

Theory of Change for the security and rule of law policy priority in fragile situations

Stabilisation and Humanitarian Aid Department (DSH)¹ – May 2015

1. Introduction

Within Dutch development cooperation, the security and rule of law policy priority focuses on countries that are faced with fragility or conflict, poor governance and underdevelopment, often in a vicious circle. The Netherlands' involvement with these countries is grounded in the desire to create better conditions for development and poverty reduction, in humanitarian principles and the responsibility to protect, but also, in part, in its own security interests. Activities to promote security and rule of law often begin during or in the immediate aftermath of international crisis management operations, from a desire to contribute to civilian safety, consolidate peace and prevent a resumption of hostilities.

As yet, no fully developed, empirically proven theory of change exists for conflict prevention, peacebuilding and promotion of the rule of law in fragile situations. There is however a reasonable degree of international consensus on the factors that play a major part, partly underpinned by the results of academic studies and partly based on assumptions and value judgments. Policy on security and the rule of law has been set out in several documents, including the letter to the House of Representatives of 21 May 2012.

The capacity of fragile states to escape fragility is influenced by factors beyond the scope of security and rule of law policy, for example scarcity of natural resources, climate change and other countries' political influence. Whether a country can cope depends on the severity of these stress factors, but also on the degree of its own resilience. In the framework of the security and the rule of law policy priority, DSH mainly focuses on the underlying causes of fragility and conflict within partner countries. It also aims to achieve a more effective international aid architecture for state- and peacebuilding and to chart and combat the transnational causes of conflict. Although external factors are of great importance in promoting security and the rule of law, they fall only partly within the theory of change for this development policy priority.

This theory of change is by no means prescriptive or applicable to every situation. Its aim is to highlight the main general assumptions underlying SRoL policy. With it, DSH seeks to create a basis for debate with national and international partners and for testing the various assumptions.

2. Contextual analysis

Countries with serious problems of internal fragility and conflict lag far behind in achieving global development goals. Increasingly, we are seeing concentrations of extreme poverty.² People not only lack material resources and basic services but, where lawlessness and

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² According to OECD/DAC, in 2015 43% of the extreme poor lived in the 50 countries on the OECD list of fragile states.

violent conflict are commonplace, their safety is threatened in many ways. Human rights violations such as (sexual) violence cause great suffering and restrict the mobility of women and other vulnerable groups, limiting their role in public life. Ecological and natural disasters and outbreaks of disease put fragile systems under even more pressure. Countries in chronic crisis are often dependent for many years on humanitarian aid. Economic development is difficult to get off the ground, unemployment is high and people's position on the labour market is extremely vulnerable. Fragility can cause effects such as refugee flows and migrants smuggling that transcend borders and may disrupt entire regions.

Social contract and social cohesion; exclusion and the role of elites

In our analysis, countries in a situation of long-term fragility are essentially characterised by sharp social polarisation (little social cohesion) which is reflected in and fuelled by a disrupted relationship between the government and the people (weak social contract). In fragile countries, citizens or communities are often mistrustful of each other and unwilling to work together, due to the complex ethnic or tribal composition of the population, for example, or a previous conflict. There is no legitimate governance to guarantee everyone's safety and ensure fair access to employment, natural resources, public services and prosperity.

How and with what intensity these problems manifest themselves differ considerably from one country to another. Government bodies, public funds and natural resources such as raw materials are often at the disposal of a small political-economic elite only, or various groups compete to monopolise power. There are few incentives for elites to account for their actions, partly due to the lack of a middle-class or a substantial tax base. In some cases, the government systematically excludes specific population groups (on ethnic, religious, social or regional grounds, for example), or uses state power to the disadvantage of a large part of the population. In areas where government has little effective authority, responsibility for performing core tasks is often assumed by traditional or non-state actors. Lawlessness, crime and terrorist networks may also flourish. With no prospect of work or other opportunities, people, especially young men, are vulnerable to recruitment by armed militias and radical or criminal groups, particularly in situations where these groups have the funds to finance their activities. Whole communities may depend for their survival on their involvement in illegal activities such as drug trafficking or piracy.

