Identity and Resilience

The Politics of Social Inclusion in Peace Processes

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This thesis is the result of my own work and includes nothing which is the outcome of work done in collaboration except as declared in the preface and specified in the text. It is not substantially the same as any work that has already been submitted before for any degree or other qualification except as declared in the preface and specified in the text. It does not exceed the prescribed word limit for the Department of Politics and International Studies Degree Committee

Abstract

Thesis Title: Identity Resilience and Social Justice: Peace-making for a Neoliberal Global Order

Emma Lee Wilson

Over the last decade 'inclusivity' – or the selection of a broad range of armed and non-armed social actors to participate in peace processes – has emerged as the fundamental principle of peace process design. As external international peace mediation theoretically no longer seeks to dictate liberal peace outcomes, but merely aims to facilitate participatory processes of locally-driven social change, the question of 'who gets a seat at the table?' has become of vital importance for the success and outcome of peace processes. The broad theoretical rationale behind 'inclusivity' is that a process that includes the views of a wide range of local stakeholders is more likely to address the social needs of conflict societies, produce resilient social systems and have legitimacy at the local level because it is 'owned' by those who have contributed to and made the decisions. The principle of inclusive peace process design has been operationalised through the inclusion of unconventional violent non-state actors, women, civil society, youth, opposition political parties, ethnic minorities, religious actors, business actors and other actors such as indigenous communities, internally displaced people, diasporas and refugees. Focusing on the social exclusion issues of misrecognition and maldistribution as the primary driver of violence in the fragmented and localised neoliberal conflict zone, this thesis argues that inclusive peace process design has had limited success in achieving its objectives of legitimacy and empowerment of marginalised actors to place issues of social inclusion on the negotiating agendas of peace processes. In many peace processes, social inclusion strategies are actively resisted by elites and the general public.

The peace and conflict studies literature lacks theoretical frameworks and concepts to explain why social inclusion strategies face elite resistance and despite small successes in elevating the voices of elite women and civil society groups, has largely failed to engage intersecting race, gender and class issues in the politics of peace processes. This reflects an emphasis on normative approaches to inclusivity grounded in the international human right to political participation at the expense of the power politics of inclusion/exclusion characteristic of neoliberal societies that limit the participation of some social groups in inclusive peace processes. The normative approach has produced scholarship on the discourse of inclusivity in international organisations or the inclusion of singular identity groups such as women or youth in peace processes. Where the conflict context is considered it is focused on the interaction of illiberal elites with liberal human rights frameworks. Drawing on critical social theory and mixed methods research, this thesis develops a critical framework to understand the politics of social inclusion in peace processes by placing the 'hype' around inclusivity within the context of the global international security paradigm of inclusion/exclusion that permeates and structures peace process design and the conflict societies that peace mediation seeks to support. It argues that the politics of inclusion – or the setting of the boundaries of the 'political' in peace processes -- is a dynamic interplay between dominant liberal political inclusion and liberal security exclusion narratives of elites, and resistant social justice discourse, which consists of the class politics of redistribution and the identity politics of recognition of unconventional violent non-state actors, social movements and subaltern actors. It argues the structural power of the politics-crime binary that underpins both inclusion/exclusion and inclusivity narratives

operates to persistently criminalise and exclude class politics, unconventional violent non-state actors and marginalised actors from the political sphere, leaving the social exclusion that promotes conflict in the neoliberal era to apolitical community mediation to increase resilience. It outlines a new social inclusion strategy based on the values and objectives of social justice and sociological conflict analysis as a pathway to expand the politics of peace processes to include social issues of recognition and redistribution. It demonstrates the relevance of the critical framework with empirical evidence from four peace processes – Myanmar, Colombia, Mali and San Salvador (gang truce).

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Chapter One: Introduction

1.1   Introduction

'Democracy is essentially a means, a utilitarian device for safeguarding internal peace and individual freedom. As such it is by no means infallible or certain. Nor must we forget that there has often been much more cultural and spiritual freedom under an autocratic rule than under some democracies and it is at least conceivable that under the government of a very homogenous and doctrinaire majority democratic government might be as oppressive as the worst dictatorship…the striving for equality by means of a directed economy can result only in an officially enforced inequality − an authoritarian determination of the status of each individual in the new hierarchical order. We must face the fact that the preservation of individual freedom is incompatible with a full satisfaction of our views of distributive justice…I have come to feel strongly that the greatest service I can still render to my fellow men would be that I could make the speakers and writers among them thoroughly ashamed to ever again employ the term 'social justice' (Hayek, 1944)'.

Friedrich Hayek wrote this spirited attack on social democracies and socialism towards the end of the World War Two, when politicians, diplomats and scholars were turning their attention to the values and international institutions that would guide the post-war international order. In the 1930s, Hayak was also the co-founder of a group of European neoliberals − the Mont Pelerin Society − who were determined that post-imperial international institutions would protect the transnational flow of trade and commerce against claims to economic sovereignty from post-colonial states and demands for social justice from a growing working class in Western democracies. These two objectives were achieved by lobbying for a post-war neoliberal global order based on a clear distinction between the state political sphere and a transnational economic sphere. Recent intellectual histories of 1930s and 1940s Europe show that the European neoliberals, based predominantly in the present-day multilateral diplomatic capitals of Geneva and Vienna, were influential in establishing contemporary international economic institutions that regulate the global economy, such as the World Trade Organisation. They were also strong advocates for the development of an international human rights law

that not only prioritises individual civil and political rights over collective socio-economic rights but also that applies primarily within state political boundaries. The European neoliberals saw this broad global distinction between a state politics focused on individual freedom of citizens and the transnational economy as intimately connected to prospects for world peace and justice. Early neoliberals attributed the market to a series of anti-political morals: checking and dispersing power, facilitating social co-operation, pacifying conflict, and securing individual liberty and rights. They presented 'commercial' or civil society as a space of mutually beneficial, voluntary relations that contrasted with violence, coercion and conflict in the political realm. Market co-ordination was a substitute for violence, coercion and despotism that were endemic to politics – and especially mass politics of social justice. Hayek viewed demands for collective social justice as an attempt not only to regress backwards to the morals of tribal societies based on social solidarity but also to infect the peaceful operation of the market with the toxic politics of the working class. The contribution of neoliberal thinkers to current understandings of peace and justice is under-appreciated in the peace and conflict studies literature. In part, this is because much of the academic literature on neoliberalism has focused on the rise of neoliberalism in Anglo-American societies from the 1980s onwards rather than the role of European neoliberal thought in shaping the boundaries of global politics from the 1940s onwards. Two main strands of thought guide this literature. Firstly, Marxist literature focuses on neoliberalism as a hegemonic ideological and policy project to restore class power through policies of economic deregulation, privatisation, the withdrawal of the welfare state and in the Global South, structural adjustment. The Foucaultian literature highlights neoliberalism as the prevailing governing rationality that replaces politics with the neoliberal logics of business and economics, including efficiency, entrepreneurship and privatisation. This thesis will make a contribution to peace and conflict studies literature as well as the political and social theory literature on neoliberalism by exploring the connection between neoliberalism, conflict and the international peace-making architecture. The achievement of this objective requires a shift from the traditional emphasis on neoliberalism as market rule and an economic policy project or governing rationality, towards a focus on neoliberalism as a distinctly political project that shaped the structure of the global order. This thesis takes inspiration from very recent intellectual and international history scholarship that highlights the political goals of the original neoliberal thinkers to place contemporary peace-making practice within a neoliberal global order. As the Hayek quote above suggests, the early European neoliberals were much

more concerned with the nature of democratic and post-imperial politics than with the market or economics per se. They viewed the market as socially embedded, rather than 'free' and believed that the benefits of the proper functioning of the market for a peaceful world order could only occur if it was supported by a liberal (as opposed to social) form of democracy within states. Liberal democracy would allow the regulation of the international economy, 'free' from state politics, at the global institutional level.

This thesis will make the case that at the end of the Cold War it was the neoliberal vision of an international constitutional order, including its understanding of 'peace', that triumphed along with the United States. The 'liberal peace' doctrine, which guided post-Soviet democratic transitions and the resolution of civil wars between states and rebel groups across the globe in the 1990s, is based on the neoliberal ideal of liberal democratic politics encased within state boundaries and a separate transnational economy. The liberal democratic peace thesis emphasised the value of liberal political norms of tolerance, openness and equality of political participation. These liberal political norms, arguably, protected individuals from authoritarian abuses of state sovereign power and gave them the political power to make demands on the state. Since states which adhere to the principle of political participation are presumed to be more responsive to the interests of a broad range of citizens, the logic of the democratic peace thesis is that citizens will have little reason to take up arms against the state. The 'liberal peace' state institution building exercise not only supported a normative state politics based on civil and political rights rather than social justice, it also promoted the liberalisation of post-conflict or post-Soviet economies, making the neoliberal dream of a global free market a reality.

Challenging the connection made between neoliberalism and peace, this thesis asserts that the neoliberal global order, based on a sharp distinction between state politics and a global economy, has been far from peaceful. It will draw on Marxist and post-structuralist literature describing the violent consequences of global neoliberalism to show that the normative limitations placed on democratic politics and the withdrawal of the social function of the state, together with global capitalism unfettered by the politics of social justice, has created a vast international informal 'criminal' economy in parallel to the formal international economy. The informal economy is spatially located in historically marginalised ethnic communities who do not have the power to access the formal global market or the citizenship status to access

adequate state governance. In addition to intersecting socio-economic and cultural characteristics, the 'informal' economic sphere is also defined by its geographic distance from former colonial metropoles and the urban financial centres of post-colonial states (Comaroff & Comaroff 2006). Marxist literature interprets the rise of the informal sphere as a consequence of the 'choice' made by neoliberal states to leave certain cultural communities 'ungoverned' in social, political and economic terms. To fill the governance void, a proliferation of new violent non-state actors – including gangs, transnational organised crime, militia and global Islamist groups -- have emerged to provide security, employment and welfare in the absence of the neoliberal state. In contrast to the peaceful, co-operative commercial society envisaged by European neoliberals, the informal transnational economic spaces of the neoliberal global order have been labelled by conservative and critical scholars alike as a 'maelstrom of disorder', haunted by unregulated violence, ungoverned spaces, un/civil warfare, crime, identity politics and random terror (Comaroff & Comaroff 2006). This thesis examines the role of international peace-making, as a product of and constituent part of the neoliberal global order, in creating and preserving the structural conditions for new forms of violence and conflict in the informal sphere.

The main research question which guides this dissertation is:

How has the neoliberal global order shaped intra-state conflict dynamics and the international peace-making architecture?

Within this broad research framework, the thesis also considers the following sub-questions:

a) Is the normative basis of liberal peace-making adequate to respond to the political-economy of conflict?
b) How has the concept of inclusive peace process design changed peace-making practice?

This thesis answers these questions by developing three main arguments. Firstly, it demonstrates that liberal peace-making is the culmination of a neoliberal political-economic project of global ordering that began in 1930s and 1940s Europe and is therefore designed to both create and preserve the structure of the neoliberal order. Liberal peace-making develops

post-conflict states to fit within the neoliberal global order by spatially reflecting the state political/transnational economy divide and materially adopting its key international policy and normative prescriptions. International human rights law shapes the politics of post-conflict societies and the security-development nexus helps post-conflict states manage and depoliticise the informal violence associated with the transnational international economy. It uses this Marxist understanding of neoliberalism as a hegemonic ideological and policy project to identify the structures of shared formal-informal governance that promote violence and also guide peace process design. Following this socio-spatial reading of conflict and peace-making, the thesis suggests that peace in the neoliberal era can only be achieved by transforming the formal (political)-informal (economic) divide that underpins the neoliberal global order. This would involve peace processes that expand the boundaries of peace and politics to include the demands for social justice from the informal 'economic' sphere. The second part draws on the work of Michel Foucault to develop a theoretical framework to demonstrate how the structural power of discourse operates on and shapes the politics and preferences of individual actors in peace processes to demobilise social justice struggles, create resilient neoliberal subjects and ensure the structure of the neoliberal political-economy is maintained. Thirdly, this dissertation posits that the question of whether peace-making becomes a platform of resistance and transformation of the political-economic boundaries of neoliberalism, or merely functions to 'patch-up' and promote resilience to its effects, turns on the interpretation and implementation of the concept of inclusive peace process design. Inclusivity is the primary method of inclusion of unconventional violent non-state actors and non-armed social actors in peace processes. It is currently implemented within a normative framework of international human rights law and a post-structuralist/culturalist reading of the 'local', which removes the social justice discourse of marginalised actors from the sphere of liberal political representation. Reflecting the structure of the neoliberal order, elites and 'local' marginalised actors are managed through two distinct spaces of mediation – one formal and the other informal. Drawing on Nancy Fraser's tripartite theory of social justice, it proposes an alternative theoretical basis for inclusive peace process design based on a political-economy reading of the norm of political participation that repoliticises the discourse of marginalised actors by collapsing the spatial and discursive barrier between formal and informal mediation. By adopting the critical perspective of Fraser which appreciates both the material structures and discursive processes of neoliberalism, the thesis therefore aims to highlight the weaknesses of

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post-structuralist approaches to both neoliberalism and peace process analysis. While post-structuralism usefully encompasses the micro social level identity politics of peace processes, by discounting the class actor as a fixed site of oppression and resistance it denies the possibility of a peace that overcomes the structures of violence in the neoliberal global order. By assuming that neoliberalism is a discursive process that gradually replaces politics with a market rationality, the post-structuralist perspective turns peace processes, as a biopolitical tool of the neoliberal political-economy, into never-ending, circular local processes of resilience. It misses the point that peace-making, like the neoliberal global order itself, is about creating a certain kind of liberal politics in state formal spaces that will support the continued functioning of the transnational economy. By focusing on a depoliticised 'local' or informal space as a bounded entity separate from formal politics, post-structuralists also cannot offer an adequate account of social resistance to the outcome of contemporary peace processes, which stem from the neoliberal spatial and political boundaries reinforced by peace-making. This thesis adopts a critical analysis of the relationship between peace-making and neoliberalism to explain social resistance to inclusive peace processes as a politics of contestation over the boundaries of the 'political' in the neoliberal global order between marginalised and elite actors. It develops these arguments using empirical evidence from four peace processes that were carried out within the last decade – Myanmar (2016-), Mali (2012-2015), San Salvador (2012) and Colombia (2012-2016).

1.1.1 Peace-making for a Neoliberal Global Order

This thesis draws on Marxist literature on neoliberalism to place both peace-making and contemporary intra-state conflict dynamics within a neoliberal global order structured by a division between a formal state political realm and a transnational economic realm. The liberal peace of the 1990s was instrumental in exporting the political-economic structures of neoliberalism across the globe, limiting post-conflict politics to that of liberal democracy and ensuring the free flow of the global capitalist economy across state political boundaries. Contrary to neoliberal theory, the transnational economic spaces that opened up were not voluntary spaces of mutual benefit free from the violence of politics and tribal social solidarities. Instead, they are home to a violent parallel international criminal economy governed by violent non-state actor groups often formed along the intersecting lines of class

and identity, which challenge the values and politics of the neoliberal global order. To respond to the problem of growing informal violence, the international peace-making architecture has adopted the key policy prescriptions of the security-development nexus, which is used to preserve the political-economic boundaries of the neoliberal global order. The deployment of the security apparatus clears the path for multi-national corporations from the international formal economy to access the natural resources within state political boundaries by criminalising and marginalising the inhabitants of informal spaces. In turn, the development apparatus quashes the emergence of a class politics of social justice in informal spaces by using the trope of individual responsibility or resilience to make the management of the conflict-poverty nexus a matter of self-improvement rather than state policy. While Marxist understandings of neoliberalism identify the macro-level structures of material oppression that shape the design of peace processes and violent neoliberal societies, they have been criticised for focusing on neoliberalism as a universal end state, rather than a process that has rolled out unevenly and in different ways depending on the local cultural context. Because European neoliberals did not believe that race (or probably gender for that matter) is a category of analysis, the Marxist emphasis on the European intellectual basis of the neoliberal global order also omits consideration of the role of cultural identities in shaping international human rights law and in turn, global politics. In order to examine the micro-politics and context of its individual case study peace processes the thesis turns to Foucault's work on social power and the biopolitics of the neoliberal governing rationality.

1.1.2   Peace-making as Biopolitics

Wendy Brown espouses the view of neoliberalism as the prevailing governing rationality, which produces a world where:

"all conduct is economic conduct; all spheres of existence are framed and measured by economic terms and metrics". *Homo economicus* has vanquished *homo politicus* such that we are only, always, and everywhere competing market actors. Neoliberalism is that political rationality through which the capitalist form of valuation swallows whole every motivation, every domain of life. The very language of freedom, equality, and popular sovereignty is perverted "to signify democracy's *opposite*" (p. 10).

For Brown, the dominance of neoliberalism has resulted in the 'economisation of the political', where classic liberal democratic principles of equality, political autonomy, universality as well as the paternalism of the liberal welfare state are all backgrounded by the logics of neoliberal governance. Neoliberal governance buries sovereignty, contestable norms and class structures, effectively displacing social democratic questions of justice. Brown's work is based on her reading of Foucault, who argued that the rise of the neoliberal political-economy has fundamentally changed the nature of power in neoliberal societies, reducing the importance of the sovereign power of laws and institutions in favour of the biopolitical governance of populations. The security logic of inclusion/exclusion underpins the biopolitical approach to stifling the emergence of a social democratic politics that might challenge the values of neoliberalism. Neoliberal governments normalise the socio-economic inequalities of global capitalism through the structural power of dominant discourses of fear of an excluded 'other' defined along intersecting cultural and class lines. To be included in the formal political sphere, subjects must exhibit neoliberal traits and adhere to (neo)liberal values. Discourses of fear justify the exclusion of illiberal subjects impoverished by neoliberal policies as external threats to the health and well-being of the neoliberal polity. Excluded subjects are depoliticised under the sphere of security and governance intervention. This thesis highlights the discourse of inclusion/exclusion as the primary discursive power structure that peace-making should seek to address in the neoliberal era.

