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The local dynamics of state-building are shaped mainly by the reproduction modes and legitimization strategies of local elites who use the appropriation of material and immaterial (for example, reputation) resources not only for enriching themselves, but also for securing legitimacy from relevant segments of the population. The composition and relative strength of local elites is a decisive factor for the direction in which "fragile states," or even countries that have experienced state collapse, are heading. Such elites may include warlords, revitalized traditional and religious authorities, remnants of the former state administration, party officials, local businessmen, influential intellectuals, repatriates from the diaspora, and so on. By offering themselves as "hybrid" providers (traditional-state-private) of public goods, they are able to position themselves as "functional equivalents" of the state.

Referring to preliminary results from case study research in Afghanistan and Somaliland, we maintain that ideal-type models of state-building cannot be verified and that, instead, we observe a great variety of phenomena mainly determined by the specific interplay of formal and informal institutions. State-building in crisis countries is a complex social and political process. Reference to medieval times, as put forward by Marina Ottaway and Anatol Lieven, falls short of capturing these realities just as much as approaches that seek to define the state and its governance arenas in the clear categories of the modern state. In contrast, we find evidence that social and political structures are characterized rather by "hybrid political orders," which "blend traditional and modern norms and practices,' according to Kevin Clements et al. In this essay, however, we prefer to speak of sociopolitical order: we intend to stress the strong role social actors play at the local level. Furthermore, we intend to challenge the

normative absolute prioritization of the state since we understand state formation as an optional development path for sociopolitical orders that is not necessarily better or worse than other options.

Sociopolitical order in "fragile states," in most cases, goes far beyond models of the modern state or of the Hobbesian concept of anarchy. The interaction between individuals leads to the emergence of rules, norms, and expectations, in other words: institutions. These institutions are the framework for sociopolitical order, which enable, as well as limit, human interactions. The extent to which basic public functions can be fulfilled in such an order depends on several factors: the design of rules, their scope, and acceptance. Two factors are key for assessing the stability of sociopolitical order: identity and legitimacy. Identities based on clan, tribe, or ethnicity can reflect social cohesion of a community. Shared identities frequently refer to imagined common experiences and may take the form of Shared Mental Models, that is "models that individuals construct to make sense out of the world around them," according to Arthur Denzau and Douglass C. North. In other words: "The mental models are the internal representations that individual cognitive systems create to interpret the environment and the institutions are the external (to the mind) mechanisms individuals create to structure and order the environment." In societies without states, these identities are frequently based on a thick set of institutions, which is strictly delineated from the modern state. In such cases, identities can become extremely exclusive in character.

State-building in such situations is a complex social and political process. The current political and scholarly debate frames the issues at stake too narrowly. It sometimes sees only the problems (real though they are) without also taking into account the strengths of the societies in question, acknowledging their resilience, encouraging indigenous creative responses to the problems and strengthening their own capacities for endurance.

A sociopolitical order can only be sustained as long as it is regarded as legitimate or as immutable. Thus power-holders need legitimacy to imbue their power with authority. Sociopolitical order under such conditions is highly dynamic, follows its own rules, and, in many cases, contradicts conventional concepts of statehood. Instead, local and regional power-holders resist state penetration or try to instrumentalize state resources. At the same time, however, local elites are partly able to provide selected security and welfare functions. Their legitimacy is based on informal rules that are dependent on the prevailing power structures. Accordingly, relevant actors such as traditional elders or warlords are embedded into societal contexts.

This "embeddedness" limits their scope of action and, at the same time, produces expectations within their constituencies.