Unequal access and scarcity are more likely to lead to conflict where no peaceful social, political or legal mechanisms are in place for conflict resolution. In fragile states, access to a functioning legal system is limited. Factors such as physical distance, poor facilities, delays and corruption are obstacles to (formal) justice. The legal system may also be an instrument for abuse of power and arbitrariness. State capture (the entanglement of official structures with private power relations) is commonplace, and there may be active involvement by judicial bodies, police or army in transnational crime. In North Africa and the Middle East, crime, extremism and conflicts between rival elites are becoming intertwined in increasingly complex ways.

External drivers of conflict and the role of the international community

Countries with weak governance are not sufficiently capable of coping with negative external influences. Geopolitical interference by state and non-state actors from the region or countries further afield may exert a far-reaching influence on a country's internal dynamics, because external support enables ruling elites to maintain their hold on power and/or militias or extremist groups are supplied with money and weapons. The role played by private companies may also fuel conflict, for instance by trading arms or raw materials. Regional and international efforts to eradicate the external causes of conflict are (highly) inadequate, due in part to countries' own political or commercial interests. Even international interventions aimed at contributing to peacebuilding and state-building may be counterproductive, through a poor understanding of the causes of problems, a one-sided approach that makes the situation worse, or personnel with inadequate expertise or poor ethics.

3. Theory of Change for the security and rule of law policy

Overarching goal

In the context of the SRoL policy priority, the terms security and rule of law are used in a broad sense. The main principle is that human security must have priority over that of states. This calls for a government and legal order that put people first, as well as for social cohesion and inclusive processes. Based on the contextual analysis, we have adopted the following working definition for this policy priority's overarching goal:

To promote 'legitimate' stability in fragile countries with a view to resolving and preventing armed conflict, protecting people and laying the foundations for sustainable development.

We have used the rather contrived term 'legitimate stability' to indicate that stability is not a goal in itself. Indeed, dictatorships may be stable for long periods. Our aim is the stability that arises from social cohesion between population groups, and from citizens' acknowledgement of the legitimacy of existing structures and institutions, both formal and informal. We believe that stability of this nature, giving people a sense of security, is a precondition for sustainable development.

To a degree, Dutch and international policy on fragile states is based on the assumption that elements typical of the stable western state are transferable, i.e. core values such as democratisation (an inclusive political process), institution building and good governance (a state that accepts responsibility for its citizens, and is accountable to them). However, Dutch policy explicitly states that external parties may influence but not determine the reconstruction of a fragile state. Dutch policy also attaches great importance to context specificity, local tradition and flexibility. In fragile situations, civilians often have more confidence in non-state institutions' ability to ensure their security and meet their basic needs. Working on legitimate state institutions is a long process. The security and the rule of law policy priority does not focus on achieving an ideal-typical final goal, but on inclusive statebuilding and peacebuilding processes in which the relationship between citizens and institutions and trust among citizens themselves play a central part.

This policy priority is not confined to specific target groups. The national and international effort is meant to benefit everyone, including the most vulnerable groups and victims of conflict. However, to achieve the goals, a number of wider ranging conditions must be met. By 'citizens' we mean men and women from every population group. In actual interventions, it is important to establish precisely what they will signify for each of these groups, including men and women.

Security and the rule of law: the five policy goals

The problems facing countries with serious social polarisation and a broken social contract are both complex and manifold. The Netherlands endorses the five goals for state-building and peacebuilding agreed at the fourth High Level Forum on Aid Effectiveness in Busan (2011), since we believe that existing shortfalls in this field are among the foremost causes of fragility.³

³ The New Deal on Engagement in Fragile States identifies five Peacebuilding and Statebuilding Goals: I. Inclusive

Politics – Foster inclusive political settlements and conflict resolution; II. Security – Establish and strengthen people's security; III. Justice – Address injustices and increase people's access to justice; IV. Economic Foundations – Generate employment and improve livelihoods and V. Revenues & Services – Manage revenue and build capacity for accountable and fair service delivery.