1.1.3   Inclusive Peace Process Design

The dissertation argues that social justice can be incorporated as the normative basis for peace-making through a reinterpretation of the concept of inclusive peace process design. Inclusive peace process design has been the primary method of extending the biopolitical reach of peace-making beyond armed groups and institutions to entire conflict populations. Inclusivity requires the selection of a broad range of armed and non-armed social actors to participate in peace processes. The broad theoretical rationale behind 'inclusivity' is that a process that includes the views of a wide range of local stakeholders is more likely to address the social needs of conflict societies, produce resilient social systems and have legitimacy at the local level because it is 'owned' by those who have contributed to and made the decisions. The case studies considered in this thesis illustrate that the shift towards inclusive peace

process design has not resulted in peace processes that address the injustices suffered by marginalised communities. Furthermore, far from increasing the social legitimacy of peace processes, all four peace processes considered were undermined by the liberal security or social justice discourse of non-armed social actors. The weaknesses of approaches to inclusive peace process design stem from the current normative and culturalist interpretations of inclusivity. These approaches circumscribe debate between the liberal security discourse and social justice discourse of marginalised actors by limiting the politics of social actors to an expression of affiliation with a singular social identity in the formal sphere and depoliticising marginalised actors under mediation to increase resilience in the informal sphere. Spaces under informal governance are treated as distinct 'sovereign' entities, but in reality, 'formal' and 'informal' spaces influence and are produced by the politics of inclusion/exclusion that circulates through neoliberal societies as a whole. As a result of the depoliticization of social justice discourse, the liberal security discourse that drives conflict is left unchallenged to overwhelm peace processes that attempt to engage a criminalised informal sphere. Neoliberalism's 'stealth revolution', as Wendy Brown puts it, has not only killed the ideal of the democratic peace thesis, but also ensures that a fragmented peace-making architecture is unable to locate a new normative foundation to effectively and legitimately transform a changing conflict landscape. The inability of the international peace-making architecture, including peace and conflict studies, to draw on alternative normative foundations to that provided by the liberal peace is connected to the dominance Foucault's understanding of social power within the field, meaning it does not acknowledge or respond to material sources of oppression. This in turn may be linked to the dominance of Europe and Europeans in the discipline and practice of peace, a region, as noted above, with everything to lose and nothing to gain by giving up access to its former colonies in the name of economic equality.

This thesis draws on the work of Nancy Fraser to propose an alternative normative basis for peace-making that is derived from the politics of resistance to inclusion/exclusion that circulates in neoliberal societies. She highlights political injustice as the fundamental injustice of the neoliberal era because without access to the 'political' community, social justice claims for recognition and redistribution cannot be made on the state. Fraser's concept of political injustice directly targets the security discourse of criminalisation that prevents marginalised actors under informal governance from making justice claims for recognition and redistribution

in the politics of peace processes. Unlike the norm of political participation derived from international law, it recognises the *material* as well as cultural structures of inclusion/exclusion that limit political participation in neoliberal societies. Unlike culturalist interpretations of a 'local' social space that is distinct from and resistant to liberal political representation, Fraser's theory highlights that the formal political participation of marginalised actors is imperative. Fraser's solution to the injustices of inclusion/exclusion discourse is to democratise and de-territorialise the process of setting the boundaries of the political community, allowing contestation and consensus to be developed around who should be included and excluded from the formal politics of social justice claim making. For Fraser, the de-territorialisation of politics – meaning the freeing of politics from neoliberal state boundaries – is the only way to address the transnational nature of injustices in the neoliberal global order. Fraser's theory of justice therefore provides a way to transform the structural basis of the neoliberal global order outlined above – which contain intersecting *cultural, material and importantly, spatial, aspects.* The European neoliberals wanted a global order where state boundaries would prevent anything that happened in transnational economic spaces from being held to standards of social justice. Fraser's theory ensures that justice can apply to transnational spaces. Drawing on Fraser, this thesis argues that the key to the transformation, rather than the maintenance, of the structures of formal/informal neoliberal governance is to democratise and de-territorialise the setting of the boundaries of the 'political' of peace processes. It demonstrates that multi-scalar 'inclusive' peace process design, based on norms of social justice and sociological conflict analysis, can harness the power of social justice discourse against liberal security narratives, stimulating a politics that might address the transnational structures of the neoliberal global order that promote conflict.

1.2 Research Methodology

The methodology adopted in this thesis forms the basis of a multi-scalar approach to inclusive peace process design based on norms of social justice, the inclusion actors marginalized along intersecting cultural and economic lines and a socio-spatial analysis of the political-economy of conflict. The methodology aims to contribute to the small, but growing body of critical peace and conflict studies literature that seeks to incorporate intersectional political-economy analysis, spatial analysis and sociological methods of discourse analysis into peace theory and

scholarship (Simmons 2020; Bjorkdahl 2019; Hoglund 2019). This literature has emerged from the non-traditional peace and conflict studies disciplines of geography (Megoran 2018) and education (Cremin 2017), research partnerships between social movements, scholars in the Global South, and peace researchers in the Global North (Social Conflict Transformation Initiative), and early career scholars of inclusive peace process design (Stavarevska 2020 and 2018, Erturk 2020, Van Santen 2019, 2020 & 2021).

This thesis adopts a sociological approach to the analysis of violent non-state actors used by Idler and Felbab-Brown as a method to challenge the dominance of realist security classifications of inclusion/exclusion in the study of complex conflict zones. A sociological approach differentiates and defines armed groups not according to their political, economic or criminal motives but according to the social legitimacy of their governance strategies. It draws on a Foucauldian understanding of power that circulates throughout society as governmental practice, which allows mediators to engage with violent non-state actors as governors of territory, even though they are not formal sovereigns under law. As the aim of governmental practice according to Foucault is to achieve the health and welfare of the population, violent non-state actor legitimacy can be determined by the protective nature of their local governance strategies. The key difference between this approach and traditional liberal-realist conflict analysis is that sociologists view violent non-state actors not as ancillary challengers to the state or external security threats but as socially embedded within local and state power structures. As Idler has demonstrated, sociological analysis also exposes the governance arrangements made between different violent non-state actor groups within the same informal territory, thus overcoming the academic disciplinary biases that compartmentalise the study of rebel groups within political science, terrorist groups within security studies and 'criminal' groups within sociology.

The sociological analysis of the social context conflict zones also identifies the array of non-armed social actors that have an interest in and seek to influence the outcome of peace processes. This approach diverges from existing scholarship on the inclusion of social actors in peace processes which works to reinforce the current limitation of the politics of peace processes to identification with a singular social identity. Traditional inclusivity scholarship

focuses on the infusion of inclusivity as a liberal norm, the inclusion of singular identity groups such as women and civil society in peace processes and UN discourse on 'inclusivity'. Where the conflict context is considered, it is focused on the interaction of illiberal elites with liberal human rights frameworks or the politics of norm creation between international and domestic liberal actors in formal peace processes. The lack of attention to the power politics of inclusion/exclusion that limits political participation in neoliberal societies means that the peace and conflict studies literature lacks theoretical frameworks to explain why inclusive peace processes have faced resistance from social actors. It also does not shed light on why, despite small successes in elevating the voices of elite women and civil society groups, inclusive peace process design has largely failed to engage intersecting race, gender and class issues in the politics of peace processes. This thesis makes a contribution to this body of literature with an examination of how social actors influence questions of inclusion in peace processes both from within inclusive design structures and from the outside.

The spatial approach to the study of peace processes used in this thesis highlights the connection between formal and informal territorial boundaries in neoliberal societies and the boundaries of the 'political' set by mediators in peace processes. It demonstrates that these spatio-political boundaries of peace processes no longer reflect the dynamics of the politics of inclusion/exclusion in neoliberal societies, which have become democratized and de-territorialised. By focusing on the spatiality of peace processes, the work aims to show the importance of a multi-scalar approach to peace process design for addressing neoliberal conflict dynamics. Multi-scalarity breaks down the material and ideological barriers between the political and the criminal and formal and informal territory.

This thesis uses the literature on social conflict transformation theory to historicise both conflict and peace-making as a part of the legacies of colonialism. Social conflict transformation theory has emerged from partnerships between scholars in Latin America and the Global North, marginalised communities and trans-national social movements. Decolonial thought, which explains social and environmental injustices as arising from the project of modernity and the ongoing expansion of a European cultural imaginary, is the distinguishing feature of the social conflict transformation approach. It acknowledges the historical legacy of colonialism in

injustices – particularly in inequitable land use and distribution patterns – and the persistence of colonial values (coloniality) as the cause of current injustices. The Mali and Myanmar case studies pay particular attention to the origins of the conflicts in the colonial period and the way in which peace-making is a continuation of colonial processes that stoked division and inequality. The aim is to incorporate decolonial thought as part of peace-making practice based on norms of social justice.

1.2.1   Case Study Selection

The dissertation aims to apply the theoretical framework to four case study peace processes – Myanmar (2016-), Mali (2012-2015), San Salvador (2012) and Colombia (2012-2016). These four peace processes have been selected because they all occurred within the last decade and therefore reflect both the conflict dynamics shaped by the neoliberal global order and the response of the international peace-making architecture. The four conflicts are indicative of the wide-ranging and complex violent community adaptations to the imposition of neoliberal policies on a global scale. The sharp rise in the informal economy has transformed traditional Cold War era ideologically-driven rebel groups in Colombia and Myanmar, who now also run transnational organised crime businesses to fund war and sophisticated quasi-state governance. The San Salvador gang truce reflects a general global shift away from traditional civil wars towards post-war urban criminal violence in cities. The rival MS-13 and Barrio 18 youth gangs contribute to an average homicide rate of 60 per day and a permanent state of fear of violence amongst the San Salvador public. In Mali, local communities have formed alliances with identity-based ethno-nationalist and global Islamist groups for security and protection in historical communal conflicts over drug-trafficking and land, producing a fragmented and overlapping array of local, national and global conflicts. The four very different conflict contexts allowed analysis of the dissertation's theoretical framework for peace-making as biopolitics across conflict contexts.

The cases were also selected because the concept of inclusive peace process design structured each of the peace processes to varying degrees, with the trend across cases showing the influence of the international norm of political participation as well as culturalist thinking on the implementation of inclusivity. It was only elite Colombian peace negotiators, following the

left-wing politics of the FARC, who interpreted inclusive peace process design in accordance with social justice norms.

Lastly, all four cases illustrate the empirical reality of conflict in the neoliberal era as an interplay between dominant inclusion/exclusion discourse of elites and resistant social justice discourse of recognition and redistribution of marginalized actors. The cases were selected because they were all undermined not by armed groups, but by the discourse of social actors who had an interest in the outcome of the process but were not included in designs that treat spaces under formal and informal governance as separate political spaces of mediation. In Colombia and San Salvador the inclusion of 'criminals' in political dialogue sparked a widespread toxic negative public reaction and elite media campaigns against the peace processes. The Colombian public voted against the 'inclusive' peace agreement in a referendum and the El Salvador state withdrew support for the unpopular gang truce over the 2014 election period. Female peace and justice advocates were assassinated during the course of both peace processes. In Myanmar, the peace process ignored the development of the liberal security narrative in society during the democratic transition, leaving new social cleavages to develop along religious lines that lead to mass communal violence against Islamic communities. In Mali, where the liberal security narrative was dominant, it was the social justice narrative of protestors that overthrew the government and the peace agreement they had negotiated under the influence of the international security community. The outcome of the peace processes signal the importance of engaging with conflict populations in neoliberal peace processes and highlight inclusive peace process design as the key site of the repoliticisation of peace-making.

1.2.2   Research Methods

One of the main objectives of this dissertation is to shift the focus of conflict analysis from a narrow concern with armed groups to the wider and more nuanced spatio-social context of peace processes. To this end, the research for this dissertation is based on a combination of methods which brings together the experience of a wide range of actors including peace mediators, international actors and non-armed social actors in each of the case study countries. As the thesis also seeks to highlight issues of social justice and marginality in the context of conflict and peace processes, the research goes beyond the elite and international

organisation discourses, ordinarily privileged in literature on inclusivity in peace processes. The dissertation, instead, pays particular attention to the analysis of the discourse of unconventional violent non-state actors and marginalized social actors in order document how they see peace and conflict in terms of social justice.

The experiences and reflections of peace mediators, international and social actors were obtained through conducting a total of 75 elite interviews. The elite interviews were semi-structured and revolved around issues concerned with the peace processes in Colombia, Mali, Myanmar and San Salvador (gang truce). The semi-structured interview method allowed the interview participants to speak freely about their impressions of the politics and design of the peace processes. The interviews were not digitally recorded, but notes were taken in all interviews. The interviewed mediators were chosen from a wide range of institutions: state government departments, international peace-building INGOs such as the Centre for Humanitarian Dialogue, regional organisations such as the Organisation of American States (OAS) and local religious and civil society organizations including the Paung Sie Facility. Members of what I term the 'social' actors included business owners, representatives from political parties, local religious organization and civil society activists, urban residents, Catholic priests, and Islamic scholars. International actors included officials from the UN and international peace-building INGOs. All interviews were conducted either in person or by phone. The face to face interviews took place in Bogota, Bamako, San Salvador, Yangon, New York, Geneva and Washington between April 2018 and July 2019. Because of the sensitive nature of the topic of the peace process in each of the country case studies examined in this dissertation, interview subjects chose to remain anonymous. As a result, I have only referenced the type of organization they represent (see Appendix A). For interviews I used a non-random criterion and snowball sampling technique where my participants were selected according to the main criteria of being engaged or affected by the peace processes in Myanmar, Mali, San Salvador and Colombia. I also met mediators and policy officers engaged in the field of peace mediation more generally as a participant in international conferences on peace-making, including the Kroc Institute for Peace *Sustaining Peace* conference (November 2019), the International Centre for Transitional Justice workshop on Peace-making and Transitional Justice (October 2018) and the Rethinking Peace Mediation workshop (November 2018).

In addition to interviews, the analysis of the social justice discourse of traditional and unconventional armed actors during peace processes drew on transcripts of media interviews, social media posts and written communiques from armed actors to the general public stating their case for inclusion and their vision for peace. The mediators interviewed for the Colombia case, the San Salvador case and the Mali case provided access to the written communiques of some armed groups, including the FARC in Colombia, the gangs in San Salvador and the Macina Liberation Front in Mali. The Colombia process was rigorously documented by the media, with numerous transcripts of interviews with negotiators publicly available. There was also considerable press coverage of the San Salvador gang truce. Because freedom of the press was relatively circumscribed in Myanmar, I relied primarily on interviews with non-armed marginalized actors to obtain an impression of the nature of the social justice discourse that had developed during the democratic transition.

This thesis also draws on a comprehensive review of sociological and anthropological studies of each of the conflict societies examined as well as the peace and conflict studies literature pertaining to the case study peace processes and peace-making more generally.

1.2.3 Positionality

I am writing this thesis from a Centre for Development Studies and with a professional background in the design and evaluation of conflict prevention, stabilisation and social inclusion programmes at the Australian Agency for International Development (AusAID, now part of the Department of Foreign Affairs). My academic background is in law and in sociology at an Australian university. I have not received training in the negotiation theory of American schools or culturalist and normative approaches to peace and conflict studies in Europe. This background has influenced the critical emphasis on the political-economy of power and narratives, social justice and sociological methods in the thesis. It also influenced my placement of peace-making within the security-development nexus of international intervention and within neoliberal societies rather than within the traditions of international relations, international law and diplomacy. My sociology and development background in particular informed the dissertation focus on the social context of conflict, social actors as 'spoilers' of

peace processes and the discourse of marginalized actors, in a field that has traditionally emphasized elites and armed groups.

Interestingly, I have observed that the sparse body of critical academic scholarship on peace-making tends to be carried out predominantly by female academics. Similarly, much of the social justice advocacy on the margins of peace processes is also pushed forward mostly by women from marginalized groups at the intersection of class and gender. This has made me reflect on the question of gender as well as class and its role in peace-making analysis and praxis. Women in general, because of social norms and gender roles, seem to be the group most aware of the exclusionary effects of social structures and the particular impact of conflict and violence on the most vulnerable actors. My positionality as a young white female researcher meant many of my interlocutors in the field were not male members of armed groups but were female social actors or peace-makers focused on social justice activism and also inclusive peace process design as a mechanism champion to the rights of women in peace processes. This has shaped the thesis focus on the potential and interpretation of inclusive peace process design for the future of peace-making.

1.3 Outline of the Thesis

This thesis develops the three core arguments over six chapters. Chapter Two places contemporary intra-state conflict dynamics and peace-making within the structures of the neoliberal global order initially envisaged by European neoliberals. By highlighting the political objectives of neoliberal theory, the chapter highlights the limits of Foucaultian understandings of neoliberalism for explaining contemporary conflict dynamics. Rather than replacing politics entirely with a market rationality, peace-making preserves or constructs a liberal formal political space in post-conflict societies that is distinct from and therefore cannot address, the violence and social injustices associated with informal transnational economic spaces within states. Chapter Three shifts the focus from the institutional structures of the neoliberal global order to the local micro-politics of individual peace processes that demarcate spatial and discursive boundaries between formal political mediation and informal community mediation to increase resilience. Drawing on Foucault's work on the rise of the biopower of discourse, as opposed to sovereign institutional power, in the neoliberal political-economy, the chapter

develops the theoretical framework that will guide the analysis of the case study peace processes. The framework demonstrates that the structural discursive power of the norms, international law, international policy and conflict analysis that inform liberal peace process design produce, legitimise and limit the micro-politics of peace processes to four narratives of peace and conflict – liberal political, liberal security, inclusivity and resilience. Each narrative excludes (formal mediation) or depoliticises (informal mediation) the class politics of marginalised actors in the informal sphere, thereby preserving the material macro-structures of the neoliberal global order. Foucault's conception of biopower, which circulates continuously through a multiplicity of unfixed local social sites, rather than fixed material structures, captures the role of cultural identity in neoliberal politics as well as how the neoliberal political-economy manifests in different contexts. Using this approach allowed the identification of the four peace and conflict narratives that make up the thesis theoretical framework through fieldwork, with international and local actors gravitating towards a different dominant narrative depending on the conflict context. This chapter also highlights the weaknesses of the post-structuralist interpretation of neoliberal peace-making for understanding the social politics of resistance to peace processes. If peace-making is seen merely as a biopolitical tool of the neoliberal governing rationality, the end result of peace processes can only be the creation of depoliticised neoliberal subjects who adhere to neoliberal economic logics. Within the post-structuralist frame, different social identities are not viewed as a fixed platform from which to resist or claim rights from the sovereign state or international courts. Instead, they are merely local points of resilience to a relentless, circular neoliberal governing rationality. Chapter Three makes the case for an alternative interpretation of the politics of peace processes that supports critical Marxist understandings of neoliberalism as a policy project to limit state politics so it does not impinge on the transnational economy. With the state and material structures of the neoliberal global order reintroduced into the frame, the chapter social resistance as emerging from fixed intersecting class, gender and ethnic identities that are employed to make political claims on the state, from the transnational spaces outside the formal politics of peace processes. The chapter therefore advocates an understanding of conflict and resistance to peace processes as an attempt by both conservative and marginalised social actors to renegotiate or reinforce neoliberal political boundaries.