Little is known yet about the (re-)emergence of sociopolitical order after state collapse. In a recent research project, funded by the German Peace Research Foundation (DSF), we sought to gain insights into processes of state-building in local environments under such extreme conditions. We selected two regions in Afghanistan (Paktia, Kunduz) and in Somaliland (Sanaag, Awdal) to learn more about the varieties of sociopolitical order and how their (re-)emergence is linked to state-building processes. Although both Afghanistan and Somalia had suffered and partly still suffer from devastating wars, developments have been very different. Whereas Somaliland experienced a relatively successful bottom-up process of state-building, the top-down undertaking in Afghanistan is stagnant or has even switched to a reverse mode. Both cases, however, show convincingly that the technocratic, as well as the good governance-approach toward state-building, simply neglects crucial characteristics and determining factors of local realities.

At a first glance, the two regions studied in Afghanistan seem to support Charles Tilly's argument of "war-making" as part of "state making." Warlordism presents itself as a transitional phenomenon in the process of evolving statehood while tribal societies are keen to delineate themselves strictly from the state. Kunduz, located in the north-east of Afghanistan, is a textbook example for this constellation: Because of its complex migration patterns, generally accepted rules of the game are missing. Under these circumstances, a multiplicity of warlords and local "big men" gained influence who derived their legitimacy not from traditional sources, but were dependent on official state positions to underline their relevance. Kunduz, thus, is a model case for vertical power structures that are not embedded into shared and commonly accepted institutions.

Local elites organize themselves in loose networks that also link them to political agents beyond the province. The province is divided in numerous fiefdoms that frequently do not comprise more than a village. Local commanders live in "good neighborhood" with the state and the international community; neither the central state nor external actors are seen as an immediate threat as long as they respect the influence and economic interests of the commanders. The state, indeed, is of crucial importance for the perception of local elites, as it offers positions that provide legitimacy and leverage to follow up their own agenda—a reason why the Kabul government is relatively successful in co-opting local rulers. At the same time, local elites manage to obstruct a development in which positive aspects of statehood reach the

population and in which state institutions become functional, according to Conrad Schetter et al.

In Paktia, located in the south-east of Afghanistan, on the contrary, tribal structures saved the region from warlordism. The province is governed by horizontal networks that are deeply embedded into society and are remarkably able to control violence and regulate conflict. Institutions are legitimized within the tribal system and build the foundations for a commonly respected, relatively stable social order. A crucial factor is the existence of a powerful Shared Mental Model: the *pashtunwali* (that is the tribal customary law of the Pashtuns). Physical security, to some degree, is guaranteed by the strength of the tribal system, which at the same time means that the government in Kabul and international actors have only limited influence. The state is "outside" this system. Because local power-holders are not dependent on official positions, the state is not regarded as a crucial resource and is rather seen as an intruder that has to be kept at a distance.

Our case study research in Somaliland, a *de facto* state entity in the north-west of Somalia, shows that state-building actually takes place beyond the development paths sketched out by Charles Tilly. Both Awdal and Sanaag regions in Somaliland formed state institutions with a strong involvement of traditional structures. Facing civil war and the limited scope of particularistic identities, local elites perceived the establishment of statehood as a way to build up sociopolitical order— even if it regulated and channeled their own power. While local actors in Afghanistan either capitalized on the state with a "parasite mentality" or viewed it as an intruder, local actors in Somaliland tried to strike a balance between clan and state institutions. Under circumstances where the state gained a foothold, it increasingly became a central "arena" of governance with formal rules of the game gaining importance. Elders then restricted their role to complementary conflict resolution and control of violence, and interfered into day-to-day politics only if vital clan interests were affected. At the same time, the growing autonomy of local administrations increasingly leads to a de-coupling of state from clan institutions, even though they once emerged from them. Because of their weak capacity to produce output-legitimacy, state officials tend to use patronage and strategic cooptation of selected clan representatives as a means to mobilize loyalty—eroding the long-term viability of state institutions.

Despite these commonalities, the performance of state institutions in Awdal and Sanaag differs substantially. A high degree of clan homogeneity in Awdal was advantageous for the capability of local

institutions and for collective decision making in councils of elders. Furthermore, the locally dominant Gadabursi clan has developed a particular Shared Mental Model that positioned them as a broker between rivaling interests among the Issaq, the majority clan of Somaliland. Local actors managed, in particular, to integrate Awdal's militias into the state and security apparatus even though their primary loyalty still is related to the clan. At the same time, the administration was set up while the influence of clan elders continuously diminished.

