in the 1960s with different demands into the category of subversive, thus de-legitimising the movements' claims and existence.

As a consequence of the successful radicalisation of power relation, the counterinsurgent apparatus widened its repression instruments, both in terms of methods and reach of actions. As mentioned above, it was during the 1960s that forced disappearance became a privileged instrument of counterinsurgent actions, alongside with torture, or direct confrontations with guerrillas. Together, the violent actions carried contributed to effectively disband the social and political organisations and to confine FAR to a limited space. In the late 1960s, the counterinsurgent effort effectively turned the power relations in favour of those who gained with the maintenance of a profoundly exclusionary citizenship condition, therefore reinforcing its foundations.

However, the 1970s brought a rearticulated guerrilla and assisted to a remobilisation of social and political forces which again challenged the counterinsurgent state and the governance frame deployed by the army and the socio-economic oligarchy. Two elements are of particular relevance to understand the dynamics and consequences of the power relations established with this re-emergence: first, the governments adopted two development plans in the 1970s which not only opened a limited political space for movements to emerged as it also revealed the emerging notion that (under)development was related with subversive behaviours; second, indigenous peoples gained a new visibility and centrality both to the guerrilla and, consequentially, to the counterinsurgent apparatus. This meant that if the inclusion/exclusion divides and power relations that affected citizenship in the 1960s were mainly framed under a classist rhetoric, focused on the socio-economic

hierarchies established, the dispute would, from then on, bring the ethnic dimension to the forefront.

The late 1970s and early 1980s assisted to a re-enactment of the polarisation that had affected the country in the previous decade but the levels of violence used were nevertheless different. To the remobilisation of social and political organisations and to the emergence of the two additional guerrilla movements whose actions focused on indigenous populated departments, the army replied with an upgraded version of its counterinsurgent strategy. As we have seen, to the forced disappearance, torture, selective killings and wide repression, the government added the scorched earth strategy which was responsible for the majority of the massacres carried in the country. In parallel, entirely displaced communities were resettled in model villages where surveillance and control were assured by PAC. The extreme violence which targeted communities and their relocation in model villages engaged with the reality of indigenous communities in a three-fold manner: first, through the massacres and killings, the army eliminated the social support of guerrillas while creating the necessary fear in communities to prevent and halter their support or forms of engagement in political affairs not considered proper; second, with the creation of PAC the army was able to enforce a necessary division in communities, planting a divisive line between victims and perpetrators and disrupting the existing social ties; and third, the poles of development sought to promote an inclusion of indigenous' people in the national project, though this inclusion envisaged foremost to dilute their differences and specific cultural and spiritual traits. Through this process the counterinsurgent apparatus not only inflicted a military setback on the guerrilla and repressed the social and political organisations that emerged in the late 1970s, as it promoted effective social control mechanisms that overall prevented subversive behaviours. The condition of citizenship maintained in this period the traits that had characterised it before: limited, highly exclusionary and sustained on power relations favourable to those who benefited from the counterinsurgent governance.

The democratic transition and the changing configurations of power

This condition would only change with the democratic transition, where the state established new governance frames which affected state-society relations and social relations more broadly. Though this democratic transition was a controlled process the definition of a new Constitution provided a decisive opening in the political spaces available to citizenship practices and reframed the content of rights as well as its protection. Fonseca refers to the condition of citizenship that emerged with the democratic transition as the result of important transformations regarding self-perceptions on one's political condition (Fonseca, 2004). Indeed, the evolution of the armed conflict had a decisive influence in the emergence of new mobilisations in the democratic transition period. As Fonseca summarises

se trata de un cambio en la identidad misma de los actores políticos y sociales, incluyendo ciertos movimientos sociales que, pasando por procesos lentos de aprendizaje político y cultural, seguidos por procesos contradictorios de autoconstitución, resultaron irrumpiendo en la escena política guatemalteca en los años ochenta con los medios discursivos propios del lenguaje de los derechos humanos. Dado el descrédito de lo político, la trivialización de la ciudadanía por parte del autoritarismo patrimonial y del movimiento revolucionario, así como la prioridad y hasta la urgencia tanto existencial como material de lo social antes de los años ochenta, el cambio al que estamos aludiendo aquí es de importancia extraordinaria (Fonseca, 2004: 35).¹⁵⁰

If the extreme violence was able to eradicate the social and political organisations that emerged in the relative political opening of the 1970s, it also created the conditions for the emergence of a social mobilisation based on the human rights discourse and demands. Faced with the impunity that sustained the counterinsurgent actions and with the formal inscription of rights protection in the Constitution, albeit the limited application by a state still guided for counterinsurgent logic, human rights assumed an important role in establishing new patterns for mobilisation and gained relevance as claim-making arguments, able to pressure the state, gather international support and reach for international instruments of

¹⁵⁰ Author's translation: It is a change in the social and political actors' identity, including certain social movements, which, after going through slow processes of political and cultural learning, followed by contradictory processes of definition, appeared in the Guatemalan political scene during the 1980s with the discursive resources of human rights. Given the discredit of the political, the trivialisation of citizenship by a patrimonial authoritarianism and the revolutionary movement, and the priority or urgency, both existential and material, of the social before the 1980s, the change we are referring here is of extraordinary importance.

protection. Moreover, the adoption of human rights rhetoric profoundly affected the patterns of mobilisation, transcending the traditional forms associated with labour and syndicalism and uniting different groups who had been affected by violence. Brett affirms that *“lo que surgió fue un movimiento con la capacidad para movilizar una base masiva en torno a temas con los cuales la población se podía identificar y que podían resonar con la “cultura oficial” en la sociedad civil y en el estado”* (Brett, 2006: 91).¹⁵¹

In this new democratic context the indigenous movement also emerged as a prominent actor. It progressively affirmed itself apart from the guerrilla as an autonomous actor which was able to develop an agenda where an ethnic component was articulated, mainly through an emphasis on rights (Brett, 2006). An international favourable context to indigenous demands with the International Labour Organisation (ILO) Indigenous and Tribal Peoples Convention (Convention 169 - 1989) and the 1992 Nobel Prize to Rigoberta Menchú provided the indigenous movement with a growing visibility and legal support to establish a claim-making process based on indigenous rights.

Nevertheless, the counterinsurgent apparatus as well as the violent conflict still marked the country and, as a consequence, the military strategy of selective repression of subversive elements limited and confined the authorised political space. Specific targeting of human rights activists demonstrated that the counterinsurgent logic that used to de-legitimise the opponents was still in place. In this limited democratic version, the spaces of participation and protest were limited and circumscribed according to the army's counterinsurgent perceptions. However, the condition of citizenship, even if controlled by a civilian government still highly conditioned by the army and the counterinsurgent campaign, improved considerably in the country. Though the socio-economic condition and the ethnic identity continued to mark inclusion/exclusion divides, the power relations supporting them changed in the democratic period and the specific parameters of inclusion/exclusion were also affected with the formal inclusion of social and political rights in the 1985 Constitution. An emergent civil society became in this sense a crucial actor in

¹⁵¹ Author's translation: what emerged was a movement with the capacity to mobilise a massive base departing from themes with which population could identify and which could resonate with the official culture of civil society and state.

affecting the condition of citizenship after the democratic transition and the state, with its progressive democratic normalisation was forced to recognise that role. In part, the political condition of citizenship was rescued in this process, particularly due to the recently emerged spaces of participation where the processes of governance were being discussed and affected. Additionally, it became clear that the articulation with the international realm, by grasping support to local human rights demands or by activating international legal instruments, would also become a fundamental aspect in affecting power relations in the country and introduce relevant changes in the condition of citizenship.