Our five security and rule of law policy goals reflect this. We regard them as enabling conditions for promoting legitimate stability. They include both tangible improvements to people's lives and more process-related results. The Netherlands cannot contribute to achieving every goal in every situation. It is impossible to determine in advance what action can be expected to produce the best results. This will have to be determined in each situation on the basis of analysis.

This section describes the assumed 'transmission mechanisms' for each policy goal, i.e. why we think that action on these goals will lead to legitimate stability, and what conditions need to be in place. To give a good indication of the scope of the five goals, we have formulated a number of sub-goals for each of them. The ToC diagram makes a clear distinction between the (sub-)goals, conditions and underlying assumptions (see boxes in different colours). This ToC does not examine how specific interventions will contribute to achieving the goals and subgoals. That particular theory of change belongs with the activities themselves.

Goal 1 – Human Security

People's basic need for safety overshadows all other needs (see Maslow's hierarchy of needs). People who feel safe and secure will themselves invest more in development and stability and will be less inclined to join warring parties.

Governments derive legitimacy from safeguarding the safety of their citizens, but this applies equally to other armed groups. To the Netherlands, it is essential that government should have a monopoly on the use of force if competition between armed groups is to be avoided. Public security institutions must have the capacity to fight armed spoilers of peace. The state monopoly on the use of force should however be used in the service of the people, not ruling elites. Strengthening capacity in the sense of 'train and equip' is therefore inadequate; the crucial factor is reforms to the security sector that lead to greater inclusiveness, transparency and democratic scrutiny of the sector, generating more confidence among the population in the army, the police and other security institutions.

Whether civilians feel safe also strongly depends on the social dynamics and traditional power relations within society, the prevalence of crime and availability of firearms, whether the prevailing culture is peaceful or violent, and the influence of radicalised groups. Social cohesion, mutual solidarity and trust make a society more resilient to escalating violence. From the human rights viewpoint, the international community has its own responsibility to protect civilians (R2P). This may be exercised by supporting national actors through supplying personnel and expertise (for mine clearance, for example), by exerting political or economic influence on governments, contributing to peace missions or even, in extreme cases, temporarily assuming leadership. To combat the transnational causes of fragility, a regional approach and the efforts of the international community are indispensable. However, efforts will only be effective if they are not confined to repression, but also target prevention and the removal of underlying causes.

Sub-goals

- 1.1 All kinds of violent acts against citizens, including sexual violence, and other physical security threats are reduced.
- 1.2 Institutions responsible for maintaining security perform their tasks effectively, accountably and in better coordination, responding to the needs of citizens.
- 1.3 Communities and civil society contribute to human security and a culture of non-violence, independently and in coordination with responsible institutions.
- 1.4 Transnational drivers of conflict such as organized crime and (illicit) flows of finance, arms and conflict commodities are reduced, based on an integrated approach.

Goal 2 – Functioning Rule of Law

The lack of formal or informal legal systems to which people can bring their grievances threatens security and may lead to conflict. Access to effective, legitimate justice enables peaceful settlement of disputes, and reduces the likelihood that conflicts are settled in a violent manner. Legal certainty fosters investment in development and enterprise.

A functioning legal system and effective, predictable and transparent criminal justice institutions are key preconditions for a sustainable legal order. To strengthen the legitimacy of the legal system with the public, people's wishes and needs should play a central part. A first, essential condition is that people be aware of their rights. In fragile, more attention should be paid to the role and function of informal justice, on which much of the population are often dependent. For legitimate stability it is essential that both citizens and government be subject to the law and that the courts be independent. The justice system should also be able to settle disputes relating to the lawful exercise of state power, and powerful elites, private actors and individuals should not stand above the law.

After a conflict or dictatorship during which massive human rights violations were committed, it is essential to achieving lasting peace that the truth should be revealed and culprits held to account either in criminal law or some other way, and that victims should be eligible for reparations or compensation. Citizens feeling that justice is being done has a preventive effect.

Sub-goals

2.1 Men and women from all social groups are aware of their basic rights and fundamental freedoms and have equal means to access formal and informal justice.

2.2 All justice institutions perform their tasks effectively, accountably and in better coordination, responding to the needs of citizens.