Chapters Four to Seven are the case study chapters. Each peace process is analysed in terms of the four peace and conflict narratives identified in chapter Three, with each case dominated by one of the four narratives. The cases draw a connection between conflict type, mediator type, social context and the dominant peace and conflict narrative that emerges to preserve the neoliberal political-economy. The case of Myanmar's peace process considered in Chapter Four, for example, shows how the state tightly controlled the formal peace process to resolve a Cold War era conflict between the state and ethnically-defined rebel groups, in favour of a liberal political narrative of peace and conflict. In Chapter Five, the case of the Mali peace process provides an example of the response of the peace-making architecture to a fragmented neoliberal conflict zone with a range ethno-nationalist, global Islamist and organised crime violent non-state actors. Due to the presence of global Islamist groups, Western powers controlled the process to reflect international security priorities regarding informal conflict, leading to the dominance of liberal security narratives of peace and conflict. Chapter Six shows that in San Salvador, the regional organisation the Organisation of American States (OAS) pioneered the practice of urban peace mediation in informal spaces through a gang truce that sought to achieve peace as resilience by facilitating the social inclusion of gangs. Chapter Seven considers the Colombia peace process where the state drew on relatively strong institutions and civil society to structure a formal peace process dominated by inclusivity narratives of peace and conflict. The trend across the four cases and contexts is that the persistence of the ordering logic of the formal-informal binary in the spatial and discursive dynamics of peace processes makes it difficult to stimulate and link social movements under a social justice inclusion strategy. The conflict in each case is analysed as a product of the politics of inclusion/exclusion that circulates throughout society but lies outside the spatial and political boundaries imposed by the four legitimate peace and conflict narratives. Each chapter concludes with a section detailing how the discourse of excluded social actors eventually overwhelmed the carefully constructed politics of the peace process.

Chapter Two: Peace-making for a Neoliberal Global Order

2.1 Introduction

This chapter places both peace-making and contemporary conflict dynamics within the macro political-economic structures of a neoliberal global order. Drawing on recent Marxist literature on the role of European neoliberals from the 1940s onwards in shaping current international law and institutions, it highlights the core feature of this international order as an artificial split between state political boundaries and the transnational economic sphere. To strengthen the thesis argument that contemporary peace-making has developed to support a neoliberal global order, the first part of the chapter outlines three different peace theories that were developed during and just after the Cold War – neoliberal peace theory, Galtung's theory of a social democratic peace and the cosmopolitan alternative. It illustrates that the neoliberal understanding of peace and justice gained hegemony with American ascendancy at the end of the Cold War. The 'liberal peace' as well as dominant academic scholarship that emerged in the 1990s and beyond forged post-conflict societies across the globe that were based on and supported the neoliberal ideal of a state liberal democratic sphere that could not affect the transnational flow of trade and commerce. The third part of the chapter uses Marxist and post-structuralist literature on the relationship between global neoliberal economic policies and conflict to argue that far from promoting peace, the neoliberal global order has created violent 'informal' spaces of transnational organized crime and identity-based conflict. The rise of a transnational informal 'criminal' economy in historically marginalized cultural communities is a key feature of the neoliberal global order, with a range of violent non-state actors, including rebel groups, terrorist groups, organized crime and militia, emerging to govern informal spaces in the absence of the state. This part of the chapter outlines the post-structuralist literature on Africa, which argues that peace, conflict and governance has been completely subsumed by economic logics of neoliberalism. It then turns to the Marxist literature, focused mainly on Latin America, South Asia and Southeast Asia, that argues that contemporary conflict dynamics are shaped by a discursive and territorial political (formal)-economic (informal) divide in

neoliberal societies. Contemporary dynamics of violence and conflict stem from the security-development nexus, which is the key international and state policy response of the neoliberal global order to violent informal territory. The security apparatus is deployed to prevent unrest amongst those marginalized by neoliberal policies and the development apparatus is deployed to increase the resilience of those impoverished by neoliberalism. The chapter outlines the ways in which the international peace-making architecture has absorbed the policy prescriptions of the neoliberal global order that maintain the state political-transnational economy divide – international human rights law, security and resilience, with the consequence that peace-making both spatially and discursively establishes or preserves the structural conditions for a violent informal sphere. Having highlighted that peace-making maintains the macro-structures of the neoliberal global order that promote conflict, the following chapter Three frames individual peace processes as a biopolitical tool of the neoliberal global order in order to understand how neoliberal politics operates at the micro local level to carve out two distinct discursive and spatial spheres of mediation – one formal, the other informal.

2.2 Neoliberal Theory and Peace

This section aims to place peace-making within a hegemonic neoliberal global order by drawing on work at the intersection of international law, international history and political theory that highlights the key role of the neoliberal intellectual movement of the 1930s and 1940s in Europe in determining not only the structure of international law and international institutions but also dominant understandings of 'peace' in the international system. The intellectual movement was spearheaded by the Mont Pellerin Society and the 'Geneva School' of intellectual thought – a collection of English, German and Austrian diplomats, businessmen and academics. It was headquartered in Geneva, the modern-day home of both the World Trade Organisation and international peace-making organisations. Making a connection between economic neoliberalism and the global politics of peace, work by Slobodian (2018), Whyte (2020), Moyn (2018), and Linarelli, Salomon & Sonorajah (2019), respectively, highlights the neoliberalism of 1940s Europe not only as an economic theory but also a deeply political one, with two main objectives. These were firstly to establish a post-colonial global order to maintain European ascendancy in global trade and commerce and secondly to stamp out the

threat of a burgeoning working class at home (Slobodian 2018). The movement aimed to achieve these objectives in three ways: a) structure international law and institutions around a clear distinction between the politics of sovereign nation states and the global economic sphere of trade and investment b) develop international trade and economic law to disqualify demands for economic sovereignty from newly colonized states and legalise continued European access to the natural resources of the Global South and c) shape the international human rights law that regulates the behaviour of states towards its citizens so that the global economic sphere is insulated from state politics of redistribution. The following paragraphs takes each one of these in turn, ending with a summary of how these three elements – which some prominent contemporary international lawyers and political theorists call the 'international constitutional order' – is related to neoliberal conceptions of peace and justice (Linarelli et al, 2019). By emphasising the macro structures that define peace in terms of a separation between state liberal politics and the transnational economy, this section pushes back at post-structuralist interpretations of neoliberalism as a micro process of displacing liberal politics with economic logics.

2.2.1 The International Constitutional Order

Recent literature on 20thC neoliberal theorizing has focused on the Geneva School of thought, which advocated for an extra-economic global institutional and state political environment that would safeguard global capitalist markets (Whyte 2020). The attention at the level of global political institutions, rather than the individual or the state, challenges the Foucaultian argument that neoliberal governance subsumes politics and human motivations underneath an overarching market rationality (Slobodian 2018). Acknowledgement of the important role of neoliberal theory in shaping the current international order has emerged from recent scholarly engagement with non-English language sources on the work of European neoliberals (Slobodian 2018). European neoliberals were primarily attentive to the questions of the post-imperial international order that Anglo-American neoliberal thinkers have neglected. European thinking on the post-colonial order was based on German philosopher Hayek's idea that markets are not natural, free or pervasive as was assumed by 19thC classical liberals (Whyte 2020). Instead, they are the socially-embedded products of the political construction of institutions that encase or protect them. The Geneva School project on world order offered a

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set of proposals to European diplomats in the 1940s that aimed to defend the world economy from the 20thC threats of global social democracy and decolonization (Slobodian 2020). They reconciled the tension between the world economy and the emergence of democratic nation states by drawing on Schmitt's global imaginary of two worlds (Hayek 1944). One world was partitioned into bounded, territorial states where governments ruled over human beings. The other was the transnational world of property, where people owned things, money and land scattered across the earth. Schmitt meant the doubled world as something negative, an impingement of national sovereignty, but neoliberals saw it as the best description of something they wanted to preserve (Ropke 1946). Wilhelm Ropke (1946), who was an academic in Geneva for nearly thirty years, believed that the two-world division would be the basis for a liberal world order. The ideal neoliberal order would maintain the balance between the two global spheres through an enforceable world law, creating a 'minimum of constitutional order' and a 'separation of the state public sphere' from the private domain (Whyte 2020, p. 54). Ropke (1946) argued that to diminish state sovereignty is most emphatically one of the most urgent needs of our time, but unlike the cosmopolitan view outlined in more detail below, Ropke (1946) believed excess of sovereignty should be abolished instead of being transferred to a higher political and geographical unit (Slobodian 2018). Scaling national government up to the planet, creating a global government, was no solution. The puzzle of the neoliberal century was to find the right institutions to sustain the often strained balance between the economic world and the political world, or in other words, between global economic dependency and state political self-determination (Whyte 2020). The solution was found in the realm of international statecraft and law, making the European neoliberalism of the 1940s less a discipline of economics and more about forging the international institutions that would underpin the 'international constitutional order' that we still see in Geneva and Vienna today (Linarelli et al 2019). Geneva School neoliberals therefore prescribed neither a Foucaultian-style obliteration of politics by economics nor the dissolution of states into a global market-place, but a carefully structured and regulated settlement between the two. They sought not a partial but a complete protection of private capital rights through a global economic constitution that would override national legislation that might disrupt the global rights of capital. Slobodian (2018, p. 46) makes the argument that capitalism at the global scale was the foundation of the normative global order envisaged by the neoliberals:

'Rather than a self-regulating market and economy that eats everything until it self-destructs as in Polanyi's characterization, what the neoliberals envisaged and fought for was an ongoing settlement between imperium and dominium while pushing policies to deepen the power of competition to shape and direct human life. The normative neoliberal world is not a borderless market without states but a doubled world kept safe from demands for social justice and redistributive equality by the guardians of the economic constitution. A neoliberal perspective on history of the 20th C amounts to an alternative account of the modern era. In a neoliberal history of the century, decolonisation began in 1919; fascism looked promising to some until it raised tariff walls; the Cold War was secondary to the war against the New Deal; the end of apartheid was seen by some as a tragedy; and countries were secondary entities subordinate to the totality of the globe. It is a history where the so called golden age of postwar capitalism was actually a dark age, governed by Keynesian delusions and misguided fantasies of global economic equality. It is about the development of a planet linked by money, information and goods where the signature achievement of the century was not an international community, a global civil society or the deepening of democracy, but an ever-integrating object called the world economy and the institutions designed to encase it. It tells a story of neoliberals who did not see capitalism and democracy as mutually reinforcing but who instead faced democracy as a problem. Democracy meant successive waves of clamouring demanding masses, always threatening to push the functioning market economy off its tracks. For neoliberals the democratic threat took many forms – from the white working class of Europe to the non-European decolonizing world'.

Looking at the century from Geneva (rather than Chicago, Washington or London), Slobodian reveals a strand of neoliberal thought that held that, in order to survive, the world economy needed laws that limited the autonomy of nations. He shows a version of neoliberalism where the core value is not freedom of the individual but the interdependence of the whole. Slobodian places the neoliberal project into a broader framework, improving on current histories of neoliberalism that ignore that the questions of empire, decolonization, and the world economy were at the heart of the neoliberal project from its inception. The remainder of this section examines how the European neoliberals proposals for a post-imperial global order were manifest in current post-war international institutions deliberately built on a

bifurcation between international economic law that apply to transnational economic spaces and the 'political' areas of international law pertaining to human rights and the environment that largely apply within state boundaries. The chapter then highlights how the international peace and security architecture is part of the institutional intermediation of global politics that reinforces the separation of economic and non-economic realms.

2.2.2 International Economic Law

Linarelli, Salomon and Sonarajah (2019) characterize post- World War Two international economic order as 'a new constitutionalism of disciplinary neoliberalism' that is rooted in and reifies commodification on a global scale. Global capitalism is preserved by the imposition of two distinct normative economic orders through international economic law and international economic institutions such as the WTO, the EU, the European Central Bank, the IMF and the World Bank. One normative order is regulated by the justice of domestic courts and applies to compatriots within the state borders of the Global North, and the other is subject to only the most basic minimum moral standards and applies to 'transnational' economic activities that have a large impact on the primary commodities of the Global South. The transnational economic project of accumulation supports the expansion of international investment law that protects foreign investors from state expropriation of natural resources, of an 'offshore world' of tax havens for merchants, and the proliferation of 'economic zones' across land and sea to protect capital from policies of progressive taxation or redistribution. As with Slobodian's contribution to intellectual history, the work of Linarelli et al (2019) aims to highlight neoliberalism as a specific institution-building project to insulate markets from demands for social justice rather than as a nebulous logic or rationality. In their view, the latter Foucaultian reading of international law has produced weak critiques that foreground the malleability and indeterminacy of international law, meaning that it can be deployed to support any political outcome. They write:

'That international legal rules offer the basis for contradictory positions, a platform for diverse interpretations and reflect varying political perspectives is so only once we account for how categorical the assumptions and premises of neoliberal capitalism are in international law –

from the density of trade and investment treaties to trade law's obligation-exception/defence structure to the dominant approach in trade and investment circles that their subject matter is largely distinct from the social contract that states have with their people (with those 'domestic' issues to be addressed by international organisations specializing in development or perhaps by human rights). In so far as the interpretation of international rules can, in principle, be helpfully indeterminate, that is be able to bend towards justice, it is not hard to see the ways in which it is dangerously determinate' (p.18).

For the small group of authors attempting to place international law and institutions in a neoliberal global order, this understanding that international law was primarily developed to facilitate competitive economic relations amongst unequal capitalist states is necessary to explain the weakness of 'political' side of the international order – codified in international human rights law and international criminal law (Linarelli et al 2019). The *determinacy* of international economic law allows untrammeled expansion of overseas markets by those with the military clout to clear a path into foreign lands (Linarelli et al 2019). Norms related to private property and land appropriation for commercial development as well as the sanctity of the private contract have been presented as essential to economic development and the financial order in the Global South (Linarelli et al 2019). Non-market values – such as the protection of human health and the environment are conceptualized as intrusions into the market and allowable only as exceptions to free trade which is the necessary ideal (Linarelli et al 2019). The next section details how international human rights law developed so as to have a minimal impact on the transnational economic sphere.

2.2.3 International Human Rights Law and Peace

Marxist approaches to international law also highlight the relationship between contemporary human rights discourse and neoliberalism, noting that the embrace of the language of human rights by a new generation of INGOs in the 1970s coincided with the rise of neoliberalism. Upendra Baxi's (2007) pioneering work on 'trade-related market-friendly human rights' traced attempts by major corporations to mobilise the normative force of human rights to defend the rights of capital. Makau Mutua (2001) has long argued that the failure of human rights NGOs

to pay attention to 'economic powerlessness' has helped to naturalise capitalist markets and subordinated labour relations. Costas Douzinas (2002) has similarly argued that negative freedom, which he frames as a euphemism for rejecting state regulation of the economy, has 'dominated the Western conception of human rights and turned them into the perfect companion of neoliberalism'. For Wendy Brown (2015), the politics of human rights not only 'converges neatly with the requisites of liberal imperialism and global free trade' but also serves to legitimise them. And Susan Marks (2011) has suggested that the more recent turn to examining the 'root causes' of human rights violations has in fact shielded the structural context in which violations of human rights are systematically reproduced.

Whyte (2020) extends these observations by focusing on the ways in which neoliberal thinkers viewed the rise of human rights in the 1940s, which attached a stronger focus on social and economic rights than we see today, and then mobilised and developed the language of human rights for their own ends. By understanding the role of human rights in earlier neoliberal thinking she seeks to explain their convergence in the current neoliberal global order. When a distinctive and powerful version of human rights began to be advocated by NGOs and the US state in the 1970s, thirty years after the adoption of the Universal Declaration of Human Rights in the 1940s, it was based on the neoliberal, watered down language of human rights that were the product of neoliberal advocacy in the 1940s through to the 1970s. The European neoliberals supplanted proposals to enshrine collective rights to housing, food, education and medical care with a narrow focus on individualistic civil and political rights as 'first tier rights'. This version of human rights became hegemonic in the 1970s alongside neoliberal assaults on both the welfare state and postcolonial attempts to restructure the international economy in the interests of global equality. Human rights became the dominant ideology of a period marked by the demise of revolutionary utopias and socialist politics.