The affirmation of power by the recently formed organisations and their ability to interact and connect to the international scales in order to set forward an agenda for change in the country was well conveyed with the creation of ASC and the role they had in the peace process even after the UN became mediator. The creation of ASC became a fundamental moment in affirming movements and organisations' capacity of to present contributions and alternatives to the project of governance deployed by a counterinsurgent state. Formed in 1994, it became an alternative site for discussing the peace negotiation agenda and though its members did not have the power to establish the agreements content – the ASC was a consultative body and its proposals had to be approved by the negotiation parties – the organisations sought to draw effective contributions to peace agreements content. The ASC was composed by different types of organisations, including forces connoted with the guerrilla movement and even counted with the presence of FRG, Rios Montt's party. This means that, within ASC, the power relations between organisations pushing for significant reforms and more conservative sectors were also present. CACIF abandoned the ASC precisely because it perceived that the inclusion of other social forces affected the balance of power within the forum. Nevertheless, the ASC was a privileged the space where indigenous and women organisations affirmed their role in the formal sphere of public affairs, adopting a narrative of rights-claiming sustained on cultural aspects. This posture was crucial to define the content of the *Acuerdo sobre Indentidad y Derechos de los Pueblos Indígenas*, an inedited agenda for the cultural identity and rights recognition in Guatemala and which contained crucial fundaments to (re)affect the condition of

citizenship in the country, putting forward a project of inclusion based on a multicultural reality.

An important consequence of ASC participation in defining the agreement content was the support that the different Civil Society Organisations (CSO) received from international actors, mainly from funding institutions and NGOs working in the country. As Brett notes,

En los niveles de la sociedad civil y del estado, por lo tanto, se hablaba el lenguaje de derechos, tanto de derechos humanos como de derechos indígenas. La gente tomaba conciencia de sus derechos, como resultado de la actividad acumulativa de los movimientos sociales y de los cambios que estaban ocurriendo derivados del retorno a la democracia [...] y del proceso internacionalizado de paz [...]. Así como los movimientos sociales estaban hablando el lenguaje de los derechos humanos y de los derechos indígenas y enseñando a sus miembros el ejercicio de dichos derechos, uno de cuyos focos principales de atención eran las estructuras y sistemas legales del estado, también los actores de las elites estatales, políticas y civiles se veían afectados por estos discursos (Brett, 2006: 103).¹⁵²

These changes forced a definitive inclusion of the indigenous question in peace and national agenda and, moreover, affirmed the indigenous question as a field of social struggle in the country, diluted until then in the socio-economic demands. It must be stressed that despite the prominence of the indigenous questions and the consolidation of the indigenous movement, until the peace agreements signature the *campesino* movement also developed activities which sought to challenge the established status and push for an agrarian reform. The occupation of *fincas* was but one way of pursuing this purpose. Moreover it brought to the forefront the gender divide which had always been present but only became visible after the role women assumed during the conflict and in the democratic transition, as part of the guerrillas or as widows fighting against impunity.

The condition of citizenship in the country was then profoundly affected by the democratic transition and the (re)emergence of social organisations movements able to articulate their demands through a rights-based narrative, departing from legal

¹⁵² Author's translation: At the civil society and state's levels the language of rights, both human rights and indigenous rights, was used. People were becoming aware of their rights as a result of the cumulative activity of social movements and the changes that were occurring with the return to democracy [...] and the internationalised peace process. [...]. Just as the social movements were using human rights and indigenous rights language and teaching their members how to exercise such rights, and where the legal state's structures and systems were their main focus, so were the actors of political, social and state elites affected by these discourses.

instruments and the political support of a human rights agenda. This shows that from the 1980s onwards citizenship was decisively affected in different locations, challenging and (re)affecting the traditional relations of forces that marked the conflict period, which opposed a powerful counterinsurgent state to dissident sectors in the country. Moreover, and though the issue of ethnicity and socio-economic condition continued to establish the inclusion/exclusion divides in terms of the formal content of citizenship and also in terms of enjoyment and enactment of its content, this period launched important discussions and projected a multicultural political community to the Guatemalan state, based not on identity but on the values of democratic sociability, and respect and inclusion of different groups. The condition of citizenship rescued in this period its political dimension and embodied the expectations of change brought with peace negotiations.

6.2. Peace, statebuilding and the puzzle of citizenship in Guatemala

Considering the history of the armed conflict and the violence deployed by the counterinsurgent state, as well as the path that led to the signature of the agreements and the reconfiguration of power relations that marked the negotiation period, the depth and extent of the peace agreements were considered as a decisive step towards a changed governance frame and, consequentially, the prospects for (re)affecting the condition of citizenship seemed promising. This optimism and expectations towards the changes promised were shared, for different reasons, by different sectors of Guatemalan society and also by the international actors engaged in the process. However, and as we have seen, the implementation phase challenged this initial optimism and the 1999 referendum and elections results created a puzzle hard to solve and which has only grown in complexity throughout the years.

The counterinsurgent state and its domination were perceived as the main explanation for the citizens' limited rights and practices. As a consequence, it was expected that the changes promoted by the democratic transition and peace agreements would translate into significant differences, particularly in citizens' participation in formal politics. The massive abstention and the victory of the No in the referendum showed, however, that such transformation had not materialised and, for the worst, the majority of those who decided to engage in formal politics was against a project of governance compromised with reconfiguring citizenship condition. The referendum was of particular importance to recreate the social contract between state and society and thus to define a new citizenship condition, based on multicultural values and a new role for the state. The victory of the No meant, in practice, a denial of citizenship in these terms regarding not only the vision of the citizenship subjects and the consequent relation established between them, but also in terms of the specific rights and practices therein inscribed. Furthermore, the results of the 1999 election, with the stunning victory of FRG, demonstrated a support for *mano dura* slogan, too close of the political reasoning of the armed conflict and which apparently remained attractive in formal peace times.

This means that despite the end of the conflict and state's reforms, the condition of citizenship maintained traits from the armed conflict period while it had to co-exist with the principles of democratic sociability. Torres Rivas and Rodas

affirm that citizenship in Guatemala is, in some degree, a schizophrenic condition, divided between democratic and authoritarian attitudes that have co-existed, and is often reduced to voting (Torres-Rivas and Rodas, 2007). This limitation of one's political activity to voting is visible in the information available on citizens' participation in social organisations which shows that the majority of citizens chooses non-political organisations and the levels of trust are also higher in these type of organisations, particularly the church (ASIES, 2012a). The electoral results furthermore, reveal patterns that are also illustrative of this remaining disconnection between citizens and politics in the country. Even though we can detect a positive trend in the level of abstention, if we consider solely the participation of citizens in elections, there are relevant conclusions that can be drawn from it, namely the limited number of indigenous elected member of congress or the number of women. In the 2011 elections, only 21 out of 158 elected members were indigenous and only 20 were women (ASIES, 2012b). The data show us that despite the consolidation of democratic practices and the changes which have occurred in the country, these groups still have a limited representation at the state's highest representative institution and which echoes in other institutions and also in the government team (Interviewee 8).

Necessarily the inability to carry a reinvention of state's institutions as it was inscribed in the peace agreements is crucial to understand the scope of the transformations in state-society relations and the condition of citizenship established. An interviewee close to an international institution in the country explained us that despite the need to create a strong state in the country, with the fiscal capacity to perform its functions and to seriously invest in education and health, the perception of the existing limits creates a circular argument that in fact prevents a serious discussion and engagement with the task: the state needs a different fiscal policy to strengthen its institutions and actions but the different social sectors often use the fragility argument to block the reforms. This circular argumentation blocks changes and, the interviewee affirmed, is built on the lack of political willingness by different social sectors to effectively produce changes (Interviewee 10). Other interviewee, who also develops work within an international institution, added to this lack of

capacity and political will, the political dynamics that in fact demonstrate volatility and affect governance

It is correct to think of Guatemala as a fragile state, and this is not just related with the influence of the *Narco*, which has in fact infiltrated all state's institutions, particularly the justice system. But...well...you know. The institutions are weak; the ministers change all the time. From the original government team [Presidency of Alvaro Colom] there are only two original ministers left. There is not a public service, there is no stability and functions may change all the time. [...] Besides, there is also the question of fiscal reform without which it is impossible to implement the reforms. There is not a national development plan or even one aiming to reduce poverty. Now, the UNE had a government plan. In fact I think they defined a plan until 2023...but well, you see...one thing is a plan another one is its implementation. Here they [the political class and parties] are very good in writing plans or putting on paper policies and strategies that will never be implemented. When such plans exist, they tend to be diluted into one-year operational programmes, because, in practice it's impossible to project things for more than a year, precisely because there is no budgetary projection able to sustain them (Interviewee 11).