2.3 The justice system is independent and effectively curbs abuse of power by state institutions, armed actors or powerful private actors.

2.4 Formal and informal justice institutions effectively address legacies of human rights violations and serious crimes committed during periods of armed conflict or dictatorship, and address root causes that give rise to conflict.

Goal 3 – Inclusive political processes

The structural exclusion of groups from society leads in the long run to conflict. Political representation and a voice in decision-making reduce exclusion and the incentive to take part in armed struggle, since people feel that they are being heard. Legitimate stability is fostered if political and social decision-making on access to natural resources, employment, government services and prosperity is an inclusive process, with widespread participation. This calls for organisations/institutions that help give women and marginalised groups a voice.

Peace processes are also political processes. Peace talks held in the aftermath of an armed conflict need to be inclusive to prevent the resumption of hostilities. A temporary opening to break through established patterns may be seized upon to involve not only the leaders of the warring factions but also other parties, including women, in the peace talks, thus bringing a broader range of solutions into the picture and providing a wider basis for peace. This calls on the capacity of various groups to take part in the negotiations. (International) mediation can play a role here.

An essential condition for stability is the long-term presence in society of mechanisms for the peaceful settlement of conflicts. These include dialogue between groups at national and local level, which can foster recognition that serving one group's interests need not come at the

expense of another's. A wide range of non-state actors, including tribal and religious leaders, women's and youth organisations, the media, entrepreneurs, trade unions and political parties have a role to play. Regional and international actors bear their own responsibility for supporting, not undermining, these processes.

Sub-goals

3.1 Political decision making at all levels is participatory, representative and inclusive of all social groups.

3.2 Domestic and international actors take responsibility for effective and inclusive mechanisms for peacebuilding and prevention of conflict at different levels, with an active role for women.

Goal 4 – Legitimate and capable government

Government institutions that serve people's interests also gain their trust. For stability to rest on a wide base of legitimacy, the government needs to perform its core tasks properly and pursue policies geared to inclusive development. Although building the capacity of government institutions is necessary, it is not sufficient; the main focus must be on how government works with other institutions to serve the interests of its citizens, without excluding any group.

To identify the needs of various groups of people, and to persuade government authorities to accept more responsibility for meeting them, consultation, voice and counter-power must be organised. This calls for the capacity of citizens and local civil society organisations, political parties and people's representatives, including at local level. If sufficient critical mass is reached, pressure from society can help change the behaviour of governing elites.

The non-sustainable exploitation and monopolisation of natural resources undermines the legitimacy of government. This also applies to the large-scale abuse of public office to acquire favours or services for a particular group, although patrimonial societies are more tolerant of corruption and patronage. Efforts to fight corruption, provided they do not only target the political opposition, can increase trust in government, particularly if this leads to more resources being deployed in the public interest and thus reducing aid dependence.

Sub-goals

4.1 Government institutions at all levels implement laws and policies and deliver core tasks in a manner that promotes inclusive and sustainable development.

4.2 Government institutions at all levels are responsive to needs and views articulated by citizens and civil society and have functioning mechanisms in place for internal and external accountability.

4.3 Government institutions manage domestic resources and public finance transparently and have functioning mechanisms in place to reduce and prevent corruption.

Goal 5 – Conflict-sensitive employment and social services

Better and/or more equal access to basic services immediately after a conflict can be a stabilising factor, partly because people who experience tangible, visible change may acquire more confidence in the future. Where unequal access was one of the factors leading to conflict, access to work and an income may weaken the incentive to take part in it.

By ensuring inclusive delivery of basic services and generation of employment opportunities, government and other institutions will gain greater legitimacy with the public. It is important that external interventions through NGOs and the private sector involve (local) government institutions and do not undermine their legitimacy. In turn, government authorities must be willing to facilitate other service providers in the public interest.

Shared social services, economic enterprise and trade can foster peaceful collaboration between rival groups if they conclude that they will gain from working together. Education can be used to reduce differences between groups in the long term, and to bring children up to be responsible citizens.