Whyte (2020) argues the European neoliberals justified their focus on individual civil and political rights by referring to Hayek's philosophy on the relationship between an apolitical economic sphere and global peace and justice. Hayek (1944) argued that morals develop through the unconscious selection of the values and institutions that provide those that submit to them with the greatest benefit. The morals of the market initially emerged in urban, commercial centres where substantive bonds were weaker and individuals more accustomed to cooler, more distant market relations with others. The transition to the market economy

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was achieved through deeply resented breaches of the solidarity that governed earlier social relations. Hayek interpreted demands for social justice and social and economic rights as attempts by uncivilised members of society to resurrect the morals of this tribal society based on social solidarity. Socialism and social democracy were not merely economic threats to the productivity and efficiency of economic relations, they were civilisational regressions, the return of suppressed primordial instincts that threatened the moral foundations of the competitive market. The neoliberal argument for the competitive market was therefore itself moral and political rather than strictly economic. Early neoliberals attributed the market to a series of anti-political virtues: checking and dispersing power, facilitating social co-operation, pacifying conflict, and securing individual liberty and rights. They presented 'commercial' or civil society as a space of mutually beneficial, voluntary relations that contrasted with violence, coercion and conflict in the political realm. Market co-ordination was a substitute for violence, coercion and despotism that were endemic to politics – and especially mass politics of social justice. This philosophical underpinning of peace has been under-appreciated in contemporary peace and conflict literature. Only the widespread adoption of the morals of the market, Hayek argued, offered 'the distant hope of a universal order of peace'. The tendency to view neoliberalism as the dominance of the economy over all other spheres of life has obscured its distinctive political argument for the competitive market. Throughout the 20thC, neoliberals argued that the demise of market competition was a threat to individual freedom that augured the rule of a coercive, bureaucratic power. They faulted socialism and social democracy for politicising distribution and replacing consensual market relations between individuals with violent sectional conflicts over ends. In the wars of the 20thC they saw the inevitable result of a turn away from the market economy. It is central to Hayek's description of the market as a 'catalaxy' – a term derived from the Greek verb katallatein which meant both to exchange and 'to turn from an enemy into a friend'. It informs Ropke's (1946) argument that allowing individuals to pursue their interests through the market leads to harmonious social co-ordination while the pursuit of interests through the political process brings 'millions of conflicting interests' into play. And it appears even in the positivist Friedman's (1992) argument that the use of 'political channels' strains the 'social cohesion essential for a stable society', while the use of the market reduces tensions by making it unnecessary for individuals to agree on ultimate ends. For the neoliberals, the competitive market was not simply a more efficient technology for the distribution of goods and services; it was the guarantor of individual

freedom and rights, and the necessary condition of social peace. Hayek's idea that morals must be compatible with the market gave the neoliberals a criterion for assessing claims to human rights that was more precise than a simple distinction between civil and political rights and social and economic rights: to the extent that rights supported market relations, the neoliberals actively promoted them; when claims for rights interfered with the competitive market, by requiring state intervention and non-market or 'social' forms of obligation and redistribution, they opposed them. Whyte (2020) argues that neoliberal thinkers and the human rights activists were able to find common ground around the prioritization of civil and political rights in the 1970s. For her, the neoliberal background sheds light on the apparent puzzle that the human rights politics of the late 20th C, with its distinctive use of international advocacy to limit the power of the state, emerged in the 1970s seemingly from no where. Organisations like Amnesty International drew on an account of human rights developed by neoliberals since the 1940s. Like the neoliberals, these organisations also believed that decolonisation had generated a desperate need for new standards to constrain postcolonial states. The attempt to discipline postcolonial states held a much larger place in the new politics of human rights than did concerns with economic welfare and self-determination of previous decades. By 1992, when Friedman took up the neoliberal cause, the neoliberal argument that only a liberal market economy could foster human rights was taken as self-evident by many major international human rights NGOs and the liberal peace-making community of the 1990s. Two other theories of peace emerged in the post-World War Two period with a very different view of the relationship between politics, economics and peace. The following sections discuss Galtung's social democratic theory of peace and the cosmopolitan ideal of peace, before demonstrating that it was the (neo)liberal peace that gained hegemony in the post-Cold War period.

2.2.4 Peace and Social Justice

At the same time that European neoliberals were advocating for a neoliberal global order, the Norwegian sociologist Johan Galtung was making a major contribution to the development of contemporary peace theory based on the ideal of a social democratic state. As a sociologist with an eye on development theory as well as conflict theory, Galtung (1969) was particularly

attentive to the relationship between class structure and violence. He coined the term 'structural violence' to describe the impact of unjust and unequal distribution of resources on the lower rungs of the social structure:

'violence is built into the structure and shows up as unequal power and consequently as unequal life chances. Resources are unevenly distributed, as when income distributions are heavily skewed, literacy/education unevenly distributed, medicine services available in some districts and not others; above all the power to decide over the distribution of resources is unevenly distributed. The situation is aggravated further if the persons low on income are also low in education, low on health, and low on power – as is frequently the case because these rank dimensions tend to be heavily correlated due to the way they are tied together in the social structure. Marxist criticism of capitalist society emphasizes the power to decide over the surplus from the production process is reserved for the owners of the means of production, who can then buy themselves into top positions on all other rank dimensions because money is highly convertible in a capitalist society – if you have money to convert, that is….the important point here is that if people are starving when this is objectively avoidable, then violence is committed…the condition of structural violence (is) a social injustice in the Marxist tradition…If we accept that the general formula behind structural violence is inequality, above all in distribution of power, then this can be measured,(p. 171)'

Written in the 1960s during the 'golden age' of Keynesian capitalism, Galtung's (1969) theory of violence and peace held that structural violence and overt physical violence in the form of conflict or war were intimately connected. Peace therefore results not only from the control and reduction of the overt use of violence but also by addressing structural violence through social justice, defined as the egalitarian distribution of power and resources. Galtung's socially just vision of peace research, which was the foundation of numerous peace and conflict research schools and international organisations in Scandinavia as well as the Journal of Peace Research and the Journal of Peace and Development, emphasizes that peace theory must be tied as equally to development research as it is to conflict research. In 1990, Galtung extended his theory of peace and violence to include the concept of 'cultural violence', to take account

of the growing awareness of the role of ethno-religious discrimination in conflict at the end of the Cold War. Galtung defined cultural violence as a form of symbolic violence that is used to legitimize and incite both the physical and structural violence identified in the earlier iteration of his peace theory. Peace, defined as social justice, therefore entailed addressing the triangular relationship between physical, cultural and structural violence. Amartya Sen (2008) built on Galtung's peace theory in his 2008 Journal of Peace Research essay on 'Violence, Identity and Poverty'. He argued that political-economy of power and inequality and culturalist explanations for violence are inadequate on their own and must be used in tandem to adequately address both conflict and poverty. Sen writes:

'Theories (of violence) based on the culture of societies, among which the theory of the clash of civilisations is the most influential, attempt to explain violence by referring to antagonisms between collective identities. Theories of the political-economy of power and inequality seek the sole cause of violence in economic factors...the coupling between cultural identities and poverty increases the significance of inequality and cultural violence...approaches should avoid isolationist programmes that explain violence solely in terms of social inequality and deprivation or in terms of identity and cultural factors. (p. 583)'

Cedric J. Robinson's (1984) theory of racial capitalism developed in the 1980s also tied culture and class together with the unequal structures of the imperial global economy, which the neoliberals sought to maintain. Robinson theorized that all capitalism was inherently racial capitalism and racialism was present in all layers of capitalisms socio-economic stratification. Although racial capitalism is not limited to European territories or those previously under European colonial rule, it was from western European's 17thC dominion that the two (capitalism and racial exploitation) first conflated. Thus, racial capitalism, according to Robinson, emanated from the tendency 'of European civilization...not to homogonies groups of people but to differentiate – differentiation that led to racial hierarchization and as a result, exploitation, expropriation and expatriation'(p. 92). The Marxist view of peace as requiring social justice on a global scale as well as at the level of the state is a direct counterpoint to the neoliberal theory of peace, which is still influential today. Both the neoliberal and Marxist

theories of peace see some role for the state in achieving a peaceful global society. The next section outlines the cosmopolitan ideal, which holds that the pathway to peace lies in abolishing the state structure all together and submitting the whole of humanity to a world government.

2.2.5 The Cosmopolitan Solution

As outlined above, culturalist explanations for conflict came to prominence in the 1990s as the ideological proxy civil wars associated with the Cold War came to an end. Samuel Huntington's 1992 neo-conservative clash of civilisations thesis argued the ideological conflicts of the bipolar Cold War era would be replaced by an inevitable clash between the West and its universal values of democracy, free markets and human rights and illiberal Islamic societies that divert from and challenge neoliberal orthodoxies. Kaldor's (1999) 'New Wars' thesis similarly asserts that the political goals of conflict in a post-Cold War era of globalisation are about the claim to power on the basis of seemingly traditional identities – nation, tribe, religion. She argues that the upsurge of particularistic identities can be explained in terms of a growing cultural dissonance between those who participate in transnational networks and those who are excluded from global processes (Kaldor 1999). Many scholars, including Kaldor, saw the end of the Cold War as an opportunity to advocate for a cosmopolitan world order which would resolve inter-state conflict and identity-based conflict by submitting humanity to the rules and constitution of a universal world government. Cosmopolitanism presents a political-moral philosophy that posits people as citizens of the world rather than of a particular nation-state (Weller 1997). Like neoliberalism, it represents a challenge to more traditional views that focus on age-old attachments of people to a place, customs, identity and culture. Cosmopolitan emphasis on social bonds rather than nation-states lays the foundation for its view of society ultimately evolving toward harmony and away from conflict (Weller 1997). There is no single common understanding of cosmopolitanism, and consequently there is wide disagreement among the new cosmopolitans as to its specific social, political, and legal implications (Weller 1997). The term has been used to promote a wide range of projects, from a radical form of global redistribution to alleviate poverty in the Third World to military intervention in non-liberal states (Cremin 2015). Some of the universal tenets of the cosmopolitan approach that developed in the 1990s include 'tolerance,

multiculturalism, civility and democracy' as well as the dissolution of state political boundaries (Kaldor 1999). In 1997, Marc Weller outlined the cosmopolitan vision of the universal international constitutional order, which goes beyond the neoliberal international constitutional order by elevating the political, as well as the economic, sphere above the strictures nation state:

'There has emerged a third paradigm; that of the emerging universal constitution. This view, expressed in its fullest form by Phillip Allot, reconceptualizes the basic notion of sovereignty, recognizes the vastly increased complexity of the emerging system in terms of the number of and differing types of privileged actors within the system, or constituents of the system, and seeks to identify formal and material constitutional structures and institutions that are developing. While the empowerment and self-regulation of literally all of mankind through the creation of a global social process which is conducted by all under the rule of law may appear far-fetched to some, a more modest development in this direction can already be traced, not only in the minds of forward thinking scholars, but also in the practice of the constituents of the present, modern state system. This practice foreshadows the emerging reality of a universal constitutional system. Hence, while they may not be conscious of it, even the traditional 'international' actors are tentatively moving the system from modernity to post-modern constitutionalism. This emerging system features an infinite number of constitutionally authorized actors which are empowered to fulfill certain public functions within the universal system....admittedly, this emerging system is full of puzzling complexity, and it is at present still in the process of embryonic development. But we can trace the creation of a formal constitutional structure of universal application, the emergence of material rules of constitutional standing, and the increased role of international institutions (p. 42)'.

For cosmopolitan international lawyers, the current form of international human rights law shaped in part by European neoliberal intellectuals, legitimizes state sovereignty and the disenfranchisement of citizens within the state system (Weller 1997). In appearing to agree to accept human rights, governments confirm that the existence of such rights depend on their will. The absolute power of states is preserved by 'granting' certain rights to their constituents.

Cosmopolitan skepticism of the nation states ability to uphold international law resulted in the development of the international law regulating humanitarian intervention and the use of force against states who forgo their sovereign rights by violating the universal constitution (Weller 1997). The cosmopolitan perspective has been criticized for papering over the state-based cultural and/or economic inequalities that structure the world system, making any world government likely to favor the interests of the most powerful states (Branch 2011). The following section outlines the triumph of the neoliberal vision of peace at the end of the Cold War, which was accompanied by the unfortunate entrance of the 'academic' discipline of political science into peace and conflict studies, displacing political theorists, sociologists and to some extent, international lawyers. As a result, in this bleak period of scholarship and practice, peace and conflict studies became nothing more than an appendage to the liberal state institution building exercise envisaged by the neoliberals.

2.3 The (Neo)liberal Peace

As the Soviet Union crumbled in 1992, McKinley (2007) notes that US Defense Planning Guidance indicated that the domination of a 'market-oriented zone of peace and prosperity that encompasses the majority of the world economy' was the key objective for a post-Cold War world order. The US was determined to preserve a global economy framed by the WTO because free trade gave enormous advantage to firms in the US, given its status as the world's leading reserve currency and largest economy (McKinley 2007). The document further noted that the US had only been able to win the Cold War through dominance of the world economy, so now there was neither the need for accommodation of alternatives to neoliberal orthodoxy nor the room to cede US leadership of the neoliberal global order (McKinley 2007). The triumph of the neoliberal ideal of peace is intimately connected to the triumph of the American style of liberal democracy at the end of the Cold War as well as the role of neoliberalism in securing US hegemony (Tooze 2019). The latter ensured that the US used its influence to create post-Soviet and post-conflict societies that would uphold their competitive advantage in the world economy (McKinley 2007). This necessarily entailed the creation of liberal political state orders that would not interfere with the economy. As McKinley (2007) notes, the end of the Cold War revolutions in the former Soviet Bloc had as their objectives, not German economic

efficiency, Japanese economic discipline or Scandinavian social democracy, but American liberal democracy.

The liberal peace was marked by a preoccupation with engineering top-down change in post-conflict societies through liberal institutional design as well as bi-party peace negotiations between a rebel group and the state (Caplan 2019). These features reflect the objectives of liberal peacemaking in the 1990s to support post-conflict democratic transitions and the empirical realities of two-party political military conflicts in the immediate post-Cold War era (Lanz 2011). The design of post-conflict institutions were guided by the norm of the right to equality of political participation in democratic governance contained in international law (Weller 2010). The norm of political participation responded directly to greed-grievance analyses of conflict which understood conflict to stem from authoritarian abuses of power and discrimination against minorities (Lanz 2011). The linear theory of change that supported liberal peace-making at the end of the Cold War holds that societies that have not yet reached the level of liberal, modern development can be assisted through a linear series of programmatic interventions to adopt liberal norms and to build liberal institutions (De Conig 2018). As Pritchett, Woolcock and Andrews (2017) explained, the logic of the period was that the fastest and most expedient route to development and modernity is to adopt the 'forms' of those countries further along its path. Eriksen (2009) identified the liberal peace-making of the 1990s as following a 'deterministic-design model', that is, a causal model where the outcome is more or less guaranteed if the design is followed. The liberal peace-making community was confident in its ability to diagnose the problems or root causes of conflict affecting a society and to prescribe the steps the society needed to take in order to achieve peace (Caplan 2019).

UN-led 'comprehensive' peace negotiations were the starting point of the linear liberal theory of change in conflict societies (Caplan 2019). The trend in favour of comprehensive peace agreements (CPAs) reflected the consensus within the international community that UN peace operations needed to have extensive mandates to address the 'root causes' of conflict in authoritarian states and build a post-conflict neoliberal democracy from the top down (Caplan 2019). CPA's typically contained provisions to achieve three main objectives: the consolidation of security (internal and external); the establishment of effective and inclusive political institutions, norms and practices through power-sharing arrangements; and the fostering of

conditions for economic and social rehabilitation, transformation and development (Caplan 2019). As Caplan (2019) writes:

'The first objective, the provision of security, entailed the deployment of peacekeepers and/or military observers; security sector reform, including the creation of an impartial police force; disarmament, demobilisation and reintegration of ex-combatants; judicial and penal reform; and mine clearance. The second objective involves the (re)-creation and strengthening of political institutions, political parties and other participatory mechanism; capacity-building for government and civil society; regulation of the media; electoral assistance, efforts to curb corruption and human rights assistance. The third objective is achieved with economic and social development; the return of refugees and displaced persons; national reconciliation; the provision of social services, the generation of sustainable sources of livelihood, especially for youth and demobilised soldiers; and judicial and non-judicial measures to redress human rights abuses' (p. 67).

The classic liberal CPAs of the 1990s and early 2000s, including peace agreements to resolve civil wars in El Salvador, Guatemala, Sudan, Mali, Nepal and Afghanistan, were hundreds of pages long (MacGinty 2006). The successful transition of Central and Latin American states into post-conflict democracies, including free and fair elections and the transformation of rebel groups into moderate political parties, affirmed the effectiveness of the comprehensive peace agreement model in the eyes of the international peace-making community (De Conig 2018). When peace was not achieved, this was often attributed to shortcomings in the implementation of the design, and the solution offered was most commonly a redoubling of efforts to make the design work (De Conig 2018). Gelot and Soderbaum (2014) argue that most analysis of peace-making during this period aimed to explain what went well, or less well, with the aim of improving the instruments of intervention. As a result of focus on institutional templates and design rather than political participation in peace processes, the question of the inclusion of social actors was not particularly pertinent to the perceived success of peace agreements (Macginty 2006).

To support the state political institutional focus of the liberal peace, the 'weak states' literature in political science and economics developed to flesh out the connection between conflict and

authoritarian state governance. The weak states literature still dominates and underpins international development, state-building and peacebuilding policies. This literature excludes explicit consideration of the global forces of neoliberalism as either a solution to or part of changing conflict dynamics. The focus on weak state governance structures stems from Collier's seminal resource curse thesis, which placed economic motivations for conflict within the state-centric frame of authoritarian political governance. Collier argued that political elites in countries that are rich in primary commodities or natural resources have little incentive to establish strong societal ties, democracy or broad-based economic development to raise tax revenues. The presence of resources therefore becomes a 'curse' in terms of political governance, as it drives the institutional weakness and poor economic performance that in turn promotes a violent contest for control of the natural resource base. It follows that poor countries dependent on primary commodity exports have a greater risk of conflict than countries without primary commodity exports (Basedau and Lay 2009). Collier viewed rebellion in 'bottom billion' poor countries afflicted by the resource curse as a quasi-criminal activity driven by 'greed' as opposed to political grievance, where rebels seek primarily to appropriate economic resources for their own benefit. Collier's theory sparked a spate of research on the link between natural resource curse or an abundance of natural resources in poor countries and civil war, authoritarianism, economic decline, and weak state institutions (Basedau and Lay 2009, Ross 2006, Humphreys 2005, Fearon 2003, Auty 2001). Lebillion and Ross focused on how the lootable or unlootable characteristics of the available resource affect the type and severity of the conflict that ensues (Lebillon 2001, Ross 2003). Unlootable natural resources are those that require centralised state infrastructure and foreign investment to exploit, such as copper, gold and petroleum (Ansari 2016). Given the pivotal role of the state in extraction, unlootable natural resources are strongly linked to durable authoritarian regimes that deter societal challenges by strategically allocating revenues through elite patronage networks (Paine 2016). Where corrupt and unaccountable government fail to share the profits and provide public services for local communities, armed groups emerge to directly challenge state power or to secede where the natural resource is concentrated in a particular region (Ballentine and Nitzschke 2003, Le Billon 2001). The literature cites oil wealth as one of the strongest economic incentives for conflict as warring factions seek to capture the abnormally high rents from institutionally vulnerable governments (Fearon and Laitin 2003, Paine 2016). Lootable resources, such as gems, timber and narcotics, can be extracted and transported with

ease by groups or individuals (Ross 2003). Fearon (2004) shows that the easy extraction of distant and diffuse lootable resources increases the financial feasibility of rebellion and prolongs pre-existing conflicts as these sources of revenue can only be maintained through persistent instability. Fearon (2004) demonstrates that contraband in cocaine, precious gems and opium played a significant role in the longest running civil wars (Colombia, Angola, Myanmar, Cambodia and Sierra Leone).