Though some interviewees recognised a change in state-society relations, they posited that this change is limited and citizens continue to see the state with strong suspicion (Interviewee 9, ; Interviewee 15). An interviewee referred how the loss of much of the reform agenda inscribed in the agreements created a disappointment in the country, first because the changes did not match people's expectations, and second, because the democratic controlling mechanisms did not necessarily lead to political transformation. According to the interviewee the question which often emerged from the limited reforms was: “*Gobernabilidad para quien?*” (Interviewee 4).¹⁵³

It seems then that state's trajectory of fragility hindered the transformation of state-society relations in the Guatemala and citizens' engagement with politics remains circumscribed to particular practices and social groups. Thus, and even though the premises sustaining power relations were affected – either solely in form or through limited reforms – this did not translate into the expected changes and the inclusion/exclusion divides in the country, based on ethnic, gender and socio-economic condition remain valid. Nevertheless, and even though this perception of the limited state's reform and its fragility may explain a sense of disenchantment with politics after peace agreements and, to some extent, the limited transformation

¹⁵³ Author's translation: Governance for whom?

of state-society relations, the testimonies collected during the fieldwork periods force us to engage and discuss the continuities and changes with the armed conflict period that cannot be confined to state transformation.

The heavy heritage of violence, impunity and division

Throughout the interviews conducted, the permanence of violence as the social matrix of social and interpersonal relations was considered a clear challenge to citizenship, in what concerns rights and practices, and an heritage of the armed conflict. Necessarily, this was perceived as being closely related with state's incapacity to enforce law and the activity of organised crime in the country. However, there are other aspects that demand our attention, specifically violence symbolic dimension and consequences. Though the levels of violence in the country are important, the phenomena cannot be reduced to the cruelty of numbers and must be considered in the social meaning and implications it carries. The permanence of violence and its growing visibility and brutality represent a pattern of power exercise inherited from the conflict phase though it has been transfigured: the actors are not necessarily the same, but the purpose or logic behind it remains. The use of violence, both as a mechanism of organised crime or as resource to settle social conflicts, is foremost a radical expression of power relations, this is, violent actions become the ultimate expression of affirming one's power. More important, this continued radicalisation is the expression of a society whose relations remain highly polarised (Interviewee 4).

This ultimately creates a sense of permanent insecurity and uncertainty that only reinforces the role of violent actions as the expression of one's own empowerment, as the dual nature of lynching seems to suggest. The beginning of my second period of fieldwork coincided with the discovery of the bodies in El Péten, after a massacre apparently related to drug trafficking disputes. Coincidentally, a worker of a *finca* near to the one where the massacre occurred was staying in my hotel only days after the event. Some other guests and I were discussing the particularly violent contours of the massacre when he intervened and affirmed that the situation was getting out of control and the workers from the area were taking measures to assure security at the *fincas*. He said this while reaching for the revolver

on his waist. This symbolic act stroke me at the moment but it reminded me precisely that people deal with violence and its ostensive visibility on a daily basis which only reinforces their uncertainty and perception of the impunity that grasses in the country.

Impunity is, in fact, closely related with the permanence of violence and it is a second aspect that one needs to consider when discussing the continuities between peace and conflict. We have mentioned how impunity has been particularly relevant to discredit the state and deepen its trajectory of fragility. Nevertheless it is crucial to understand how the transfiguration of violence is related with the social impact of an impunity continuum. In an interview with a civil society actor whose work is related to the justice system reform and fight against impunity I was told that

Cuando tienes una sociedad que no tiene memoria, que solo mira al presente, entonces siempre estamos entrando o cayendo en los mismos errores del pasado. Esto olvido ha sido aprendido y asimilado. Te dicen “van ustedes a abrir las heridas!”. Pero...es que no nos hemos curado de las heridas! Sea, tenemos que volver a estas heridas para curarlas y entonces hacer algo. Somos un país que se quedó con su tejido social destrozado. No tuvimos un proceso de salud mental para que la gente pueda asimilar lo que sucedió y después si ver para adelante. Pero después de pasarnos por un proceso de sanación. Pero si no se pasa por eso como vas a pedir tú a alguien que haga algo hacia el futuro si tienen dentro cosas que ni siquiera han podido expresar. Hay gente que nunca dijo nada y se queda con eso ahí y le daña, y le daña, y le daña. Tenemos una cantidad de cosas adentro y por eso hoy somos una sociedad en realidad bastante enferma y tan enferma que tú lo ves en los niveles de violencia que tenemos. Estamos en un por medio de 16 o 17 personas muertas violentamente al día. Y no sólo es la cantidad sino la forma. Sea, llegar a la mutilación y esa saña con que aparecen los cuerpos...lo único que te dice a ti es que es una sociedad enferma y que ahí está sacando lo que bien nunca se trabajó, nunca se curó y eso es lo que tenemos ahora (Interviewee 9).¹⁵⁴

¹⁵⁴ Author’s translation: When you have a society with no memory, focused on the present, then we are always doing the same mistakes of the past. This process of forgetting has been learned and assimilated. They tell you “You are going to open wounds!”. But...the fact is that we have never healed. I mean, we need to go back to these wounds to heal them and only after that can we do something. We are a country with a torn society. We did not have a mental rehabilitation programme to enable people to talk about what happened and move on after. But only after we have healed. If you do not go through that how can you ask anyone to do something about the future if they have things inside which they could not express? There are people who never said anything and that just hurts, and hurts. We have plenty of things inside us and that is why we are, in reality a sick society, so sick that you see that in the levels of violence we have. We have 16 to 17 violent homicides a day. And the question is not just the numbers but also the method. I mean, using mutilation and the cruelty on how they dispose the bodies...the only thing this tells you is that this is a sick society and we are just harvesting what we never solved, never healed, and that is what we have now.

This testimony tackles the question of impunity, but it deals foremost with its relation with the memory of the armed conflict and the absence of a process of transitional justice and reconciliation, able to force society to deal and question the violent acts that occurred, in order to punish those responsible but foremost to rescue social relations from the normalising narrative of violent acts. This means that tackling impunity demands a revisit to the violent past of Guatemala which is a journey often unauthorised or publically reprovved.

The perception of the permanence of violence and its association with the impunity continuum has been particularly relevant in what concerns populations' continued association between political action and violent consequences. An interviewee working with a NGO in rural areas mentioned that

La gente no tiene buena valoración de los políticos ni de los partidos y incluso gente que estaba de alguna forma involucrada con organizaciones políticas se apartó de eso. Pero más, la gente sigue con miedo y así tienes que comprender algunas cosas que te parecen incongruentes. Hay una manipulación y desinformación que permite que gente del ejército consiga la victoria en elecciones, mismo en El Quiché, qué como sabes fue la parte del país más afectada por la violencia durante la guerra. (Interviewee 6).¹⁵⁵

I found this fear and association in other testimonies, particularly in what concerns the relation between the election period and the occurrence of violent episodes (Interviewee 16). Nevertheless, it is important to note that this association may cause two distinct dynamics: either individuals limit their political action and engagement, or they simply choose not to engage at all in the formal political sphere. This last possibility is particularly important and it must be distinguished from the image of the passive citizen, who enjoys rights but for whom the participation component is not important. The choice of not engaging in politics departs from the evaluation individuals do of this articulation between violence, impunity and politics. An interviewee expressed this duality that often marks the political reflection and condition of Guatemalan citizens when we discussed the wave of violence in the country.

¹⁵⁵ Author's translation: The people do not have a good impression of the politicians or the political parties and even the people who were in some way involved with political organisations distanced themselves. But more, people are still afraid and that helps us to understand some things that appear inconsistent. There is a manipulation and disinformation that allows former military to win elections, even in El Quiché, which, as you know, was the most affected region by violence.