In countries in chronic crisis, the most vulnerable groups are sometimes dependent on humanitarian organisations for long periods of time. In these cases, care for refugees or displaced persons may sometimes be at the expense of host communities. For legitimate stability, it is crucial that vulnerable groups receive help to become self-supporting, including from local actors, and that international aid providers do not work in isolation.

Sub-goals

5.1 Government institutions, (local) civil society and the private sector increase sustainable employment opportunities in a conflict sensitive manner, working towards inclusive development and social cohesion.

5.2 Government institutions, (local) civil society and the private sector improve (equitable access to) basic services in a manner that increases legitimacy of institutions and social cohesion.

5.3 In situations of protracted crisis, national and international actors support vulnerable groups (including refugees, displaced persons and host communities) to enhance their resilience and build sustainable livelihoods.

Relationship between the five goals

The five goals of this policy priority are closely connected and partly overlap. The difference is mainly in their perspective. Accessible, predictable and inclusive service provision in the field of security, justice, economic development, basic services and administrative and budgetary core tasks is essential for sustainable, legitimate stability. Development of the rule of law and inclusive political processes help citizens call government to account, and also change people's perception of safety, i.e. they generate confidence that conflicts can be resolved peacefully. Conflict resolution is closely linked to reconstruction, at local level in particular, given that issues around access to land, water, livelihoods and services often lead to tensions. There is considerable overlap between goals 1 and 2 in relation to the role of the security and justice sectors, with the police generally being considered as belonging to both. The law enforcement and legal systems are jointly responsible for public safety and protection, but the justice authorities must also ensure the lawfulness of security institutions' actions.

Goals may also conflict. In practice, trade-offs are often made between the desire to improve people's short-term safety and the inclusiveness and legitimacy of the processes that ensure this. For example, it is often difficult to guarantee the full inclusiveness of peace talks, and the desire to bring warring parties to justice for human rights violations may reduce the prospects of a peace agreement.

4. Operational principles

How the policy goals are operationalised matters a lot and this is part of the Theory of Change.

Integrated approach

The complexity of present-day conflicts and their underlying causes calls for a multi-dimensional, longterm effort. The security and the rule of law development cooperation policy promotes close harmonisation of the various components of foreign policy: political dialogue, development cooperation, the promotion of the international legal order and security policy.

There are also direct links with humanitarian aid, migration policy and private sector development. Joint analysis and objectives shared by the various actors involved are central to the integrated approach. The main point of departure is that conflict prevention and resolution are more effective with the earliest possible integrated deployment of the right mix of policy instruments, based on a thorough contextual analysis. The Netherlands therefore also urges the application of an integrated approach by international actors such as the UN, NATO and the EU and regional actors such as the AU.

Connecting with international agreements and systems

For international cooperation in and with fragile states, widely shared agreement on activities and guidelines are essential. In the past 10 years, the Netherlands has actively contributed to these, particularly within the OECD/DAC. The Principles for Good International Engagement in Fragile States and Situations concern matters such as the 'do no harm' principle (i.e. take account of the effects of interventions on the dynamics of the conflict), and the need to adopt a long-term approach and to take local context and systems as the starting point. The New Deal for Engagement in Fragile States is based on country ownership and leadership, i.e. the responsibility of partner countries to achieve stability and reconstruction through inclusive processes. Donors and aid recipients are mutually accountable for the results. The five Peacebuilding and Statebuilding Goals should be central to the (support) efforts. During the negotiations on the post-2015 development agenda (Sustainable Development Goals), the Netherlands pressed for the adoption of a separate goal on peaceful and inclusive societies, in order to widen the scope of international agreement. The envisaged goal, SDG 16, could contribute to a global consensus on a number of sub-goals and progress indicators, and the mobilisation of resources for targeted intervention in fragile states.

Context-specific and conflict-sensitive action, with an eye to the gender dimension

There is no one-size-fits-all strategy. Each situation calls for its own, specific approach. To put a context-specific approach into practice, reliable analysis is essential. Before we can explore opportunities for intervention, it is essential to chart existing power structures (through political and economic analysis and gender analysis) and to identify the causes of conflict and the parties involved (through conflict analysis and stakeholder analysis). A conflict-sensitive approach is needed not only for the security and the rule of law policy priority but also for the entire development effort in fragile states, whatever the channel.