Also, in support of the liberal state-building agenda of the liberal peace, the political science literature has turned an uncritical eye to the space of liberal political representation in post-conflict states. A vast academic literature has developed that helps policy-makers determine if and when armed groups can be legitimately incorporated in post-conflict liberal democratic states. This literature on rebel, terrorist and criminal group governance respectively moves beyond the emphasis on motives, strategies and the origins of violence to an analysis of how violent non-state actors govern the territories under their control during conflict and how this relates to social legitimacy, state sovereignty and state formation processes (Peclard 2015). This theoretical perspective views non-state actor groups not merely as ancillary to the state, but as socially embedded organisational structures that can obtain socio-political legitimacy by performing sovereign state functions of security and service delivery in the absence of effective state governance (Meagher 2014, Podder 2014, Picarelli 2006, Hobbs, 2002, Baumann 2015, Denyer-Willis 2015, Duran-Martinez 2015, Peclard 2015, Cockayne 2008, Schlicte 2015, Boege et. al 2008, Davis 2010, de Boer and Rosetti 2015). Under this model, violent non-state actors are categorised not according to their political, cultural or economic motives for violence against the state, but on whether they have established socio-political legitimacy through local governance of the territory they control. The general finding across the criminal governance literature, the rebel governance literature and the terrorist group literature is that the presence of socio-political legitimacy is generally based on a group's predatory or protective relationship with the community. These categories are assessed against the transnational or local nature of the groups cultural and economic logics (Podder 2013, Schlicte 2015). If a group has deep social ties, a tight organisational structure, a local resource support base and local ethnic, religious or ideological identities they are likely to be 'sovereign-bound' and develop a protective relationship with the community (Picarelli 2006, Hobbs 2002, Podder 2013). If a group has access to natural resources or external international sources of funding or an

international or universalist support base and ideology, they are likely to be 'sovereign-free' and develop a predatory relationship with the community (Picarelli 2006, Hobbs 2002, Podder 2013). The broad typology of legitimate liberal state-building participants in this literature maintains, rather than critically challenges, the political-economic structure of the neoliberal global order as it determines who belongs within the sphere of liberal representation and who belongs in the transnational economic sphere according to degree of fit within a state structured by liberal values.

The international relations literature on the liberal peace has also developed concepts to support post-liberal state-building that better incorporates illiberal 'local' elite politics in post-conflict liberal institutions. In place of the universal normative systems of counter-terrorism and liberal peace-building, Richmond and Tellidis (2012) advocate a post-liberal and post-terrorism peace that embraces a hybrid of contextual and international liberal institutions, norms, and actors to create a durable peace. Acknowledging that there is marginal local legitimacy for terrorist aims although not necessarily their tactics, the post-liberal peace framework incorporates actors whose agendas are opposed to liberal values and institutions (Richmond and Tellidis 2012). Taking a transformative approach, the hybrid peace allows illiberal actors to construct a hybrid order based on their own identities and interests as well as those of a liberal peace (Richmond and Tellidis 2012). It seeks transformation of armed groups into constructive members of a peaceful society through dialogue that addresses the socio-economic and political root causes of terrorism (Richmond and Tellidis 2012). Richmond and Tellidis (2012) cite Northern Ireland as an example of a post-liberal peace that included: shared sovereignty between local actors, the UK and Ireland; delimited porous sovereign borders where localised territorialisation remained; massive state investment to combat poverty; and deviations from standard rule of law and human rights regimes.

In a similar vein, the anthropology literature on hybrid political orders (Boege et al 2008, Meagher 2012, Raeymakers 2010) highlights that in emerging states the government relies on a partnership with a diverse range of local intermediaries and rival sources of authority, including rebels, organised crime and terrorist groups, to provide core state functions such as security and service delivery. Challenging the failed states narrative which characterises areas outside state control as dangerous 'ungoverned spaces', Menkhaus (2007) notes these alternative forms of government emerge as a constructive local response to state neglect and

insecurity. Hybrid political orders are characterised by the co-existence and overlap of competing forms of order and conflicting claims to legitimacy and economic resources (Meagher 2012). Meagher (2012) argues for a more empirical and comparative approach to hybrid governance that distinguishes between constructive and corrosive forms of non-state governance. Hybrid governance and rebel governance literature, in an effort to stress the positive potential rather than the negative features of local 'illiberal' actors in weak states, assumes informal regulatory systems have a uniformly positive impact on local communities (Meagher 2012). Meagher (2012) warns this uncritical perspective of engaging with the 'local' risks disguising coercion and elite political capture as popular legitimacy.

A recurring theme through the case study analysis of this thesis is the limitations of the political science literature which equates the 'local' with illiberal elites that need to be incorporated into a liberal political state, ignoring the complexity of the informal sphere in neoliberal conflict societies. This thesis argues that the critical issue is the power dynamics that exclude informal social actors governed by 'transnational' actors and territories from liberal political representation, not the governance capacity or values of elite armed groups in the 'local' formal sphere. The more critical literature from sociology, philosophy and anthropology incorporates the impact of the neoliberal political-economy on conflict, highlighting that it is the interaction between the transnational economic spaces and state liberal political spaces that promotes conflict. The following sections discuss the post-structuralist literature and the Marxist literature on the relationship between neoliberalism and conflict. It demonstrates that contrary to neoliberal theory, decades of the liberal peace and mediocre political science state-building literature that ignores the transnational economy, has not promoted world peace. Instead forms of fragmented and localized conflict in informal spaces has emerged. The examination of the neoliberal conflict zone begins with the post-structuralist account of conflict in Africa, which argues that liberal state politics and political motivations for violence have been completely subsumed by the logics of the private, transnational economic sphere.

2.4 Neoliberal Conflict

2.4.1 The Privatisation of Sovereignty

The Foucaultian literature on neoliberalism views it as a new governmental rationality that emerged through the Thatcher-Reagan assaults on the North Atlantic social welfare state (Brown 2015). This literature makes a clear distinction between 'liberalism' and 'neoliberalism' (Ferguson 2009). Liberalism is always about finding the proper relationship between the political and economic spheres understood as related but properly distinct. According to the Foucaultian view (Morningstar, 2020), neoliberalism puts governmental mechanisms developed in the private sphere, such as efficiency, to work within the state itself, so that even core functions of the state are either subcontracted out to private providers or run 'like a business'. The question of what should be public and what should be private, or what should be a matter of politics or economics becomes blurred as the state increasingly organises itself around the profit centres and enterprise models of the economic sphere (Morningstar, 2020). Brown (2015) has called this process the 'economisation of the political', where classic liberal democratic principles of equality, political autonomy, universality as well as the paternalism of the liberal welfare state are all backgrounded by the logics of neoliberal governance. Neoliberal governance buries sovereignty, contestable norms and class structures, effectively displacing social democratic questions of justice. According to Brown, the rise of neoliberal economism is a fundamental threat to democracy and human rights. Neoliberalism constitutes subjects who are indifferent to democratic political values and positively antagonistic to egalitarianism. Consequently, political problems are transformed into individual ones with market solutions, while civil liberties, the rule of law, and fair elections are 'wholly desacralised'.

Against this largely Anglo-American understanding of neoliberalism, Ferguson (2008) argues that the aim of 'neoliberalism' in the Global South is not to create neoliberal subjects but more to maintain 19thC liberalism. Ferguson notes that:

 'what we might call neoliberalism in the African sense…means all of the policy measures imposed on the African state in the 1980s by banks and international lending agencies, under the name of 'structural adjustment. Reforms focused on removing tariffs, deregulating currency markets, and removing the state from production and distribution. This did not involve privatization and an ideological celebration of markets. But the development of new technologies of government, responsibilised prudential subjects and so on was very limited.

Neoliberalism was not very neo and was largely in fact a matter of old style laissez faire liberalism in the service of imperial capital. It has raised the spectre of a kind of recolonization. So neoliberalism in Africa refers to something very different to neoliberalism in Western Europe or North America...the uncritical application of ideas such as neoliberalism as rationality to Africa is therefore clearly a mistake...'(p. 172)

Mbembe's (2002) chapter in *On the Postcolony* detailing the impact of the 'phenomenon' of structural adjustment policies on the political-economy of violence in Africa agrees with Ferguson's assessment that there are similarities between the 19thC colonization of Africa and current patterns of economic globalization. However, contrary to Ferguson, he argues neoliberalism is not simply a matter of recolonization and that privatization has been the key rationality of government introduced into Africa by structural adjustment policies. Highlighting the profound affect that neoliberal policies have had on African state political sovereignty and the politics of the public sphere, Mbembe writes:

'It was asserted that restoring the state's legitimacy and emerging from crisis depended on its capacity to resist the pressures from society (organization of public services, health, education, allocation of resources, and redistribution) and let market forces operate autonomously and freely. In other words, the shift to a market economy required the suspension of individuals roles in politics and as citizens – that is the emasculation of the interplay of rights and claims enabling people to have not only duties and obligations toward the state but also rights against it, rights that cannot be asserted politically, for example, in the form of an entitlement to such public services as education or healthcare. But, by doing everything possible to dismantle state intervention in the economy (such as controls, subsidies, protection), without making the state more efficient and without giving it new, positive functions, the result has been that the state's material base has been undermined, the logics underlying the building of coalitions and clienteles have been upset (without being positively restructured), its capacities for reproduction have been reduced, and the way has been opened for it to wither away. The controls...targeted for dismantling were more fiscal than administrative. The fiscal mechanisms were not simply distributive, they made possible a range of conceptions of legitimate political action and of accepted forms of political control...based on the salary.... Having no more rights to give out or honour or little left to distribute – the state has lost credibility. All it has left is

control of the means of coercion. This results in an increase in resources and labour devoted to war and a growth in the privatization of various forms of violence. Privatization policies fundamentally altered the processes whereby wealth was allocated, income distributed, and ethno-religious balances regulated, as well as the narrowly political notions of public goods and general interest' (p. 78).

The work of Brown and other Foucault-inspired theorists focuses on the impact of private sector rationalities on the ability of the administrative arms of government to uphold norms of justice, human rights and democracy in Anglo-American countries. Mbembe's insight that it is the fiscal, rather than administrative, function of government in Africa that have been outsourced to the private sphere allows him to connect economic deregulation, the primacy of the market, and the rise of new forms of violence in Africa associated with the creation of private military organisations. Under the technology of what Mbembe calls 'indirect private government' that has emerged in response to foreign fiscal controls and debt repayment schedules, tax collection is delegated to private companies or private militaries who pay themselves from the taxes they collect from inhabitants and from revenues from the 'international parallel economy'. There has been a proliferation of private armed organisations – official and unofficial -- throughout the region specialized in the use of force and the extraction of revenue. As a result, taxation is no longer tied to any political idea of public utility or common good from which the state can draw legitimacy. This has amounted to a 'privatisation of sovereignty' that has transformed the basis of post-colonial citizenship. The post-colonial 'citizens' are those who have access to the networks of the informal criminal economy and the means of survival that it makes possible. Everyone collects a tax from his or her subordinates, and from the customers of the public service, with the army, the police, and the bureaucracy operating like a racket, squeezing those it administers. Mbembe notes this is not merely a repeat of 19thC colonialism, but is a quite specific mode of regulating behaviour, a novel historical formation of distributing penalties and enjoying services. For Mbembe, the key difference between 19thC processes of economic liberalization and contemporary processes of neoliberalism is that in the 19thC, Africa was incorporated into the formal international economy, albeit on unequal terms. Neoliberalism has prompted the exit of Africa from the formal economy and placed large parts of African international economic relations underground and into the parallel economy.

The privatization of the means of coercion and extraction that underpin sovereignty has reshaped the dynamics of conflict and violence. It has reduced the centrality of political grievances against the state in civil wars and fragmented conflict into small-scale 'local' internal wars carried out in sub-territories within state borders. Furthermore, the link between war financing and the privatization of sovereignty has given conflict a transnational dimension that reaches beyond traditional state boundaries. Funds for 'little wars' are obtained from collecting taxes from companies or criminal organizations operating in the territory controlled by the paramilitary or military organization. These companies are allowed to exploit resources and export on the world market as long as they transfer large sums to whatever armed group controls that territory. War economies are therefore based on concessions made up of lucrative monopolies, secret contracts, private deals and privileges in the drug trade, agro-industry and large-scale mining projects. International networks of foreign traffickers and businessmen are entwined with local businessmen, technocrats and warlords, fundamentally transforming the social and spatial organization of the continent. With the hollowing out of the state, sub-territories based on local identities and ethnic imaginations are increasingly important. At the same time, the map of the continent is being reshaped along a regional and international axis that overlap and transcend the historic networks of 19thC trade expansion, making the transnational-local dimension of conflict more salient than state-centric narratives of conflict allow. With borders difficult to define and a privatized right of taxation that makes it easy to raise small bands of fighters, any distinction between war and peace is illusory. Boundaries are constantly being renegotiated between foreign mercenaries and militias recruited from a single ethnic group or a number of ethnic groups. Furthermore, the impact of the fragmentation and the localization of conflict on civilians is profound. Small-scale militias target straightforward destruction of the civilian population or their means of survival – food reserves, cattle and agricultural implements rather than the state military targets of more traditional civil wars. The increased impact of war on civilians is accompanied by a rise of a culture of immunity that ensures that private actors guilty of publicly admitted crimes go unpunished. Exemption from taxation and judicial immunity are also granted to those who, while continuing to occupy senior positions in what remains of the state apparatus, have been able to convert their access to the means of coercion into sources of enrichment in the national, regional, and international channels of the parallel economy. The privatization of

violence has incapacitated large sections of the population politically, leaving them without a forum – violent or non-violent -- in which to make justice claims on the state.

Other scholars of the Global South have also focused on different aspects of the dynamics of neoliberal conflict societies sketched out by Mbembe: fragmentation, privatisation and localization; decreased importance of state political institutions; a rise in violence based on identity and crime at the intersection of the transnational and the local; and an increased impact of conflict on civilians. Much of the literature focuses on the interplay between cultural identity difference and economic logics of neoliberalism in shaping conflict and undermining the institutionalised politics of the liberal peace (Kaldor & De Waal 2020). Neoliberal theory holds that neoliberalism should liberate the individual from the irrationalities and superstitions of ethnicity and nation, enabling them to make free choices (Kaldor & De Waal 2020). Contrary to neoliberal orthodoxy, the literature highlights that both identity and the neoliberal logics that underpin the formal and informal economy have subsumed conflict and peace-making centered on the institutions and legitimacy of the nation state. In a similar vein to Mbembe's argument regarding the relationship between illicit tax revenues and the privatization of sovereignty and violence, some scholars note that peace itself has become privatized, with political actors adopting the logics of rational self-interest associated with neoliberalism. Meehan (2018) shows that illicit revenues from opium production and trafficking in Myanmar are shared between state, military, private military and rebel organisations. These rent-sharing agreements between formal and informal actors have been fundamental to forging peace and funding state-led development projects. However, he argues that state-building through illegality ultimately fragments state power and undermines its moral legitimacy, giving sustenance to insurgent claims against the state based on ethnic identity. Alex De Waal's (2010) concept of the 'political marketplace' refers to the extreme form of neoliberalism that has emerged in the Global South in which political relations and peace-making is monetized, commodified and traded. Power is bought and sold in accordance with economic laws of supply and demand, which decimates the effective operation of political institutions. Political marketplaces are also, paradoxically, associated with exclusive, singular transnational identities that are constructed through violence and mediated by the international interventions that frame conflict in terms of ethnic difference. Seeking to understand why identity-based affiliations have not been dissolved by the individualized, opportunistic calculus

of ultra-neoliberal systems of government, Kaldor and de Waal (2020) argue political entrepreneurs in the marketplace may make use of identity resources as a way of packaging material incentives into the offer. An identity 'brand' allows entrepreneurs to conduct political business more cheaply and efficiently – for example by mobilizing an ethnic militia to collect tax, accessing an ethnic business network or utilizing a compelling narrative that helps followers make sense of their predicament. Political marketplaces therefore disassemble the modern institution of the nation-state and create polarization built around identity based political units and pervasive anxiety about access to material resources. Ong (2000) notes that with the hollowing out of the state structures and sources of legitimacy, ethnicity has become the single most important organising category of citizenship in post-colonial states, driving both conflict and the biopolitical organisation of populations. It dictates how the social and political benefits of citizenship, including access to land, natural resources, education and welfare, are unevenly distributed amongst ethnic categories in a system of graduated sovereignty (Ong 2000). McKinley (2007) notes that one implication of graduated sovereignty is that claims for socio-economic justice against the state can be framed or veiled in terms of universal, essentialist identities.