La violencia aquí es algo terrible. Vienes a trabajar y en verdad es que puedes morir en el camino. Y esto va a empeorar. Las elecciones están ya muy cerca y no sé si te das cuenta, pero en Guatemala las elecciones siempre traen más violencia. Por eso mucha gente tiene miedo de salir a votar. Uno no sabe el resultado de ese voto. Sea, no sabes si es algo que te va a traer problemas, y por eso muchas veces decides que es mejor que te quedes en tu casa (Interviewee 16).¹⁵⁶

This reasoning shows only one expression of depoliticisation in the country which was identified by a interviewee that worked in the country with MINUGUA (Interviewee 12). However this concept deserves some reflection. Overall, it refers to the effective removal of one's political agency in the formal sphere of democratic context but in this case it is deeply rooted in the depoliticisation strategy deployed by the counterinsurgent state during the armed conflict with the specific purpose of discrediting dissent and defining non-political instruments to engage with opponents. This depoliticisation trend can be found in the country in relation to specific events and actors despite the counterinsurgent state dismantling. Usually oppositions are articulated differently, according to the purpose of discrediting opponent's voices. This game of opposition and its transition from armed conflict to formal peace was identified by an interviewee who lived in Guatemala during the armed conflict and represented the state abroad.

Durante el conflicto buscaban una división, qué aunque tenía un recorte ideológico entre comunistas y no comunistas, nos era presentado como una división entre los buenos y los malos. Encima de esta división tuvimos la capacidad de negociar el término del conflicto. Pero creo que la sociedad, mismo ahora en tiempos de paz, sigue permeando una división y esto sigue vigente (Interviewee 13).

This division and opposition have been particularly evident in different moments: they were waved during the 1999 referendum campaign and have recently been waved again to discredit those who somehow took part in the process of bringing Rios Montt to justice for the crime of genocide in the Ixil areas. The depoliticisation which results from the perception of violence-impunity-politics is also a heritage from the armed conflict period where populations had the idea that being outside "political affairs" could mean "staying out of trouble".

¹⁵⁶ Violence is something terrible here. You come to work and the truth is that you can die in your way. And this is about to get worse, Elections are getting closer and, I do not know if you are aware, but in Guatemalan elections always bring more violence. That is why many people do not vote. We do not know what will be the consequence of voting. I mean, you do not know if that is something that will bring you troubles and that is why you decided that is better to stay home.

Besides state's absence or political parties' paternalism and clientelism, two other aspects are equally important in fuelling these processes. The first one is related with the emergence of new actors and the informal relations and frames of governance they establish, often through violent affirmation, which necessarily affect the political relations in the country. Here we do not only refer to how organised crime has permeated the institutions of the state as suggested by some of our interviewees (Interviewee 6, ; Interviewee 11) but foremost to the alternative and informal development frame offered by *narco*, for instance (Interviewee 4). Moreover, organised crime or the *maras* act as alternative agents of governance in these spaces, affecting state-society relations either by assuming governance in their area of action or by challenging the state. The possible impacts of these actors in creating parallel and informal frames of governance have been discussed by Holston in the case of disjunctive democracies. However, these impacts are also similar to the dynamics present in post-armed conflict spaces (Holston, 2009). Overall, these actors reinforce the importance of considering the informal spaces as alternative sites of governance, which may indeed create a depoliticisation of the self in the formal sphere.

The second aspect refers to the fragmentation tendency of civil society in Guatemala (Kurtenbach, 2010). This is mentioned by the majority of the interviewees when referring to citizenship participation in institutions and processes of governance in the country. It was often pointed that after the signature of the peace agreements, civil society actors multiplied in the country with an agenda very much guided by international funding priorities while they simultaneously dispersed around specific interests. This fragmentation weakened the role of civil society as the site where citizenship is (re)enacted and re(affected) (Interviewee 6).

En los últimos años hubo un cambio en la sociedad civil. La demanda de la sociedad civil antes de los acuerdos era contundente. Había mucha gallardía, mucha valentía de la parte de la sociedad civil. Cuando se firmaron los acuerdos y hubo mucho apoyo al Estado y a las organizaciones de la sociedad civil. [...] Si hicieron capacitaciones, talleres de los acuerdos de paz y fortalecimiento de la sociedad civil. Pero desde entonces, se perdió algo. La gente ahora se va a las cabeceras departamentales hacer las capacitaciones pero no se va a las comunidades.

[...]. Claro que ahora hay otras demandas pero el perfil, la demanda, es baja (Interviewee 8).¹⁵⁷

Finally, one must also consider how the ethnic question transited from the armed conflict. We have seen that the number of indigenous Congress members is still limited. This representation is considered by some interviewees as a demonstration of the ethnic division that affects the country. A worker of the UN system noted how racism is still a strong feature of Guatemalan society (Interviewee 3) while others clearly emphasised how the indigenous communities remain excluded, with limited political participation (Interviewee 8, ; Interviewee 11). An interviewee expressed how this ethnic division is perceived as overcoming other distinctions when it comes to formal politics

Los partidos en Guatemala son de derecha, ultra-derecha, izquierda o centro-izquierda. Para ellos, y también para el estado de Guatemala y el poder económico el indígena puede ser un empresario con muchos éxitos, puede tener fábricas de todo, pero nunca se va a reconocer como alguien de derecha. Siendo indígena siempre lo van a catalogar como siendo de izquierda (Interviewee 8).¹⁵⁸

It is important to note, nevertheless that in the group of indigenous elected representatives in the Congress, different political parties are represented, including the presidential party. This means that political parties are alert to the need of bringing indigenous elements to their ranks to assure a broad support, particularly in indigenous populated departments. Nevertheless, it is still possible to find in the country more or less nuanced demonstrations of the prejudice against indigenous communities. An interviewee ended the reflection on the subject of violence stating “*Yo siempre creí que cuando los indígenas bajasen de la montaña nos iban a matar. Y ahí está*” (Interviewee 14).¹⁵⁹ This statement illustrates how a depreciative

¹⁵⁷ Author’s translation: In the last years there was a change in civil society. Civil society’s demands before the agreements were strong. There was a lot of braveness and courage in civil society. When the agreements were signed, there was plenty of support to the state and civil society. Several capacitation sessions and workshops on peace agreements and civil society strengthening were organised. But since then something was lost. People now go to the departments’ districts but they will not go to the communities. Of course there are other demands now but demands profile is low.

¹⁵⁸ Author’s translation: Political parties in Guatemala are right-wing, far right, left wing or centre-left. To them, and to the state of Guatemala and the economic power also, an indigenous person may be a successful business men, have factories of all kinds, but he will never be recognised as right-wing. Being indigenous will always be considered left-wing.

¹⁵⁹ Author’s translation: I always said that when the indigenous came down the mountain they would kill us- Well, there you have it.

discourse on the indigenous communities and the violent behaviour is a dimension of the ethnic division in the country.

The doors that peace opened

Despite the continuities we have identified, it is crucial to note that there are important changes in the country which were recognised by our interviewees despite the state's trajectory of fragility. Amidst the complexity and the challenges that affect the country, trying to assess this has not always been an easy task. But if one considers carefully the history of the armed conflict and how the power relations along the ethnic and socio-economic divides have usually meant an oppressive and dominative relation between those able to enjoy the benefits of citizenship and those who feel neglected and excluded from its content, the democratic transition first, and the peace agreements after, brought important changes. An interviewee summarised the importance of these changes in the following statement

Nosotros, los que vivimos en los años 80 de represión muy fuerte, que vimos morir a nuestros compañeros, a nuestros maestros, que escuchábamos en la capital de la muerte de los campesinos en el altiplano, qué vimos la quema de la embajada de España cuando la gente buscaba a sus derechos y que les escuchasen, tenemos que tener claro los cambios que se han logrado. [...] Nosotros éramos universitarios, no teníamos derecho a pensar o a disentir, se instauró entre nosotros la cultura del silencio... uno tenía miedo de hablar porque se hablaba y decía lo que no era correcto entonces uno era de los malos, uno podía ser tomado por comunista y como a los comunistas había que desaparecerlos entonces uno tenía riesgo para su propia vida. Entonces...esta situación los jóvenes no la entienden porque ahora hablamos, discutimos y disentimos. Eso derecho a la palabra, tan importante, a nosotros nos costó muchos muertos. Una de las cosas más importantes que logramos con los Acuerdos fue precisamente eso, darle de nuevo la palabra a la población, darle voz a los indígenas que hasta eso punto no se consideraban. Hemos rescatado las instituciones y eso es un legado importante donde debemos seguir construyendo la paz (Interviewee 13).¹⁶⁰