There is no explicit hierarchy among the goals within this policy priority. However, the existence of a hierarchy of needs, possibly based on Maslow's model, may be recognised in specific situations. The assumption is that safety is people's most basic need. However, the needs of different population groups, men and women and young and old, are not all the same.

Thorough, repeated analysis of the priority needs of the various groups is therefore essential in designing interventions. Women's active role in peacebuilding and conflict resolution is of great importance for all five goals. Women know what is going on in the community, and often act as mediators in local conflicts.

Prevention first

It is better to prevent a conflict than to wait for it to escalate. We regard it as the responsibility of the entire international community to help prevent conflict. Prevention is easier, less costly and by far the better option for the population of a country, but it demands targeted attention. On the basis of timely contextual and conflict analyses, options for intervention need to be explored at the earliest possible stage. The Netherlands urges more frequent use of the early warning systems developed by international organisations like the EU and OSCE. The challenge is then to respond adequately to an identified threat. This calls for political will and international coordination. Early response may relate to every element of security and the rule of law policy, in particular political mediation between the parties to the conflict. Rapidly deployable instruments such as the Stability Fund allow the Netherlands to support preventive measures relatively quickly.

Flexible choice of channel

Partners will be chosen in each specific situation for their capacity to help achieve the goals most effectively. International organisations have a clear role to play in many of the security and the rule of law policy fields, given not only their mandate, but also the fact that problems are often too serious for bilateral actors to address. The UN is usually responsible for facilitating peace talks (track one), because bilateral partners are more likely to be seen as having their own political agenda. Multilateral organisations often have a mandate to coordinate the diplomatic and donor effort, and are active in many more countries. The Netherlands recognises the importance of international structures like the EU's (Working Groups and Councils, Instrument for Peace and Stability, Common Security and Defence Policy Missions and Early Warning System), the UN's (Security Council, Peacebuilding Commission & Fund, peace missions and UN institutions) and regional actors. The Netherlands actively contributes to improving the functioning of these international forums and institutions, both through critical dialogue and by providing human and financial resources.

Bilaterally, the Netherlands mainly takes on those tasks at which it is relatively skilled (for example, the integrated approach to peace missions, developing the rule of law, strengthening local governance, mobilising women's organisations in peace processes, and facilitating multi-party politics). We sometimes conclude that international organisations are not effective enough, cannot or will not take a sufficiently political approach, or devote too little attention to crucial elements of a conflict. The Netherlands provides governments in fragile states with direct funding in only a few cases (see chapter 5). Because the private sector has a significant role to play in creating employment opportunities also in fragile states, bilateral private sector programmes may be implemented there.

However, it is essential that conflict-sensitive approaches are adopted. In recent years, funding through the civil society channel has increased considerably. Sustainable peace and development call in our view for assertive citizens and a strong field of non-state actors.

Dutch and international civil society is often in a far better position than governmental actors to strengthen the role of local counterparts in lobbying and advocacy, providing basic services at community level, resolving local conflicts and facilitating dialogue between government and population groups. NGOs also have a major role to play in reconstruction and the transition from humanitarian aid to development. Moreover, some NGOs have specialist knowledge, enabling them to act as thinktanks, mediators or advisers for government authorities and regional organisations.

Long-term commitment and flexible financing

Flexible financing is well suited to the volatile environment in fragile states. We therefore prefer to opt for multi-year programmes within a general strategic framework, taking account of possible changes and setbacks during the programme period, such as a resumption of hostilities. The Netherlands is making longer-term efforts to contribute to structural reforms in the field of security and the rule of law with some 10 development cooperation partner countries. However, flexibility also means that the list of partner countries is not wholly decisive in determining where the Netherlands is active. Action elsewhere is also advisable, especially given the need for rapid, preventive intervention at flashpoints. In such cases, multilateral funds often provide a way forward.