In Sanaag, on the contrary, the heterogeneity of clan structures and divisive experiences of war have undermined the emergence of a Shared Mental Model. A lot of decision making has been delegated to the very local level and a direct exchange between clan and state structures was long missing. It took until 1997 for a series of peace conferences to improve relations between local sub-clans. The relationship with the central government remained precarious. Moreover, for several sub-clans of Sanaag, the autonomous state of Puntland became an alternative political option after 1998. At the same time, Sanaag managed to transform its structures of violence with the cooptation of the former "big man" into the state apparatus and the militias being demobilized or integrated into the state army.

The case studies in Afghanistan and Somaliland indicate how local state-building works in war-torn societies after state collapse. They show that state-building takes place at the interface of local and national structures, and that development paths may differ widely. Traditional structures can be a severe obstacle to state penetration of society (Paktia), but can also be the basis for a bottom-up approach (Awdal). Warlordism may try to reproduce itself by extracting resources from the state and acquiring official positions as a source for legitimacy (Kunduz), but it can also be kept down (Paktia) or simply drop out as a feasible option for local elites (Awdal, Sanaag).

Besides the specific conclusions from the selected case study results, our research indicates that the local dynamics of state-building are shaped by factors that have so far widely been neglected in the development and conflict discourse: a key determinant for the stability of a region lies in the existence or non-existence of Shared Mental Models (for example, *pashtunwali*, Somali customary law [*xeer*]), which create and support communal cohesion. If such common denominators are missing, the fragmentation of sociopolitical order is more likely.

First, the state, as well as state-building efforts by external actors, are rejected only in extreme cases and are mainly seen by local elites as important for their strategic options—ranging from the acquisition of

resources to the provision of legitimacy through official positions or a widening of formerly limited clan capacities. Second, local state-building and the re-establishment of sociopolitical order takes place under conditions of "hybridity." The interplay between informal and formal institutions, the way in which their norms and practices relate to each other and in how far they are able to restrict and guide local power-holders is crucial for stability and the provision of public goods. Third, rivaling actors of very different origin re-produce their power and influence, perform governance functions or undermine state-building and post-war reconstruction as spoilers. Their spaces and options for action are shaped by formal and informal institutions, but also through the construction of social realities and the sources of legitimacy by Shared Mental Models—or their absence.

In extreme cases of tribal or clan spheres, the state is seen as a completely separate space. More common are hybrid situations, in which local actors and power-holders do not evade interaction with state institutions because they regard the state as a potential source of income, power, and legitimacy. It is an open question whether or not this interplay leads to the provision of public goods by multiple forms of governance or even to the establishment of reasonably functioning state institutions. Chances seem to be higher if state and traditional institutions are linked to each other constructively—and state institutions develop partial autonomy as well as the ability to gain output legitimacy (and thus authority) through the provision of public goods. State-building fails, however, if both spheres are strictly divided, or if warlords and other local power-holders penetrate the state with the explicit aim of undermining it and using it as a resource for their own well-being. In contrast to Mancur Olson's theorem, a "roving bandit" does not necessarily transform himself into a "stationary bandit" who has a stake in providing some minimal security and property rights for the citizens. Instead, co-opted warlords seem to be well-off even under circumstances where the state does not penetrate the local level in a substantial manner.

Research on local dynamics of state-building is best off by starting with a mapping of actors and institutions, and the identification of patterns of legitimacy and the presence or absence of Shared Mental Models in a specific location. Such research is of great value to policy makers and practitioners as it helps to tailor support in keeping with the realities on the ground. External actors could thus take into account the varieties of sociopolitical order that enable or restrict actors in fulfilling their governance functions under conditions of "state fragility."

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