¹⁶⁰ Author's translation: We, who lived in the 1980s with a strong repression, who saw our friends and teachers die, who heard in the capital about the deaths of the peasants in the highlands, who saw the burning of the Spanish Embassy when all that people were demanding were their rights, we have the changes we have conquered very clear in our minds. We were university students and we had no right to think or to dissent, we created a culture of silence...we were afraid to talk because if we said something incorrect we were one of the bad guys, we could be considered communists and since the communists were supposed to disappear, there was a risk to our lives. So...this situation is not understood by young people because now we talk, we discuss and we dissent. This right to talk, so important, has cost us many deaths. One of the most important things in the Agreements was precisely this, give back the population their right to talk, give voice to the indigenous that were not considered

From these words, it is possible to understand that even though the reforms projected in the peace agreements did not fully materialised, there are however important gains that cannot be overlooked and the agreements remain an important reference in the country, even after 16 years. The first aspect which is noteworthy is how the agreements created important conditions for an effective enjoyment of civil and political rights. Until the 1985 Constitution the recognition of these rights, were highly restricted by the counterinsurgent state, particularly the political rights. After the Constitution, the narrative of rights protection was recovered and the political dimension of citizenship was formally rescued. However, and because the armed conflict persisted and the counterinsurgent state was still active even if more discrete, these rights, normally assured in a democratic society were still perceived as very fragile. The peace agreements and the dismantling process of the counterinsurgency established in their content was a crucial step to normalise these rights in Guatemalan society. The right to talk and dissent mentioned above constitutes, in fact, an important and relevant victory, even if today there are other elements that constrain this, as we have seen above. Moreover, the agreements introduced a rights agenda that echoed local demands and articulated them with international instruments of rights protection. Even if not all the rights inscribed in the agreement survived the 1999 referendum results, they remain as a crucial reference in the political interactions in the country, in the initiatives that target legislative changes, and in the claim-making initiatives both at the national and international level.¹⁶¹

The rights recognised to indigenous communities became an important basis for social demonstrations in the country and international legal actions against the state of Guatemala based on the disrespect of these rights (Davis and Warner, 2007). This is particularly evident in what concerns the indigenous rights to be heard and to be part in the development process in the country, a disposition contained in the peace agreements, but which the indigenous organisations find to be too often neglected. These dispositions and recognition of the indigenous people's rights to affect the country's development have sustained, on several occasions, indigenous

until then. We have rescued the institutions and that is an important legacy on which we must continue building peace.

¹⁶¹ Sieder exposes this articulation when she explores the legal globalisation and how the different processes that mark it – globalisation from above and from below – have reshaped legal spaces in the country (Sieder, 2006).

demands against the mining sector in the country. The most recent example is unfolding while we finish this work. During 2013, thousands of indigenous peasants came out in the interior of the country protesting against the mining projects perceived as a threat to *la Madre Tierra*. As a response, and attempting to protect the mining projects, perceived as a strategic economic sector which has its activity now framed in the Mining Law approved in the Congress, President Pérez Molina has used the state of siege with the argument of re-establishing the rule of law. Despite the presence of the military in the departments of Jalapa and Santa Rosa in the southeast of the country, the local populations continued to protest, both against the mining project and the militarisation of the dispute, and for the respect of the local communities' rights. In addition to these protests, in the early days of September, the organisation *Consejo de Pueblos Indígenas de Guatemala*, has presented a case against the state in the Inter-American Court of Human Rights following the Mining Law approval. The organisation sustains that the accusation is based on the violation of indigenous communities' political rights to participate and consent, regarding projects that directly affect indigenous territories, and expresses, foremost, a political position (El Periódico, 2013a).

This connection between the rights contained in the peace agreements and the mobilisation and claim-making, both at the state and international level have three main implications in what concerns citizenship. First, rights became not only the formal content of citizenship but also a site where citizenship is contested and (re)defined and where groups once excluded challenge the existing inclusion/exclusion divides, thus affirming the political condition of citizenship and confirming the power potential of rights. Second, the example we have just provided testifies how individuals tend to articulate their demands in different spaces and across scales, transcending the state realm to guarantee the respect of those rights. This has been the case with the Inter-American Court of Human Rights but has also been present in the transnational connection established with different indigenous organisations. And finally, the inscription of these rights in the peace agreements resulted from a mobilisation dynamic that started after the transition to democracy in 1985 but has grown since the peace agreements, particularly in the case of indigenous involvement in the public space in order to affect governance. This

mobilisation movement was crucial to the appearance of, *Movimiento Político WINAQ*. An interviewee close to the party told us that the search for changes had to pass necessarily by an engagement in the formal political sphere through a political party able to promote a (re)politicisation from below, and to develop and implement an inclusive governance project where multicultural respect and acceptance produces a plural state, supportive of ethnic and gender equality (Interviewee 8).

Women's role in politics is also an important example of how peace agreements content addressed a gender inclusion/exclusion in the country, which was always present but only recently gained visibility, and set the terms for future mobilisation and demands. It is important to note that the category of women does not mean that the experience of exclusion is necessarily equal and, as Lister (1998) notes, one must account on how other inclusion/exclusion divides crosscut the gender aspect. In Guatemala, the gender issue has led to a reflection on the modes of exclusion and consequentially, the citizenship claimed is necessarily a model where the gender and ethnic dimension are inextricably linked and addressed (Guzmán Mendoza, 2004; López Mejía, 2004).

The process of claim-making based on rights evidences then, that despite the defeat of the liberal multicultural project in the referendum, the redefinition of who is the subject of citizenship is a central aspect in the political interactions in the country. In fact, and though the results of the referendum were discouraging in some degree they opened an important political space to affirm a plural and multicultural view of the citizenship subject in the country. The definition of this subject entails a recognition of difference as a path to inclusive politics, based on individuals and groups' equal dignity that form the political community of Guatemala, a territory shared by many but a state of only a few.

Considering these elements together, it is possible to infer that the peace agreements created an opportunity to rescue the political condition of citizenship, bringing new political subjects to the public space. This change means in practice, that though inclusion/exclusion divides persist along ethnic, socio-economic and gender, the power relations which sustain them have been marked by the (re)emergence of actors politically compromised with their transfiguration and who have acted and mobilised support (political or legal) in different spaces and scales to

achieve their purpose. It is precisely here, in the disagreement and in the (re)affection of these divides that the question of citizenship has reencountered its political condition, despite the continuities with the armed conflict that still permeate society and limit the exercise and extent of this political condition.

Bearing in mind what we have exposed, one might be inclined to acquiesce with the words of Torres-Rivas and Rodas on the apparent contradiction that marks the condition of citizenship in the country. Nevertheless, and considering that citizenship results from power relations, one might reinterpret these contradictions precisely as resulting of the present power balances that interact in the definition of citizenship, and thus subject to future change. If this will in fact happen or how it will be achieved is however an open question. During the last year two dynamics, closely related and yet contradictory, provided an insight on these power relations. On one hand, President Pérez Molina closed the department of *Archivos para la Paz*, a project established by Álvaro Colom with the purpose of rescuing and reconstructing the historical memory of the armed conflict and which departed from the military archives to produce and diffuse knowledge on the facts that occurred (Interviewee 17). This demonstrated a clear sign that looking at the past, and unfolding the truth behind the forced disappearances or massacres for instance, including those who perpetrated and who ordered, is not considered a priority for projecting a different future for the country. On the other hand, the trial of Ríos Montt for genocide, and the convictions of former military and policemen for forced disappearances show the compromise of social sectors and organisations with memory and justice and how they are related with the fight against impunity. The outcome of the interaction between these contradictory dynamics is not certain. However, and what is relevant for our analysis is how they illustrate the power dynamics that affect the country and testify the political condition.