Other scholars of African politics have challenged the political marketplace account of peace-making in Africa. Drawing on Arendt's theory of civil politics as the opposite of violence, Srinivasan (2021) argues peace in Sudan cannot be achieved merely by shifting economic incentives for economically rational actors, but by nurturing the civic political space that was manifest in the post-peace agreement 'peoples' revolutions in the Sudans. Srinivasan also questions the tendency in the state-building and post-liberal peace literature to view the 'local' as 'not liberal' and by so doing, he opens up the possibility that a liberal political peace can be achieved through the involvement of political elites, social actors and civil society in peace-making. For Srinivasan it is not an overriding market rationality that kills the politics of peace, but rather the tendency of restrictive peace process designs to reward the instrumentalization of violence for political ends at the expense of the development of a genuinely non-violent civil politics.

This thesis similarly points to the social resistance to the peace process case studies to challenge the liberal international-illiberal local divide and political marketplace

characterizations of peace and conflict. However, it departs from the African politics literature in that it does not take access to or the existence of public civic space within conflict societies as a given. Instead, it examines the structures of power and narratives within the social context of conflict societies themselves, which prevent particular cultural and socio-economic identities from becoming part of Arendt's 'publics'. It interprets social resistance as an attempt to renegotiate the identity and class-based boundaries of liberal political space that are *established by* peace processes, rather than as civil resistance to international peace-making that 'kills politics' all together. As with the Marxist scholarship on European neoliberal thought, this thesis is based on the assumption that international peace-making in the neoliberal global order is about *nurturing a particular kind of liberal politics* that will protect informal economic spaces.

The following section on the Marxist interpretation of neoliberalism and conflict lays the ground-work for the critical method of analysis of peace and conflict narratives that will guide the case study chapters and the structure of the theoretical framework that is outlined in the next chapter. The Marxist literature reveals the new patterns of violence connected to the spatial and discursive division of neoliberal states into a liberal political realm governed by the state and an informal economic realm governed by transnational actors. Contrary to assumptions in mainstream peace and conflict studies that these structural divisions are in some way a simplistic representation of reality, lacking nuanced analysis of the 'local', it highlights the active role of the neoliberal state, through its security and development apparatus, in maintaining the formal-informal divide and a perpetual state of insecurity in informal areas. The chapter concludes by illustrating how peace-making reinforces the structural conditions for neoliberal conflict.

2.4.2 Sovereignty by Consensus

Davis' (2010) work on fragmented, as opposed to privatized, sovereignties in the neoliberal global order, shows how the neoliberal policy project has changed dynamics of conflict and violence in countries in late stages of development in the Global South, mainly in Latin America. She argues that violence now stems more from the fragmentation of sovereignty in middle income, often democratic, late developers, than roaming guerilla or rebel group opposition to

state militaries within a cohesive, territorially defined nation state. Davis' thesis is that a new spatiality of non-state armed action in territorial locations at both the local and global scales, forms the basis of new imagined communities of allegiance and forms and scales of sovereignty that undermine the power and legitimacy of the traditional nation-state. Echoing the observations of Ong and others, Davis notes that in a globalized world where neoliberal political and economic policies are ascendant, citizens are less connected to nation states as a source of political support or social and economic claim-making and more tied to alternative 'imagined communities' of loyalties. These loyalties are built on essentialist identities like ethnicity, race or religion, or on spatially circumscribed allegiances and/or networks of social and economic production and reproduction. However, in the Latin American context Davis demonstrates the state, identity and violence is not completely subsumed by the neoliberal logics of the private sphere as has occurred in Mbembe's African countries of privatized sovereignty, but rather is affected by parallel dynamics of state-building that occurs at the transnational-local axis in territories controlled by private security actors. She writes:

'In today's world, many non-state armed actors also rely on sources of global and local capital, and by so doing they diminish the legitimacy and resource extraction capacities of national states, even as they relocate the territorial domain and reach of protection rackets to other scales, both transnational and subnational. This has bought new networks of individual and economic activities connected in and across transnational and sub-national territories, in which armed actors acting on behalf of these networks – or protection rackets – sometimes wield as much coercive power as do their 'host' nation-states, at least in particular locations and territories….but the power of the nation state still exists and must be reckoned with' (p. 227).

According to Davis, the rise of fragmented sovereignties in the mostly democratic regimes of middle-income countries is related to the distinct relationship of neoliberal forms of economic development with the state security apparatus in Latin America. Cities, as strategic centres of finance and trade, have been at the forefront of the neoliberal roll out in Latin America, South Africa and late developer countries in South and Southeast Asia. The central business districts of cities in particular became sites of significance for growth and urban development models

following a neoliberal logic. Government policies favouring an urban financial elite rather than sustainable and equitable growth had a polarizing impact on socio-economic development. With the implementation of neoliberal policies such as reduced state spending, privatization, and decentralization, the industrial and agricultural sectors started to lag behind, pushing the rural poor into urban areas.

In rapidly transforming urban environments of the Global South, residents find few job opportunities in the industrial sector, a situation which forces residents into informal employment. Such employment which barely meets subsistence needs, has become ever more 'illicit' as protectionist barriers drop under neoliberalism and fewer domestic goods for re-sale are produced. The globalization of the illegal drug trade and contraband pick up the slack of the formal economy. As a result, much informal employment is physically and socially situated in the illicit world of violence and impunity of violent non-state actors, because the informal sector must frequently deploy ones own armed forces for protection against the long arm of the state. These forces also fight amongst themselves, for control of illicit supply chains, further creating an environment of violence. The number of unemployed youth in slum areas swelled, whilst the financial districts grew richer. The state is largely absent from many poor areas of cities in Latin America, choosing not to upgrade public infrastructure or collect taxes from residents, while at the same time pouring investment into the central business districts that often push up against the informal 'slum' areas of cities. This neoliberal style of rapidly unequal economic development required a strong state security apparatus to manage the social consequences of rural displacement for large-scale development projects and the formation of the new 'informal' urban working class. The police and military were essential to maintaining the 'stability' needed to attract global capital investment. The power of the police expanded and became merged with the military. Given significant leeway, they operate with impunity, seeking rent from informal sellers and undermining citizen trust in the state security apparatus. In response, citizens by-passed state channels and sought private security for protection. Well-organised cadres involved in these illicit activities often take the functionally equivalent role of mini-states by monopolizing the means of violence and providing protection in exchange for loyalty and territorial dominion. They seek economic dominion, not to politically control national territory, in order to control the key local nodes and transnational networks that make their economic activities possible. But as mini-states they also participate in their own form of

'foreign policy', that is negotiating, baiting, or co-operating with the sovereign states in whose territory they operate. The result is often the development of clandestine connections between local police, mafias and the informal sector, as well as the isolation of certain territorial areas as locations for these activities. Recent literature on Latin America concurs with the idea that new unconventional violent non-state actors are not necessarily a threat to formal state sovereignty but are predominantly interested in security arrangements with the state as a means of regulating access to the informal economy (Idler 2019). It highlights that the shared formal and informal governance of neoliberal societies are constituted by a tacit mutual agreement between the state and violent non-state actors in a security arrangement of 'sovereignty by consensus' (Denyer-Willis 2015). This arrangement excuses the neoliberal state from responsibility for the security and welfare of those it excludes from political citizenship. According to this view of neoliberal governance, elite realist violence reduction pacts between the state and defacto governors are an 'everyday', unexceptional feature of neoliberal societies (Denyer-Willis 2015). Violence and conflict only break out when the tacit agreement between security actors regarding the rules and boundaries of informal security and violence are broken (Denyer-Willis 2015). The physical concentration of dangerous illegal activities in territorial locations that function as 'no mans lands' outside state control further drives the problems of impunity, insecurity, and violence on the part of violent non-state actors. These struggles are parallel yet depart from the traditional forms of political struggle waged by non-state armed actors against states discussed in much of the conventional literature and policy on peace and conflict (Davis 2010). This thesis aims to rectify this blind-spot in peace and conflict studies literature, stemming from the dominance of political science in the field, by developing a spatial and discursive method of conflict analysis that incorporates both formal and informal violence. It does this by highlighting the role of the neoliberal state and international security-development apparatus in maintaining the liberal political boundaries of the neoliberal global order.

Wacquant's (2009) thick sociological description of neoliberalism in Anglo-American countries argued that a proactive penal system is a constituent component of the neoliberal Leviathan, along with the cultural trope of 'individual responsibility'. The security apparatus is selectively and aggressively targeted at communities – defined in terms of ethnicity and socio-economic status – reliant on state welfare, resulting in a neoliberal phenomenon which Wacquant calls

the 'criminalisation of the poor'. For Wacquant, it is the criminalization of the lower rungs of the class structure that corrodes and limits democratic politics, not a Foucaultian style 'economisation of the political'. He argues that Foucault's theory of neoliberalism, by failing to acknowledge material sources of oppression, is unable to account for the endemic violence perpetrated against the bottom of a polarized class structure by the neoliberal security apparatus. Comaroff and Comaroff (2006) note neoliberal states in the Global South are also marked by an obsession with security, legality and order targeted at informal spaces. In the Global South, criminal law and its enforcement is an integral tool of the neoliberal regulation of social marginality and informality (Samara 2007; Comaroff & Comaroff 2006). It enables the normative spatial and discursive division of state territory into two realms – one informal – that exists outside the realm of legality and the benefits of political citizenship and the other formal – which is regulated in accordance with the rule of law, private property rights, and access to the social services that are a right of citizenship (Denyer-Willis 2017). The inclusion of a formal political sphere and the exclusion of an informal criminal sphere based on the norm legality is a fundamental organising feature of neoliberal societies (Comaroff & Comaroff 2006). Campbell (1998) notes the logics of inclusion/exclusion have become the driving force of global politics in the post 9/11 era. By reinforcing the state political-transnational economy divide envisaged by the neoliberals, the securitization of transnational informal spaces has justified the dispossession of criminalized communities by international commercial interests, seeking mining or commercial development rights in neoliberal conflict societies. Writing from a critical feminist perspective on the war in Colombia, Meger and Sachsener (2020) note that militarization is a necessary corollary of neoliberalism as the state and international actors use force against a securitized informal sphere to achieve accumulation by dispossession. They argue that armed conflict and other forms of political violence are not as liberal international theory posits, a temporary rupture to an otherwise peaceful system, but rather a necessary, endemic, constitutive part of the survival of the neoliberal global order (Meger & Sachsener 2020).

Critical feminists demonstrate the particularly negative impact of the securitization of informal spaces on women marginalized at the intersection of cultural and socio-economic status. Duncanson (2015) highlights that the heightened security environments of neoliberal societies enable the persistence of combat-oriented masculinities and the reification of patriarchal

gender relations as well as hierarchies of race and class. Intersecting racialized, gendered and class identities are therefore most vulnerable to the state and non-state violence associated with land dispossession in the interests of capital and security in the aftermath of conflict (Duncanson 2015). Furthermore, while conflicts increase women's general vulnerability to violence, the forms of violence women ultimately experience are intimately tied to their socio-economic positions (Meger & Sechsener 2020). Highlighting the difficulty with the liberal feminist emphasis on women as victims of war and the achievement of justice for sexual violence during war, Giles and Hyndman (2004) note that many women live in informal spaces beyond the boundaries of the dominant nation without access to state protection and citizenship rights. Capital and citizenship processes are intertwined in complex ways contributing to class, caste, gender race/ethnicity formations nationally and internationally, making citizenship policies and the assignment of informality an integral part of neoliberal regional and international economic and trade relationships. J. Ann Tickner (2014) borrowed the term 'structural violence' from Galtung to 'denote a condition whereby those on the margins of the international system were condemned to a shorter lifespan through the uneven allocation of resources'. While Galtung's focus was economic (victims of capitalist maldistribution), critical feminists have used the term to chart the distribution of economic, political and security resources during conflict, them to leading to a wide definition of war that involves something more than just physical sexual violence. After interviewing men and women affected by the war in Sudan and the operations of the Canadian government supported oil consortium in the country, Giles and Hyndman (2004) highlighted how security has been redefined in the neoliberal order not as the protection of human beings and their most basic rights, but as the protection of oil company stock. She examines the way in which women have been affected by the decline in human security. Rape and enslavement keep them constantly on the run from government military forces as they also try to avoid the abduction, rape and enslavement of their children. She raises serious questions about the complicity of the Canadian state, in conjunction with its multinational oil companies, in the war in Sudan, that would seem difficult to address merely by embracing Arendt's civil politics at a state level. Duncanson (2020) indicates that the transitional period from war to peace is a volatile period where militarist masculinities regain hegemony, with grave implications for violence against women and other minorities by a range of state and non-state armed actors, not just the main political rebel groups that are the subject of political science literature on

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sexual violence during war. The mainstream liberal feminist literature on sexual violence against women during conflict, again produced largely by political scientists, has a blind spot when it comes to the permanent state of insecurity and violence experienced by women in informal spaces of neoliberal conflict states. The focus of political science literature on spaces of formal political representation and advocacy with the state leads to an emphasis on formal criminal justice for sexual violence against 'political' rebel groups. This may help marginalized women to some degree, but it does not address Galtung's intersecting structural, cultural and physical violence perpetrated by a mix of state and transnational actors against women in the informal sphere, who do not have ongoing access to the rule of law and state institutions. Again, this thesis, particularly in the Colombia chapter, aims to rectify the shortcomings of the political science literature with a method of conflict analysis that appreciates the spatiality of formal and informal governance in neoliberal states. The delegitimization of the state and the blurring of the line between different categories of armed actors in the neoliberal conflict zone makes it very difficult to establish post-conflict conditions of justice, security and stability by looking to areas of formal liberal political representation and advocacy alone.

While the perimeter and missions of international intervention and the post-colonial Leviathan are reconfigured under neoliberalism to contain conflict in the informal social sphere through a security apparatus (Wacquant 2009), international policy at the peace/security-development-humanitarian triple nexus have been repurposed under the Sustainable Development Goals to instil the neoliberal cultural values and tropes of self-help or resilience, identified by Wacquant as another hallmark of the neoliberal state (Chandler 2015). Policies of resilience shift the burden of development from the state to poor people themselves by requiring them to 'work' in return for privatised international aid or loans that must eventually be paid back. The idea is that neoliberal skills of entrepreneurship and self-help will prevent the poor from sliding back into poverty, which would be inevitable if state gave them handouts. The security and development arms of the neoliberal global order collude to normalise, supervise, depoliticize, discipline and ultimately dispossess the disruptive and violent informal sphere produced by neoliberal policies (Duffield 2007). They pave the way for the commercial and mining interests associated the formal transnational economy in marginalized informal spaces of neoliberal states.

This thesis relies on the above Marxist framings of the neoliberal conflict zone to highlight social justice issues in the informal sphere that are not acknowledged or addressed by the neoliberal politics of peace processes. The neoliberal conflict zone would only be addressed by adopting the normative stance of Galtung's peace theory and understanding of structural violence. However, peace-making currently does not operate to challenge the structure of the neoliberal global order, but rather work within it and preserve it. The following section outlines how the liberal peace-making architecture has evolved as part of the adaptation of the neoliberal global order to the violent consequences of its ideology by creating two distinct spaces mediation – one formal and the other informal. It adopts the neoliberal policy prescriptions of security and resilience to guide 'informal' mediation. Formal political mediation responds to the increased impact of conflict on civilians by expanding liberal politics to include the rights of heavily circumscribed set of singular ethnic or gender identities. It argues that these changes have only served to 'patch up' rather than transform the violent structures of neoliberal shared formal-informal governance that promote conflict.

2.5 The Securitisation of Peace-making (2000-)

By the early 2000s, neoliberalism had already begun to redefine the nature of intra-state conflict and it became clear the focus of intervention must shift from its emphasis on rebel groups and the transplant of democratic state institutions (Caplan 2019). In Iraq (2003-), Syria (2010-) and Afghanistan (2001-) peace-makers grappled with violent identity and crime-based conflict involving a myriad of traditional and unconventional armed groups[1]. These fragmented conflicts made the inadequacies of the traditional bi-party negotiation setting particularly stark (Lehti 2019). Furthermore, in a decentralized neoliberal conflict environment where armed groups no longer necessarily challenged the authoritarian structures of sovereign power, the centre-piece of liberal institutional design – political power-sharing – had become less relevant[2]. The international legal norms and structures used to achieve peace through democratic transformation at the state institutional level lacked the social justice element required to deal with conflict in informal spaces structured by neoliberal processes (Linarelli et

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1 Interview 3, April 2018, UN official, New York

2 Interview 5, April 2018, INGO researcher, New York

al 2019). The Syria negotiations, which left 5 million civilians dead before the terms of reference to begin liberal peace negotiations could even be agreed, proved to be a watershed for the international community (Lehti 2019). They needed new tools to manage new violent non-state actors and the impact of conflict on civilians at the local level (Lehti 2019). The result was a shift in focus of liberal peace-making from the level of state institutions and armed groups towards participatory processes of social change that are inclusive of the local social context and local social actors (De Conig 2018; Chandler 2017). The primary means of engagement of the social actors increasingly affected by conflict were the development of the concepts of inclusivity and resilience. These changes did not result in the establishment of a more appropriate normative basis for peace-making. Instead it signaled the importation of the neoliberal policy ideas of security and resilience into the liberal peace-making architecture, shifting the object of liberal intervention from institutions and armed groups to the maintenance of two distinct social spaces of mediation.

The following section argues that the international peace-making architecture responded to changing dynamics of violence in the neoliberal global order by developing two distinct forms of peace-making that adhere to and reinforce the broad structural features of the hegemonic neoliberal political-economy. One is formal, which applies international human rights law to delineate the boundaries of liberal state politics, and the other is informal – which applies policies of security and resilience to maintain and contain informal transnational economic spaces in post-conflict states. The spaces of formal and informal mediation coincide with the territories of state formal and informal transnational governance identified by the Marxist literature as a feature of violent neoliberal societies.