5. Tensions and risk analysis

Numerous assumptions underpin the operational principles. In practice, the policy objectives and operational principles of the security and the rule of law priority are not always supported

by the international political agenda. In acute crises in particular, concerns about international conflict spillover prevail and/or there is strong political pressure for immediate – often military – intervention. Concerns for our own safety partly determine whether and how we take action, with direct consequences for the dynamics in the country concerned. Although many international organisations have embraced the idea of the integrated approach, competing mandates within and between organisations are not in practice conducive to it. Different parties (defence, the police, the criminal justice authorities, development agencies and diplomats) each work on the basis of their own culture and vision. The Netherlands tries to overcome this with frequent consultations and joint training.

Building legitimate institutions is generally recognised as a long, time-consuming process. In practice, a long-term commitment is difficult to sustain, partly because of changing political priorities and cutbacks. Precisely because the processes are complex, it is often difficult to determine at the outset how long the Netherlands will need to be involved, and what strategic goals we will want to have contributed to once our involvement is phased out.

In exploring opportunities for intervention, we need to decide on our partners in the countries concerned. The main principle here is that we do not work from blueprints, but have due regard for local solutions, especially if the people regard them as highly legitimate. An overly normative approach that disregards the local political reality is at serious risk of failing. This kind of flexibility is not guaranteed in practice, because Western countries' approach is not geared to it. We have a problematic relationship with informal institutions that do not fit into our frame of reference. Because we are unfamiliar with or suspicious of the institutions of traditional civil society, we tend to ignore them, transform them into something we know or set up new organisations. This can lead to illusory solutions and corrode local institution-building and social cohesion. From a Western viewpoint, democratically elected institutions have more legitimacy than systems based on patron-client relationships. The international community regards the organisation of elections, especially in the aftermath of armed conflict, as a condition for the establishment of legitimate leadership and, often, financial aid. But in practice, these elections are often flashpoints within fragile states, leading to unrest and new outbreaks of violence. Democratisation is a long-term process. Pragmatism often dictates that we should work with less democratic structures, albeit under conditions that strongly depend on the specific context and the stage which the country has reached.

The New Deal explicitly recognises that engaging with fragile states demands the willingness to take risks, in particular in funding weak national systems with the aim of strengthening their capacity and legitimacy. The Netherlands recognises the need to take calculated risks in this field, but seeks within this framework to have sufficient attention devoted to checks and balances in relation to political elites. The New Deal stresses the need for inclusive political settlements, but in practice, a critical dialogue with political leaders on this sensitive issue rarely gets off the ground. The multilateral institutions and many bilateral donors tend towards an apolitical approach, with too much focus on building the capacity of formal institutions as a goal in itself. The Netherlands sees a total lack of political will to adopt more inclusive approaches as a possible reason to cease cooperation.

6. Knowledge agenda and assessment of assumptions

There is no generally accepted Theory of Change on how states can escape from fragility and the role external actors can play in this. A reasonable degree of consensus exists on the significant factors and processes, but many questions still remain unanswered. Neither academic studies nor practical experience provide a full, unambiguous answer to the question of how best to influence these factors and processes, and the synergies and possible contradictions that may play a role. Up to now, far too little light has been shed on certain

factors, such as the role and legitimacy of informal institutions, the causes of radicalisation and the influence of transnational drivers of conflict. These are context-specific factors, which leads us to ask whether it is possible to formulate more general principles. Perhaps what matters is asking the right questions. The Ministry of Foreign Affairs is keen to generate more knowledge on these questions, and to disseminate it among implementing organisations and knowledge institutions. The Knowledge Platform on Security and the Rule of Law is making a major contribution through network meetings and research.

In this Theory of Change, DSH has highlighted a number of factors not given any prominence in either the letter to the House of Representatives on the security and the rule of law policy priority or international policy agreements. This ToC is also built on assumptions that require critical examination. The diagram refers explicitly to a number of the main assumptions, so that they can be examined in both theory and practice. The Netherlands and many other countries are hard at work formulating and examining Theories of Change to support specific interventions. At this level, too, it is essential to identify and monitor assumptions. DSH seeks to work with its strategic partners to systemise Theories of Change and monitoring frameworks, so that results and assumptions can increasingly be assessed and compared, and support processes can be monitored to establish whether they are genuinely developing as hoped.