The international actors' role

As we have seen, the international compromise in Guatemala has evolved according to the country's perceived trajectory of fragility. As a consequence, the contours of this engagement reflected the evolving understanding of the causes and consequences of fragility and most of all the answer which needed to be deployed.

Notwithstanding the liberal reference on which post-armed conflict statebuilding is inscribed, the international engagement with the task reflects the general pattern of choosing eminently technical approaches to deal with fragility that often materialise in the creation of state's capacity to perform its role. Within this approach state-society relations are important but they are mainly dependent on state's performance.

In Guatemala this evolution has been expressed in justice system reform, with a particular emphasis on the impunity as an obstacle to recreate state-society relations. The creation of CICIG and the international support (both political and financial) it has gathered either through the Peacebuilding Fund or projects that seek to complement the activity the Commission is carrying, show us that state's fragility is understood as a crucial obstacle to the fulfilment of its functions as well as the role it is expected to assume in creating peace. The international approach through CICIG is so far unique: it is focused on a specific dimension and it has a particularly technical mandate to investigate and capacitate local teams to perform such tasks. This specificity, as well as the coordination of efforts by the different donors and the involvement of civil society actors engaged with the defence of human rights promotes the idea that CICIG is somehow an "example of good practice in international state-building", where coordination potentiates the effectiveness of the reforms promoted, "vested with an important degree of domestic ownership and legitimacy", while its "institutional reform and capacity-building tasks aim at overcoming the problem of temporarily substituting local capacity instead of building it in sustainable ways contributing to enhanced accountability and legitimacy" (Schünemann, 2010: 17). To this optimistic account of what CICIG represents in terms of post-armed conflict statebuilding opposes a more pessimistic account of the changes it can effectively promote in Guatemala. One interviewee who worked close to MINUGUA told us that CICIG was unlikely to accomplish any significant change, because international actors cannot impose change on spaces of intervention when the local elites are not compromised with that purpose (Interviewee 12).

Our purpose however is focused more on the impact CICIG may have on state-society relations and in social relations more broadly. Since CICIG will remain in Guatemala until 2015, at least, any type of evaluation is necessarily circumscribed

and incomplete. Nevertheless, there are important remarks that can be inferred from the testimonies collected and which can be divided in (1) what concerns the accomplishment of its mandate; (2) how it has affected state-society relations; and (3) how it affects the condition of citizenship in the country.

Concerning the first, it is possible to identify an overall positive account of what have been CICIG actions regarding its fight against impunity and the capacitation of local authorities. An interviewee states that

Well, CICIG has not had an easy life and has faced several obstacles within the justice sector. Nonetheless it was able to implement an investigation method in the institutions and force an acceptance of scientific proof which was something completely absent. But more important, it closed some high profile processes that without CICIG would have never reached a court room (Interviewee 11).

Another interviewee mentioned that

CICIG fue una gran victoria. Yo creo que de forma general nosotros seguimos con un entendimiento positivo sobre lo que ha logrado hacer. Si no estuvieran ellos estaríamos todavía peor porque los casos que se han llevado a la justicia...bien, jamás hubiéramos pensad...por ejemplo, que ¡un ex-presidente estuviera en juicio! ¡Jamás! O ministros. Es un gran paso haber llevado a la justicia gente que nunca se les había tocado. Este papel...bien, podría ser más, pero ellos tienen que moverse en un espacio nubloso de lo políticamente correcto (Interviewee 9).¹⁶²

Thus, in what concerns CICIG mandate, and in the large majority of the testimonies gathered, what has been accomplished so far deserves recognition. Foremost the vision of CICIG as an equidistant actor, in the sense that it is not tainted with corruption and is the most adequate actor to lead the justice reform is also mentioned (Interviewee 15). This explains why we found no particular problem with the question of local ownership of the process, even if CICIG evidently represents an ownership promotion through capacitation. However, and due to state-society relations and the negative perception of many citizens towards the state, this capacitation is welcomed and perceived as a state of exception in the history of the judicial system in the country.

¹⁶² Author's translation: CICIG was a huge victory. I think that generally we continue to have a positive perception about what was accomplished. If they were not here we would be worse because the cases which were judged...well we had never thought...for instance, that an ex-president would face a judge! Never! Or ministers! Taking people who had never been touched to justice was a big step...that role...well, they could do more but they move in a grey space of the politically correct.

Hence, the question of the impact CICIG may have on state-society relations is nevertheless a different discussion, particularly related with this equidistant role CICIG is expected to fulfil. The Commission embodies the international expectations towards the role statebuilding has in reinventing state-society relations by promoting a moment of rupture with the conflict period. It departs from the view that these relations, as well as the condition of citizenship that frames them, rest on state capacity to perform its functions and therefore, strengthening the state is a necessary pre-condition for a full citizenship to emerge. We have also stated that by adopting such a consequent view on citizenship, statebuilding actions tend to subvert the mutual constitutive relation between state and citizens that liberal politics have framed in the social contract and ultimately present a suspended view of citizenship, somehow waiting for a viable state to be in place. Nevertheless, and as we have seen above, the Guatemalan case shows that the citizenship condition puzzle after the signature of peace is built not only of the statebuilding processes but also of challenging continuities with the armed conflict period as well as new possibilities for political action. Accordingly, it seems that the technical approach to states rehabilitation is but one of the elements that interact in the redefinition of state-society relations and therefore, international actors' attempt to affect it is necessarily incomplete. Moreover, the puzzle of citizenship in Guatemala demonstrates how, against depoliticising narratives, the condition of citizenship expresses power relations that international actors have too often dismissed. Nevertheless, and despite the technical trait of its actions and their inability to deal with the continuities of the armed conflict, CICIG ultimately affects the condition of citizenship, particularly because by tackling impunity in the country it is affecting one of main pillars of the power relations. This process reinforces the possibility of democratic demands and legal claim-making which, as we have seen, have been crucial in (re)affecting citizenship elements in the country.

That said, it is important to note, that not all the actions supported by international actors in the country affect power relations towards a more inclusive condition of citizenship. The State's socio-economic role inscribed in the peace agreements with the blessing of the different international actors that supported the process is consonant with the needs and demands of a globalised economy, which is

highly unlikely to deploy an effective answer to the socio-economic demands of indigenous people, whose cosmovision is in utter contrast with the economic model based on extractive activities and unsustainable environmental practices. Accordingly, it must be recognised that the multiculturalism supported in the peace agreements was necessarily conditioned to a cultural sphere, where the recognition of cultural plurality and the rights sustaining it do not menace the economic model. This resembles in some degree Kymlicka's multicultural proposal, where the cultural rights are recognised but in a non-challenging condition to the liberal dominant form of life. Hale has named it as "neo-liberal multiculturalism" where those who dare to challenge the economic system on basis of their cultural rights are targeted as radicals (Hale, 2002). Hale states that, in Guatemala this neo-liberal multiculturalism is "the *mestizaje* discourse of the new millennium, offering a parallel mix of opportunity and peril" (Hale, 2002: 491).

This duality is used here as the expression of the purpose of inclusion that this multicultural project contains. Nevertheless, it is important to note that this duality is more important considering the impact it may cause on the condition of citizenship: it acts as a regulatory project, with a guided cultural plurality, but it simultaneously creates spaces of discussion, mobilisation and affirmation of political subjectivities, which may in fact be crucial in challenging limited notions of plural society and extend the realm of demands and claim-making. The Guatemalan case is particularly illustrative of these dynamics.