2.5.1 Inclusivity (Formal Mediation)

This section discusses the rise of the concept of 'inclusivity' in peace-making practice and scholarship, which has reshaped the politics of the formal liberal peace to reflect developments in international law and advocacy regarding political participation of marginalized social identities and sexual violence during conflict. In sharp contrast to the critical feminist literature outlined in the previous section, the advent of inclusive peace process design from 2010

onwards was lead by female diplomats, first allowed into foreign services across the globe in the 1980s, who finally had enough power as advocates in the international system to start to change it, as well as liberal feminist scholars in international law and political science. This scholar-practitioner nexus was effective in demonstrating at the global level that the incorporation of civilians into contemporary conflict zones has been a highly gendered process and human rights law needed to change to reflect this. Inclusivity advocates focused on finding ways to address gender-specific crimes such as sexual violence in conflict in what has traditionally been a gender-blind international framework of rights (Sheperd 2015). As a result, international criminal law in particular has been extended to prosecute wartime sexual violence against women (Nadj 2020). Transitional justice mechanisms, such as truth commissions, tribunals, special criminal courts, have been set up as a part of peace processes in order to specifically deal with gender-based violence during conflict[3]. The extension of human rights law and criminal justice to gendered cultural identities occurred at the same time as ethno-religious minority and indigenous rights were being established, through post-conflict doctrines of self-determination (Weller 2010; Sjoberg 2014). The advocacy regarding gender inclusion responded in some ways to the focus on the recognition and participation of ethno-religious minorities in peace processes, because international intervention to ensure ethnically homogenous territories in post-conflict states threatened to erase other forms of 'difference' in conflict states (Sjoberg 2014).

In addition to the gender-specific impact of armed conflict, liberal feminists also highlighted the significant role that women play in peace-building, with the aim of increasing the political participation of women in peace processes (Sjoberg 2014). The international human right on political participation influenced the emergence and eventual dominance of the concept of inclusive peace process design in peace-making. The shift towards inclusive peace process design is encapsulated in the UN 'Guidance for Effective Mediation' (2012). It highlights 'inclusivity' as one of the 'fundamentals' of peace process design. Inclusivity in the UN Guidance refers to the extent to which the needs and views of conflict parties and other stakeholders are represented and integrated into the process and outcome of the mediation effort. It demands that 'the conflict parties have legitimacy with, or represent, the wider public'. This is a sociological definition of legitimacy, focusing on the empirical social

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3 Interview 2, April 2018, INGO, New York

acceptance of parties to negotiate on behalf of the community. It moves the analytical gaze beyond the emphasis on armed groups and the state to the local level, opening up space for consideration of the social actors surrounding new unconventional armed groups rather than their methods and motives[4].   The concept of 'inclusivity' is an acknowledgement that addressing the range of grievances in fragmented conflict zones involves a shift from an excessive focus on the national level negotiating table towards the inclusion of those social actors most affected by protracted conflict (Paffenholz 2015). Inclusive peace process design demands that mediators embrace multi-layered, ongoing inclusion modalities, including local mediation, consultations, inclusive commissions, public referenda and dialogues at the national and local level (Paffenholz 2015). This thesis will argue that inclusive peace processes adhere to the formal-informal divides of neoliberal governance, with formal peace processes extending liberal norms of political participation to liberal social actors, while illiberal identity-based conflict is managed by informal mediation to increase resilience.

2.5.2 Resilience (Informal Mediation)

The exclusion of the local social context from peace-making approaches in the 1990s and 2000s has been the subject of a wide-ranging culturalist critique that has dominated the peace and conflict studies literature for over a decade (Macginty 2011; Richmond 2014; Chandler 2017; Chandler and Richmond 2015). Kaldor (2012) and Huntington's (1993) split between a formal liberal political sphere and an illiberal local space beset by identity politics is a feature of the culturalist 'post-liberal peace' (Richmond 2014; Richmond 2018) and 'hybrid peace' (MacGinty 2008) critiques of the international peace-making architecture. MacGinty (2011), Richmond (2010) and many others explain the failure of the liberal peace in terms of the 'cultural difference' between the Western values of the liberal peace and the resistant cultural politics of the local sphere. Christine Bell (2017) draws on a neoliberal new institutionalist approach of cultural pluralism or cultural difference to argue that post-conflict liberal institution-making must adapt to and be 'inclusive' of illiberal socio-cultural realities in order to achieve sustainable peace. She argues that top-down liberal universalist approaches inadvertently solidify the immediate post-conflict identity-based divisions and balance of power in a permanent liberal social contract, increasing the risk of a return to identity-based conflict

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4 Interview 42, September 2018, INGO, Yangon

(2017). To avoid the unintended consequences of context-independent liberal universalism, her concept of the formal political unsettlement imagines a flexible plurinational post-conflict state that accommodates ongoing negotiation between multiple sites of international liberal normative and local elite identity-based legitimacies (2017). This literature therefore called on international peace-makers to take account of illiberal identities and focus on the role of identity difference in promoting and resolving conflict (MacGinty 2008).

The 2015 UN Review of the Peacebuilding Architecture marked the shift that had occurred in peace-making practice in response to culturalist critiques away from an emphasis on institutions and armed groups towards the inclusion social actors in peace processes (Pospisil 2016). It signalled a rejection of the post-Cold War linear liberal peace model of peacebuilding (De Conig 2018). The Review recognised the complexity of conflict societies, the limits of causal knowledge, the disillusionment with international intervention and the need for local solutions (De Conig 2018). In place of the focus on formal law and institutions of the 1990s, the emphasis of international peacebuilding is now on identifying and supporting the local political and social capacities that sustain peace (De Conig 2018). The role of the UN is not to orchestrate comprehensive peace agreements but to assist countries to sustain their own peace processes by strengthening the resilience of local social institutions and by investing in social cohesion. The policy shift towards the promotion of inclusive, resilient and peaceful societies through locally-owned participatory processes was encapsulated and endorsed in Sustainable Development Goal 16. Under the *sustaining peace* agenda, the role of the international peace mediator is no longer to design and give legal form to democratic state institutions but is to design and manage a participatory process of locally-driven social change or resilience in accordance with the core principle of inclusivity (De Conig 2018).

Post-2015 peacebuilding approaches aim to support complex social systems to develop resilience, defined as peaceful adaptations to external shocks, through iterative and participatory cycles of learning and response to uncertainty (Juncos 2020). Resilient peace is at the heart of the EU Global Strategy and the mission statements of large peacebuilding international organisations, such as International Alert5. The INGO ACCORD works in support

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5 Jonathan Joseph & Ana E. Juncos (2020) A promise not fulfilled: The (non) implementation of the resilience turn in EU peacebuilding, Contemporary Security Policy, 41:2, 287

of a 'just and sustainable peace' in African countries emerging from violent conflict. Its work is also informed by a conception of a complex peace expressed as: 'the development of local social institutions so that societies develop the self-sustainable and local resilience needed to manage their own tensions as well as external influences and shocks. Alert's conception of peace is also a dynamic, non-linear one: it recognises that peace is not a fixed state nor is it naturally self-sustaining. Their mission statement highlights that peace is volatile, subject to change, especially in the case of societies emerging from conflict. What is important, Alert recognises, is to establish whether the peace in question is tending towards or away from consolidation. Advocates of resilience portray it as part of a new regime of thought that seeks to foster locally driven solutions by drawing on local resources (Juncos 2019). Critical scholars present a different account. They tend to conceptualise resilience by looking into the underlying power relations while construing it as a scheme of governance that is inherently bound to governmentality, biopolitics and neoliberalism (Juncos 2019). Such perspectives have been criticised however for their narrow focus, cynical dismissal of resilience as a neoliberal enterprise, and tendency to overlook its positive potential to foster politics.

By focusing on the difference between the concepts of 'inclusivity' and 'resilience' in terms of their impact on the politics of social actors in peace processes, this thesis argues that resilience mediation should be viewed as a key policy tool of the neoliberal global order. The dominance of the culturalist understanding of the 'local' informal sphere in conflict zones – which separates formal liberal representational theory from the illiberal identities of the informal sphere, combined with the normative basis for inclusivity in an international human rights law that cannot touch the informal economic sphere, has resulted in the separation of 'inclusivity' and 'resilience' across the divides of formal-informal neoliberal governance. Formal peace processes extending liberal norms of political participation to liberal social actors, while identity-based conflict is managed by informal mediation to increase resilience. The structure of inclusive processes depletes the potential of engagement with social actors to inform peace processes that address the material sources of oppression and conflict.

2.5.3 Security Discourse of Inclusion/Exclusion

The dual spaces of mediation that maintain the neoliberal global order have been delineated by the entrance of the international and state security apparatus in liberal peace-making. Reflecting a securitization of peace and conflict, in the 2000s UN peace-keeping missions were increasingly framed in terms of the goal of 'stabilisation' of post-conflict states, with strong counter-terrorism, law enforcement and counter-narcotics mandates to complement and bolster state security institutions (De Conig 2017). The political science literature fails to adequately acknowledge informal spaces of peace and conflict in its analyses largely because it misses the key role played by the security apparatus in targeting marginalised actors in contemporary peace-making. This thesis argues that it is the centrality of the neoliberal security apparatus to peace-making that connects the macro political-economic structures of the neoliberal global order to the micropolitics of individual peace processes that exclude class politics from the negotiating agendas of peace processes. While Marxist interpretations of neoliberalism identify the security apparatus as a core part of the institutional power that maintains class structures by specifically criminalising those marginalized along socio-economic and class lines, they cannot tell us how neoliberalism shapes the political preferences of individual actors in peace processes in ways that preserve the formal-informal divide (Morningstar, 2020). To support analysis of the politics of the case study peace processes, the following chapter shifts its analysis of the power of neoliberalism to shape peace-making from international and state sovereign institutions towards Foucault's conception of the biopower of security discourses of inclusion/exclusion that protect the neoliberal political-economy from its violent consequences. In contrast to Marxist scholars, Foucault (1978) argued that neoliberalism reduced the importance of sovereign power, where states rule through law and institutions, in favour of biopower, or rule through governmental practice that classifies, orders and controls the behaviour and politics of populations. The security discourse of inclusion/exclusion is fundamental to the biopolitical approach of controlling the knowledge and world view of populations. Neoliberal governments normalize the socio-economic inequalities of capitalism through the structural power of dominant identity-based discourses of fear of an excluded illiberal 'other' and routine governmental security practices of classification of populations that structure and constrain what is thought, said and done by neoliberal subjects. Inclusion/exclusion has been incorporated as the fundamental design principle of peace processes that have adapted to manage the proliferation of violent non-state actor groups in the neoliberal conflict zone.

'Inclusion' in the context of peace process design encompasses the selection of actors to be included at the negotiating table (Paffenholz 2015). The term inclusion also refers to issues and themes that should be included in the negotiating agenda to ensure that the grievances that caused the conflict are addressed (Paffenholz 2015). Reflecting Foucault's observation regarding the shift from sovereign to biopower, peace process design displaced institutional design as the primary method of liberal intervention from around 2010 onwards[6]. Peace process design attempts to impose order and control the politics and behaviour of conflict populations using the biopolitical tools of conflict analysis, international norms, and international policy documents. Inclusion/exclusion decisions were initially structured by the liberal exclusion norm of legality and realist security analysis[7]. The norm of legality mandates the exclusion of illegal 'criminal' actors from political dialogue as external security threats to liberal society (Lanz 2011), thus forming two sphere of mediation – one formal/political and the other informal/criminal. It defines violent non-state actors in terms of an abstract political (formal)-criminal (informal) binary (Richmond and Franks 2009). Security classifications of violent non-state actors divide conflict zones and the communities within them into political, terrorist and criminal realms (Boutellis and Zahar 2017). The result of this classification is that the latter two are necessarily excluded from any form of dialogue as they are regarded as illiberal or illegal and, therefore, subject to security measures (Felbab-Brown 2009; Cockayne 2011). As with the greed/grievance and 'spoiler' analytical framework for rebel groups, 'terrorist' and 'criminal' actors are defined in accordance with their methods and motives for challenging and undermining the state (Picarelli 2006). The UN defines terrorism as a politically motivated action that is intended to cause death or serious bodily harm to civilians or non-combatants with the purpose of intimidating a population or compelling a government or an international organisation to do or abstain from doing any act (UN 2004). In the context of the post 9/11 'war on terror' and in the absence of a clear legal definition of terrorism in times of war, 'terrorist' actors have shifted from the position of 'political' actors to that of 'criminal' actors (Ressa 2003; Richmond and Franks 2009; Helgesen 2007). The UN Convention against Transnational Organized Crime enshrines the economic motivations behind organised crime by defining it as 'a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious offences in order to obtain,

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6 Interview 10, April 2018, INGO, Geneva

7 Interview 4, April 2018, UN, New York

directly or indirectly, financial or other material benefit' (UN 2000). Because the drug economy is a major source of funding for armed groups in the post-Cold War neoliberal era, the global 'war on drugs' discourse permeates and undermines peace processes with the assumption that insurgencies will be weakened if their criminal support base is eradicated (Felbab-Brown 2009). 'War on drugs' discourse promotes a focus on criminal law enforcement strategies in peace agreements to eliminate the financial source of conflict instead of political dialogue to manage the root causes of violence and organised crime in state neoliberal governance practices (Felbab-Brown 2009). The securitization of peace-making has therefore resulted in negotiating agendas that bolster state security institutions to manage informal conflict, continuing the liberal peace era emphasis on armed groups and state institutions at the expense of the local social context. The weakness of realist armed-group centric analysis for developing solutions at the level of informal local governance is connected to the analytical tools that define rebel groups, criminals and terrorists in terms of their methods and motives for challenging the state (Picarelli 2006). The abstract analysis removes armed groups from their social context and deflects the attention of mediators away from the socio-economic and local governance root causes of conflict (Cockayne 2011). The structuring effect of inclusion/exclusion discourse over peace process design has therefore reduced the effectiveness of attempts to engage social actors through concepts of inclusivity and resilience. The following chapter will show that connections social discourses of peace and conflict are severed by the spatial and discursive division between formal and informal mediation.

2.6 Conclusion

This chapter has depicted peace-making and conflict as a part of a neoliberal global order structured on a division between liberal state politics and transnational economic spaces. It showed that European neoliberal thinkers believed this distinction between politics and the economy was the key to peace. The neoliberal theory of peace was not the only peace theory on offer during the post-World War Two era, but it gained hegemony with the triumph of neoliberal America at the end of the Cold War, with the 'liberal peace' spreading across the globe. Neoliberal peace theory imagined the transnational economy as a space of 'civil' commercial relations unfettered by the violence of tribal social solidarities and social democratic politics. The chapter drew on post-structuralist and Marxist readings of

neoliberalism and conflict to show that transnational economic spaces in the neoliberal global order are from peaceful. Post-structuralist literature on Africa highlights that the state, violence and peace-making have all been subsumed by a market rationality in the neoliberal political-economy. Marxist literature identifies new patterns of violence connected to the role of the formal security apparatus in maintaining the divide between liberal politics and an increasingly violent and informal transnational economic space. Informal spaces are inhabited by communities marginalized from the full benefits of state citizenship along intersecting class and identity lines. These communities are governed by a violent mixture of state security, transnational violent non-state actors and transnational corporations, with the state security apparatus used dispossess the poor and facilitate the activities of the transnational economy. Adopting a Marxist reading of conflict and the hegemonic neoliberal global order, it argues that the international peace-making architecture maintains the structural conditions for violence in neoliberal societies by creating two distinct spheres of mediation along the lines of the political-economic boundaries of the neoliberal global order. Formal political mediation relies on the norms of international human rights law, shaped by neoliberal thinkers to exclude distributive justice, to promote post-conflict formal liberal politics that leaves the transnational economic sphere untouched. Informal mediation to increase resilience in transnational spaces depoliticizes marginalized actors, denying them political access to make social justice demands on the state.

The following chapter develops the theoretical framework to illustrate how the two spheres of formal and informal mediation are discursively and spatially created in the micro-politics of peace processes. It involves a shift from Marxist understandings of macro institutional structures towards a Foucaultian theory of biopower that acts and shapes the preferences of individual actors. It develops a theoretical framework to make sense of the fragmented mediation environment by showing how the multiple types of mediation fit together as part of the governmental practice that sustains the neoliberal global order. It argues that the norms, conflict analysis, international law and international policy that underpin the biopower of the liberal international peace-making architecture as a whole, produce and legitimize four peace and conflict narratives – liberal political, liberal security, inclusivity and resilience. These narratives erase the political-economy of conflict from the politics of peace processes. The

result is that liberal peace-making merely ameliorates the violent effects of inclusion/exclusion discourse, without transforming the social function of the state.

Chapter Three: Theoretical Framework

3.1 Introduction

This chapter outlines the theoretical framework that will guide the analysis of the case study chapters. The framework is designed to show how the key macro-structures of the neoliberal constitutional order pertaining to peace-making – international human rights law and the security-development nexus – operate at the micro-level to shape the politics of armed groups and social actors in different local peace-making contexts. It departs from the Marxist focus on institutional structures (Peck 2013) and employs Foucault's work on the role of biopower in preserving the neoliberal political-economy, which holds that neoliberalism spreads at the local level through discourses of inclusion/exclusion that are absorbed by individuals, turning them into resilient, depoliticized neoliberal subjects. It demonstrates that by absorbing the discourses of biopolitical control associated with neoliberal international intervention and neoliberal societies, liberal peace process design produces and legitimizes only four possible narratives of inclusion, peace and conflict that result in peace agreements that maintain the neoliberal political-economy of conflict. These narratives – liberal political inclusion, liberal security exclusion, inclusivity and resilience – protect the neoliberal political-economy by setting the boundaries of the politics of peace processes in accordance with the exclusion norm of legality. They limit the politics of peace processes to the elite expression of identification with singular ethno-religious or gender identities and exclude or depoliticize the class politics of marginalized actors. The four narratives operate to promote peace by producing self-securing and self-helping neoliberal subjects who adopt a more acceptable and peaceful resilience to the neoliberal status quo. For Foucault, only local resilience against, not structural resistance to, neoliberal discourse is possible because biopower is not tied to any institutional structures. Following Foucault's theory of power as cultural discourses that float free from material structures through to its conclusion, discourses of inclusion/exclusion would replace the liberal politics of peace processes, leaving only peace defined as resilience to an unrelenting violent neoliberal governing rationality. The previous chapter, adopting a Marxist perspective on neoliberalism, highlighted that liberal state politics was always viewed as

integral part of the neoliberal global order, given its role in protecting the transnational economy. This thesis argues that this insight into the importance of political space to the neoliberal project gives a better account of social resistance to the liberal peace processes analysed in the case study chapters. It views the social resistance as an attempt by social actors to renegotiate the state political boundaries set by peace processes, by challenging or working with the material sources of oppression in neoliberal conflict states.