Beyond the direct support international actors have given to the statebuilding tasks, it is important to consider their support to civil society and the consequences this has had on citizenship. This support to civil society, as we mentioned previously, must be understood as an effort to socialise individuals in the (re)new(ed) governance frame, i.e, promote reforms ownership, while simultaneously assuring the existence of an associative realm that is able not only to monitor state's behaviour but also to deliver services where the state is absent. As we have discussed, this support of civil society departs from a specific ideal which, most of times, overrules the local dynamics of mobilisation and instils a disconnection between the civil society actors and the individuals they are expected to represent. We have discussed above how the testimonies collected describe the reality of a

fragmented civil society with numerous institutions working in the country on a daily basis and how this has contributed to weaken civil society actors' political role. It is nevertheless important to understand the role the international actors have played in this process. An interviewee states that

Civil society in Guatemala has a real problem. It's highly fragmented. And that perhaps is a bit of international cooperation actors fault. After the war the civil society development received a lot of funding and as a consequence new organisations emerged. The problem was they tended to multiply and today we are talking about thousands operating in the country (Interviewee 11).

It is also important to note that the growth of these organisations assumed a particular shape. NGO's emerged in the country executing projects, assuming state services and multiplying the activities of capacitation, a priority in the donors' agenda, but not necessarily with a consequential approach to the activities developed. An interviewee affirmed the following when discussing the international cooperation in the country and the activities they supported.

Cuando MINUGUA se fue, entramos en otra etapa. No se queda más que una cooperación direccionada para proyectos y capacitaciones. Ya ves que yo creo que las capacitaciones son algo bueno. Pero el problema es que en la mayoría de las veces, esas capacitaciones no tienen un seguimiento. ¿Hasta qué punto sabes tú si lo que has dado al grupo ha creado algún impacto? Se dio, se hizo y ya está (Interviewee 9).¹⁶³

This is inextricably linked with the funding relations established between donor countries and institutions and organisations acting in the country. Adapting the agendas to donors' demands and the intervention of project cycles place the organisations in a difficult position they have to manage.

Bién... los financiadores tienen sus intereses. Tú, lo que deberías hacer era identificar las necesidades locales y después buscar un financiador para tus actividades. Lo que pasa es que en el momento en la cooperación, y después de la crisis principalmente, nos es así. Sea con los pocos financiadores que hay, con lo que están recortando y todo, tú tienes que agarrar a los financiadores. Entonces, precisamente se hace lo que no se debe hacer: tú a adaptarte a tus financiadores. Somos muchas

¹⁶³ Author's translation: After MINUGUA left we were in a different stage. The remaining cooperation is directed towards project and capacitation. As you can see, I believe that capacitation is a good thing. But the problem is that in the majority of the cases, these capacitation sessions do not have a follow-up. How do you know if the things you passed to the group had any impact? They were done and that was it!

organizaciones, extranjeras y locales y entonces es también un poco...es una competencia también no...(Interviewee 6).¹⁶⁴

This dependence strengthens the accountability mechanisms towards the international sphere while it simultaneously weakens this principle towards those affected by such projects. Moreover, and though the donor states emphasise citizenship participation, such participation is necessarily guided by internationally defined terms which may not necessarily be relevant to affect the condition of citizenship on the ground. Another interviewee summarised this need to capture donors' attention as a descriptive and yet charming exercise: "*al final se trata de saber quién hace la víctima más atractiva para atraer los fondos*" (Interviewee 7).¹⁶⁵ This statement deserves a further comment at this point because it frames two common ideas that we have also found in other testimonies. First, it is the dependence and the subjection of these organisations to the international funding agenda which we have mentioned above. The second corresponds to the attractiveness that the victimisation exercises on international actions and which presents local populations first, as non-political and, second in need to empowerment. However, both the history of conflict and the history of peace clearly show that this categorisation is not excluding of political action and may in fact propel a politicisation of the individuals. The struggle of the widows in Guatemala for justice in processes of forced disappearance is a good illustration of this dynamic.

Nevertheless, and in simultaneous with this process of dependence and victimisation, new political spaces open and they may be fundamental on establishing the grounds for further reflection and action outside of the parameters initially defined. This political opening have been crucial in Guatemala to formerly excluded groups, such as indigenous communities, peasants and women, to rescue their political agency from previous oppressive frames and to develop a new political

¹⁶⁴ Author's translation: Well, the donors have their interests. What you should do is to identify local needs and then search for a donor to fund your activities. What happens is that in current cooperation, and especially after the crisis, this does not happen. With the few remaining donors, with the cuts being done, you have to hold to them. So you do precisely what you should not: you are the one adapting. There are many organisations, foreigners and locals, so it is also...well, it is also a competition.

¹⁶⁵ Author's translation: In the end it all comes to who makes the victim more attractive to bring in the funding.

consciousness of their rights as citizens and the actions available to claim and extend those rights, and ultimately affect its meaning.

Overall, international statebuilding actions in the country share this dual nature: they reproduce a non-political discourse of capacitation which, and even though it does not seek to engage with local expressions of the political condition of citizenship, it ultimately affects them by creating spaces of participation and channels through which individuals establish platforms for demands and claim-making, and thus challenge the state of affairs.

7. Conclusions

Considering what we have exposed in our reflection, and the elements gathered in the analysis of the condition of citizenship in Guatemala and their interaction with post-armed conflict statebuilding, we have overall confirmed our initial assumption. International actors engaged in post-armed conflict statebuilding often connect with the spaces of intervention openly avoiding a political signification. Under a capacitation flag, they aim to affect state-society relations by focusing on the rehabilitation of state's institutions and, in this view, citizenship is assumed as the legal status and exercise of rights that can only fully occur after a viable state is able to perform and assume its functions. As we have seen, this tends to reverse the liberal view of the social contract, which recognises that only through a simultaneous process of identification-recognition established between the state and the individuals does citizenship emerge. There are two major implications that can be drawn from this perspective.

The first one is concerned with how international actors engage in these contexts and the relations they establish with society. It is possible to infer that internationally supported statebuilding actions are framed under a premise of a *humanitarian social contract of exception*, where international actions are necessary to reinvent the social contract and actors assume their responsibility in addressing fragility, and affecting governance and state's legitimacy. However, and even though international actors assume this compromise towards local populations, they depict their presence as assistance, framed under the partnerships flag, denying not only the exercise of their power and how it is exercised through flows of financial support according to systemic needs and interests (the minimum being the fight against fragility and the security problems it creates) but also avoiding direct responsibilities and accountable relations towards local populations. Furthermore, statebuilding interventions are conferred with an exceptional character, since they are perceived as a temporary technical exercise of institutional expertise. Combined, the technical assistance rhetoric and the removal of power and politics from this assistance frame depict a fragility that demands an exceptional action of international actors in affecting internal state's sovereignty. Their actions are a justified exception towards state's rehabilitation, even if they directly assume some of states' functions, or fund

those who can. Combined, the denial of the exercise of power and the exceptional character of internationals' intervention confers statebuilding actions with a humanitarian facet that presents internationals' statebuilding actions as a response to an emergence with no other guiding purpose than the ethos of assistance.

The second implication relates with the fact that not only do the international discourses and practices of statebuilding deny their exercise of power, as their approach to citizenship, a condition dependent on states' rehabilitation, reverses the liberal grounds of the social contract. This reversal expresses a radical disconnection with power and politics on the ground, an inability to consider how citizenship is foremost a condition subjected to change and (re)affection and shaped by the continuities between war and peace and the challenges of creating peace. As a consequence, the direct contribution of international actors to affect citizenship condition and therefore promote a peaceful sociability is necessarily limited to the impact that the state might have. Additionally, the compromise with civil society in order to sustain these reforms has proved to be problematic, not only for the purpose of statebuilding but also for the condition of citizenship, even when we refer to the aspired liberal version. The proliferation of internationally supported organisations that compete for resources and guide their actions by an international agenda is not a solid ground to promote a civil society able to sustain the principle of self-government and individuals' autonomy. Quite the opposite, and as the case of Guatemala shows, it tends to promote a fragmented civil society that might be able to deploy services in alternative to the state – which ultimately is counterproductive to overall statebuilding purposes – but has a highly conditioned role in the version of citizenship it promotes.

If we departed solely from these two elements – how statebuilding discourses and practices convey a vision of peace that postpones the political dimension and consequentially fails to engage with the condition of citizenship on the ground and the power relations sustaining it – one might conclude that international actors' contribution to create a peaceful sociability was limited, since international actions are ultimately projected towards an expected change and fail to engage with the continuities between the armed conflict and the formal peace period, which necessarily constitute the basis on which a peaceful sociability is projected.

It is noteworthy to mention that these continuities entail a reflection beyond assessing the structural causes of the armed conflict: as the case of Guatemala shows us, and though it is important to understand if these causes persist, it is also fundamental to assess the violent behaviour that has permeated social and state-society relations. In the case of Guatemala, the exclusion of indigenous groups, an identified structural cause of the armed confrontation, is commonly referred. On the opposite, the violence in the country is too often associated with delinquency and criminality instead of being discussed in relation with the heritage of armed conflict. This view nurtures a victimisation process that only reinforces a description of the local actors as non-political and exposes how international actors tend to work in closed categorisations. Both are however crucial to engage with the condition of citizenship and the power relations that characterise it.

However, an approach to citizenship in Guatemala that considers the histories of governance in the country shows us that the answer to our research question is far more complex. In fact, and even though international actors affirm their actions in non-political terms and in denial of their own power, and despite the depoliticisation narrative this ultimately carries, the actions undertaken affect in different ways the inclusion/exclusion divides and the power relations that have marked and affected citizenship. The peace agreements content, for instance, provided an important frame of rights around which a mobilisation and claim-making was built. Moreover, the invited spaces of participation, though with a pre-defined agenda and a guided script, established important political spaces on which discussion and mobilisation over specific issues was built. CICIG actions, though highly technical and focused, have, nevertheless, played an important role in redefining perceptions of power relations.

Two clarifications must be made. First, the fact that the invited spaces of participation or the support for reforms provided by international actors affect the power relations does not necessarily mean that international actors are aligned with the mobilisations and demands that might follow. What we wish to emphasise here is that in post-armed conflict scenarios, particularly in contexts such as the Guatemalan where the political condition of individuals was repressed and the state had an active

role in the violence during the armed conflict, these spaces provide an important opening for a (re)politicisation of individuals and groups.

Second, exploring how international actors might affect the condition of citizenship forces the recognition of international actors' power in spaces of intervention and the dual nature of its exercise: both as an enabler of changes in the social relations in the country, and an external force promoting a specific version of peace and social relations, consonant with systemic needs. Moreover, and as the case of Guatemala shows, we assist to a confluence of scales in post-armed conflict spaces that tend to transform international actors into additional actors in the power relations constellation, this is, their presence in the country merges the scales along which the actors of governance are perceived, thus transforming them into relevant actors in the local political landscape, with a privileged position in terms of power. The case of CICIG is rather important in conveying this image: considering the distrust of the justice system, the Commission is perceived as an actor that acts apart from the state, even though its action is connected with statebuilding and it is foremost centred on capacitation of local state institutions.

This recognition of international actors' power in spaces of intervention naturally echoes the majority of the critiques posed to post-armed conflict statebuilding which we have referred in chapter two. But the analysis of citizenship condition in Guatemala forces us to question the categories used. First, and in what concerns the search for local agency, one must consider the complex configurations of power relations instead of assuming the local/international opposition. Local political agency is neither solely expressed as an opposition between local and international nor is it confined to the local scale. As a consequence, a hybrid form of peace, understood as the encounter between different practices and conceptions (Richmond, 2010) must result not from the opposition between the local and international. Instead, if it is to emerge, it will necessarily be the outcome of the power relations established departing from the spaces of intervention. Second, and in what concerns the depoliticisation argument and the accusation pointed to the liberal peace critics, the analysis on citizenship condition in Guatemala opposes a mix trend of depoliticisation/re-politicisation based not on international processes and discourses but foremost as an expression of local politics, which exist beyond the

veil of international intervention. This means that even if international actions went back to the liberal respect to self-government, the political condition could not be completely rescued. Instead it would likely resemble the current appeals to empower the other.

In a post-armed conflict context such as the Guatemalan, where international statebuilding is not as ostensive as elsewhere, the opposition between locals and internationals is not the unique determinant of political agency, but the spaces created, even if located in a non-political engagement with the local, allows the emergence of new political subjects as active parts in the formal political sphere. These actions need not to seek accommodation but instead they may seek a transformation of political subjectivities. The result of the encounter between liberal views, post-liberal governance actions, the position of country's elites and the indigenous communities, in the case of Guatemala is neither closed nor pre-determined: it will nevertheless evolve as the expression of the political condition of individuals and groups.

The case-study of Guatemala and its condition of citizenship allows us to re-engage with power and politics, exploring not only the exercise of power as domination, as it is often done, but also to rescue the possibility of political action and change. Only an approach that enables the engagement with the dual nature of power can rescue the political condition from the depoliticising discourses and practices often associated with statebuilding. The condition of citizenship, considered here as a political condition and relational concept, is able to convey this duality, precisely because it also carries a dual meaning: inclusion/exclusion.

This reflection is necessarily only a first attempt to re-engage with this political condition in post-armed conflict spaces. But this reflection has urged others. First, it seems particularly important to deepen our understanding on the impact that violence, in its transfigured form, may have on the condition of citizenship. In the Guatemalan case, violence, as a radical expression and instrument of power relations, seems to be particularly important to grasp the different patterns of political engagement, whether we refer to the wide support that the *mano dura* rhetoric achieves or the deliberate non-engagement in politics. Second, it seems particularly important to explore the historical memory and how, both as a foundation of

citizenship in peace times and as a site of struggle for reconstructing the past, it might be providential in understanding the violence that currently permeates the social relations in the country as well as the process of individuals and groups' de-politicisation and re-politicisation. And third, and perhaps the most challenging, the indigenous political affirmation and the political transformations this may bring is a particularly challenging but fundamental reflection which demands attention. Considering the case of Guatemala, the question and the challenge presented is not so much focused on the existence of a state but foremost on the project and vision of political community conveyed and the social relations promoted. Indigenous cosmovision is particularly challenging both to the Guatemalan and liberal views of the material life. The question is then how indigenous communities may develop a project of citizenship that departs from the present condition to affirm an inclusive multicultural project able to gather support from different social and ethnic groups.

Additionally, this reencounter between post-armed conflict statebuilding and citizenship has exposed important challenges to the current citizenship debates. Post-armed conflict scenarios, with the intervention of international actors in these spaces in addition to the local political dynamics, are a particularly complex scenario where citizenship is (re)defined but which has been overall neglected. Let us address three questions which we consider to be crucial to the broad discussion of citizenship. The first aspect refers to the juxtaposition of scales in post-armed conflict spaces and which poses fundamental questions in the relation between and across scales as well as the relations established between different actors. In post-armed conflict spaces the actions of different actors converge in one site and the simultaneity of their actions on the country's governance tends to radicalise the limits of democratic accountability between citizens and the actors who affect governance, especially if we consider the international actors-civil society actors relation we have discussed. The second aspect relates with the convergence of temporalities in these spaces, market by modernisation attempts or the emergence of political subjects who, departing from their identity and their location, seek to (re)affect and transform the condition of citizenship. This means that different visions of citizenship interact in these spaces not in a consequential manner, but rather as the expression of the political condition. And third, the relation between

violence-impunity-politics, as the Guatemalan case demonstrates and its impact on deliberate depoliticisation of individuals cannot be grasped in the category of passive citizen, as we have seen.

In the moment we close this reflection, and departing from the case of Guatemala, it is our belief that only a view of citizenship that promotes the inclusion of individuals and groups in the project of governance in the shared spaces where their lives are placed can promote a peaceful sociability, in post-armed conflict spaces or elsewhere. The post-national solidarity as Carvalhais (2004) proposes, where the state and cultural identity are present, but where the second does not determine the political community of the first, is a possible answer. This would mean that the political community would be forged by the identification-recognition of others as individuals or groups with rights and political agency whose actions and political subjectivity would rely on a reflexive view of social relations, allowing an interaction with difference in democratic and non-excluding ways. Whether and how this proposal can become effective largely depends on the evolving power relations that sustain citizenship. However, and because citizenship is “never-fixed” a more inclusive condition remains as a powerful driving force of political change.

8. References

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