The second part of the chapter outlines an alternative theoretical framework for understanding conflict and the potential of inclusive peace process design that takes account of the institutional structures of neoliberalism that delineate liberal political boundaries that were never intended to be overrun by a market rationality. Framing conflict and peace-making in this way reveals that conflict dynamics centered around ideas of formal and informal spaces are shaped by discursive interaction between social actors as well as armed groups. Drawing on the theories of Foucault (1978) and Nancy Fraser (2007), it depicts the politics of inclusion/exclusion in neoliberal societies as a dynamic interplay between the dominant elite discourse of inclusion/exclusion and the resistant social justice discourse of recognition and redistribution of marginalized actors. It argues that if conflict is shaped by the logics of inclusion/exclusion then peace-making should aim to support the social justice discourse that has emerged in opposition to it. Applying Nancy Fraser's (2007) tripartite theory of justice, it shows that this can be achieved by democratizing and de-territorialising the setting of the boundaries of the 'political' through multi-scalar inclusive peace process design. Multi-scalar peace process design based on norms of social justice repoliticises marginalized actors and captures the reality of the politics of inclusion, reducing the likelihood that the discourse of social actors will overwhelm the peace process from the outside.

The chapter proceeds as follows. The first part outlines the theoretical basis for the four narratives of peace and conflict permitted by the biopolitics of liberal peace process design. It also highlights the theoretical basis for a resistant social justice narrative of peace and conflict, emphasizing how it informs an alternative approach to inclusive peace process design targeted at the political-economy of conflict. The second part gives content to the four dominant narratives using governmentality critiques of international peace-building and peace-making intervention in the peace and conflict studies literature. The third part outlines a vision for inclusive peace-making to achieve social justice, rather than merely resilience.

3.2 Method

The framework was developed inductively by applying theory to qualitative data obtained through extensive interviews in the multilateral diplomatic capitals of Geneva, Washington and New York as well as in the case study conflict societies. The process of fieldwork and my gradual immersion into field of peace and conflict studies and practice as it exists in Europe and North America expanded the scope of my original project to include the formal liberal political spaces that make up half of the theoretical framework. My initial project idea was developed as donor country development practitioner in the Indo-Pacific region, where conflict prevention and peacebuilding fits squarely within the security-development nexus and is carried out with partnerships between security actors and aid workers. This reflects the particularities of the Indo-Pacific context. It is a region traditionally hostile to interference from international organisations such as the UN, which are viewed as the instruments of the Western European countries whose citizens make up the majority of staff within them. Furthermore, peace in the Indo-Pacific is retained by tolerating a mix of democratic and authoritarian systems, with no country attempting to impose a liberal democratic framework of peace on another. Where democracy has developed, for example in Indonesia and (formerly) Myanmar, this was the result of internal processes supported only by gentle diplomacy. My initial project was therefore focused on the increasing complexity of what this thesis now identifies as the 'informal' sphere and how peace-making was evolving to manage new violent non-state actors. In contrast to the Indo-Pacific region where the word 'democracy' is handled with care, I found the European context of peace and conflict studies and practice focused predominantly on democratic transitions in post-conflict societies, rather than issues of security and development. I noticed that the majority of funding in Europe is channelled towards understanding traditional civil wars that I had assumed were becoming a thing of the past. Through interviews and interaction with predominantly European international peacebuilders, my understanding about what peace-making is, expanded. I was able to compare this with my own initial emphasis on the security-development nexus and with interviews in conflict societies, where many of my interlocutors were not focused on liberal democracy, elections or political parties but issues of crime, terrorism, land dispossession, and security. The culmination of the research process was a realization of the distinctly European nature of the international peace-making architecture, built around both efforts by European colonisers to

maintain their dominance, as well as European scholars and practitioners trying to justify their continued involvement in a deeply colonial project. The framework below is an attempt to make sense of the understandings of peace and conflict conveyed to me by various sources during the PhD process. It also represents my interpretation as to why the security-development nexus and ideas of 'informality' and political-economy, the core ideas dealt with by development studies and practitioners, are mainly left out of peace and conflict studies in the European context.

3.3 Inclusion/Exclusion and Securitisation

This section discusses the theoretical basis of the liberal security narrative of peace and conflict, which structures peace processes to persistently exclude the class politics of marginalized actors. Foucault (1978) argued that the rise of the neoliberal political-economy prompted a shift in sovereign power from the top-down management of state territory through laws and institutions to the control of the behaviour of populations at a distance through discourse, which he termed biopolitics (Sabaratnam 2013). The ability to determine what discourses count as legitimate knowledge is the key source of biopolitical control (Stoddart 2015). According to Foucault, the regulation of discourse manages the production of truth in support of the neoliberal political-economy (Stoddart 2015). It determines who is allowed to speak with authority on a given topic as well as the subjugation of alternative forms of knowledge (Stoddart 2015). Discourses of social inclusion/exclusion are fundamental to the biopolitical approach of controlling the behaviour, knowledge and worldview of populations in order to secure the neoliberal polity from its social consequences (Stoddart 2015). Viewing discourse as the social practice of government or governmentality, Foucault argues that processes such as censuses, taxation, psychological and medical assessments, education assessments and social security assessments scientifically classify and label populations in accordance with a hierarchical binary opposition between the included legitimate, healthy 'self' and the excluded, unhealthy illegitimate 'other' (Hoffmann et al 2021). Subsequent scholarship has shown that the same scientific, calculative measures of inclusion/exclusion used for populations are brought to bear on territory, with respect to its mapping, ordering, measuring and demarcation of borders (Hoffmann et al 2021). The political geographer O'Thuatail (1996) has labelled the governmental practices that seek to impose an ordered

vision of space, territory and geography through map-making, border control and spatial analysis as instances of geopower.

It is through the spatial and discursive classifications of inclusion/exclusion that the norms and values of neoliberalism are constructed as legitimate and neoliberal values such as efficiency, security, entrepreneurship, and productivity are transformed into structural templates for the formation of subjects (Foucault 1994). Alternative forms of knowledge that challenge neoliberal values are removed from legitimate political society as subjects absorb the identities assigned to them by biopolitical classifications as true and self-regulate their behaviour and their politics to fit the structures of inclusion (Foucault 1994). The aim of biopolitics is therefore to produce – through new forms of knowledge about the self – self-interested neoliberal subjects with a 'progressive desire for industry, health, security and individual accomplishment' (Foucault 1994, p. 43). Excluded 'problem' populations that do not comply with the neoliberal ideal and that might 'infect' healthy, productive neoliberal subjects are isolated from public life and subject to surveillance and 'security' interventions (Foucault 1994).

Foucault (1994) noted that biopolitical classifications of inclusion/exclusion alone are not enough to manage individual behaviour to ensure the productivity of an efficient and healthy labour market. He writes that the neoliberal political-economy 'depends on the socialisation of individuals to fear the constant presence of danger' of the excluded 'other' – including disease, crime, poverty and illiberal cultural identities (Foucault 1994, p. 347). A state of anxiety is fostered through 'discourses of fear' disseminated in public campaigns (Foucault 1994). Samara (2007) notes that in neoliberal societies, identity-based discourses of fear of a 'criminal' Other translate into a powerful dominant 'discourse of hyper-punitiveness' as neoliberal subjects incorporate and accept the liberal security narrative of the inevitable, unavoidable threat of violence from demonised identities. As discourses of hyper-punitiveness assume illiberal populations can only be controlled through an increasingly sophisticated and far-reaching security apparatus, it calls for the unprecedented expansion of punitive security practices to manage the social consequences of neoliberal policies (Samara 2007). Foucault (1994) and Mbembe (2003) call these dynamics biopolitical racism, which is an essential component of the biopolitical governance of neoliberalism. Biopolitical racism displaces the sources of risk, dispossession and inequality from the neoliberal regime to inferior excluded

populations, whose lack of compliance with neoliberal values is converted into a threat to neoliberal survival (Foucault 2003). This threat deserves punishment and authorizes further dynamics of neoliberal dispossession (Mbembe 2003). Governing the political-economy of neoliberalism therefore necessarily entails biopolitics (preserving life) as well as necropolitics (letting die) (Mbembe 2003). It intervenes on the biological continuum of life by dividing human beings into competing species/races and normalizing the view that the death of 'the inferior race … will make life in general healthier'(Foucault 2003 p. 255).

This thesis uses Foucault's ideas to identify discourses of inclusion/exclusion as the core structuring feature of both liberal peace process design and of the neoliberal conflict societies it seeks to support. It shows how mediators implicitly or explicitly adopt the patriarchal, classist and racist structures of inclusion/exclusion in the spatial design of peace processes and therefore preserve the political-economy of conflict. Like neoliberal societies, international peace mediation is divided into separate formal political and informal social spheres along the lines of the politics-crime binary and formal-informal governance arrangements. Formal mediation takes places with traditional violent non-state actors and social actors under state governance. Informal mediation takes place in informal territories with unconventional violent non-state actors and the communities they govern. The spatiality of peace process design ties inclusion strategies not only to the biopolitical classification of populations but also to the geopolitical classification of territory as formal or informal. It has the effect of demobilizing social change that may occur through the interaction of dominant inclusion/exclusion and resistant social justice discourse in neoliberal conflict societies.

The structural power of inclusion/exclusion also underscores the dominance and social legitimacy of what this thesis calls the *liberal security narrative* of informal conflict as an external security threat. The liberal security narrative is structured by the exclusion norm of legality and realist conflict analysis associated with the securitization of peace-making discussed in chapter Two. A Foucauldian analysis indicates that the liberal security narrative is also supported by the discourses of fear that underpin international intervention and circulate in neoliberal societies. The liberal security narrative promotes a definition of peace as the security of the neoliberal state. Once the formal political sphere in peace processes is structured in terms of the formal political or informal governance arrangement of territory, the biopolitics of international intervention manages discourse around resilience in the

informal sphere and around singular identity politics in the formal sphere. The following sections outline the peace and conflict narratives that have developed in the formal and informal spaces of peace mediation.

3.4 Resilience and Social Inclusion

This paragraph discusses the theoretical basis for the resilience narrative of peace and conflict which dominates peace mediation conducted in the informal sphere. Foucault's ideas regarding social exclusion have been co-opted by policy-makers at the conflict-poverty nexus seeking to ameliorate the effects of inclusion/exclusion discourse (Chandler 2015). The critical literature views the rise of resilience thinking in neoliberal societies as another form of neoliberal governmentality designed to produce entrepreneurial, self-regulating neoliberal citizens (Chandler 2015). Diverging from the policy of securitization of the illiberal other, resilience policies aim to achieve the social inclusion of populations marginalized along cultural and/or economic lines by providing development assistance in return for the adoption of neoliberal traits and values (Gupta & Vergellin 2016). Resilience refers to the internal capacity of societies and individuals to cope with crises through self-organisation rather than the external provision of aid, resources or policy solutions (De Conig 2018). Boas and Rothe argue that resilience has emerged as a part of the security strategy to manage the heightened sense of uncertainty wrought by fragmented and complex neoliberal governance. Resilience programmes typically involve education, dialogue, livelihoods and skills training to equip marginalized actors with the skills to compete in the neoliberal political-economy and adapt to its inherent insecurities (Fleisher 2009). Resilience to achieve social inclusion is viewed as an improvement on the securitisation of the poor through inclusion/exclusion discourse because it cuts across the us/them binary of discourses of fear, recognizes the connection between social exclusion and conflict and ensures local actors and communities participate in the process of social change (Chandler 2015).

Because resilience thinking operates within the over-arching structure of inclusion/exclusion of neoliberal societies, social inclusion does not transform formal and informal neoliberal governance, but merely results in the subjectification and depoliticization of the vulnerable

(Chandler 2015). Chandler (2013) places resilience in a post-liberal framework where the distinction between state and society is collapsed and the notion of individual agency to challenge unequal social structures is radically undermined. He writes that 'resilience works on the basis of reducing the problems of the world to those of the life politics of the behaviour and decisions of individuals', where freedom and choice are subscribed (Chandler & Richmond 2015, p. 10). With resilience training of vulnerable individuals, and resilience programmes to nudge people to make the right decisions in the service of security and capital,

'the world is no longer understood to be composed of external social structures open to political transformation but of more or less appropriate individual ways of managing risk and negative effects of neoliberalism' (Chandler 2013, p. 25).

Marginalised populations must integrate themselves into the neoliberal mechanisms of production, exploitation, accumulation and dispossession, or die (Chandler 2015). Furthermore, discourses of fear are used in tandem with resilience to prevent counter-mobilisations to neoliberalism (Chandler 2013). Chandler writes that 'the one abiding function of the culture of anxiety is to function as a police power par excellence in closing down alternate possibilities – we can be anxious about what is happening but our response must be resilience training not political struggle' (Chandler 2013, p. 25). For Duffield (2007), resilience embodies the neo-Darwinian promise that if organisations and individuals can rise to the challenge of permanent threat, they can reinvent themselves anew as more flexible and more adaptive models of themselves. Resilience therefore reflects the neoliberal vision of entrepreneurial governance, peddling a defeatist notion of politics which denies the possibility of overcoming an oppressive political-economy (Duffield 2007). Drawing on the work of Chandler and Duffield, this thesis interprets the rise of 'inclusive' peace-making and the shift towards mediator engagement with local social actors in the context of the desecuritisation and depoliticization of the conflict-poverty nexus under the resilience paradigm. It illustrates that 'inclusivity' has resulted in an increase in what this thesis calls apolitical *local resilience* community mediation in the informal sphere. Under resilience narratives, peace, defined as social inclusion, is achieved through dialogue processes that turn illiberal subjects into resilient

citizens who adhere to neoliberal values. Local resilience narratives therefore frame informal conflict as an issue of social exclusion, but place the burden of peace on the local social space rather than the state. Unconventional violent non-state actors and their communities must adopt neoliberal traits or face security action.

3.5 Identity and Political Inclusion

This section outlines the theoretical basis for the liberal political inclusion narrative and inclusivity narrative of peace and conflict that dominate the politics of peace processes in the formal sphere. It aims to show that international law that underpins these narratives, which once formed a foundation for a politics of transformation of sovereign power, is now a tool of biopolitical peace-making. According to Foucault, the result of biopolitics is the removal of vast tracts of social reality from the realm of formal politics and the expansion of the sphere of governance (Burles 2016). Socio-economic issues such as poverty, health, education and crime are placed beyond the reach of sovereign power that is reflected in state laws and political institutions (Burles 2016). While power as governmental practice exceeds the law, the law still constitutes one instrument among many used by governmental power to achieve its objective of the reproduction of a healthy and productive neoliberal population (Burles 2016). The law provides templates for the neoliberal political subject and for a narrow definition of the 'political' in neoliberal societies that excludes the majority of socio-economic issues and social actors (Burles 2016). Linarelli et al (2019) and Moyn (2018) argue that any extension of the 'political' into the social sphere is tightly controlled by the international law on the right to political participation in democratic governance. Legitimate political subjects that hold the right to political participation are singular identity groups, the key identities considered in this thesis being ethno-religious minorities, women, and youth (Moyn 2018). The limitation of political participation to the level of the individual identity is a core feature of neoliberalism, under which economic knowledge must fundamentally guide and condition the expression political power to legitimate only those identities that support neoliberal values (Foucault 2003). Amitav Ghosh (2016, p. 76) calls this process the 'personalisation of politics'. He writes that the 'political' in liberal societies is primarily defined as a space to pursue individual moral goals and personally express individual belonging to a particular group identity – religious, ethnic or gender etc (Ghosh 2016). Ghosh (2016) argues that the vision of politics as a moral

journey subjugates the public sphere to the mere performance of political identity for individual gain. There is an ever-growing divergence between a public sphere of political performance and the realm of actual governance, with individual identity politics movements, which have become primarily an exercise in personal expressiveness, having very little influence on issues of governance (Ghosh 2016). Adopting the insights regarding politics in neoliberal societies, this thesis argues that the international law that informs peace process design limit the politics of formal peace processes to the expression of affiliation with a singular identity group. It also aims to draw a connection between the international law on the right of ethno-religious minorities to political participation and to self-determination and colonial governmental practices of ethno-territoriality, a practice which is discussed in more detail below. Ethno-territoriality, realist conflict analysis and the norm of state-level political participation in turn structure the *liberal political* narrative of peace and conflict. The liberal political narrative interprets conflict as a reflection of the exclusion of ethnically defined armed groups from state political institutions and limits the politics of formal peace processes to the power-sharing claims of ethno-religious nationalist armed groups. The international *inclusivity* narrative of peace and conflict draws on international law to identify the singular social identities that may legitimately participate in the formal politics of peace processes, namely, women, youth and ethno-religious minorities. Inclusivity narratives seek to promote liberal values of equality of political participation and religious tolerance. They also aim to ameliorate the impact of conflict on singular identity groups and associates peace with criminal justice, truth and reconciliation processes focused on the rights of different identity groups under international law. The lack of intersectionality between identities and across class divides stifles the collective mobilization of social actors against the social exclusions produced by neoliberalism during peace processes.

3.6 Liberal Peace-making as Biopolitics

The spatial and discursive classificatory tools of peace process design – that is the norms, realist conflict analysis, conflict mapping and policy documents – work with the biopolitical structures of neoliberal conflict societies to produce and legitimize four 'true' narratives of peace and conflict that protect and preserve the values of the neoliberal political-economy. Taken together, the four peace and conflict narratives permitted by the design features of peace

processes – liberal security exclusion, liberal political inclusion, inclusivity, and resilience – reflect and reinforce the neoliberal logics of inclusion/exclusion, singular identity politics and resilience identified by Foucault and others. As a result, peace-making merely functions to produce depoliticized subjects that are resilient to rather than transform the identity and class-based discourses of fear that underpin the neoliberal political-economy of conflict. The following section draws on the governmentality critiques of international peace-making interventions in the peace, conflict and security studies literature to give content to the four peace and conflict narratives – liberal political, liberal security, inclusivity and resilience -- permitted by the biopolitical tools of liberal peace process design and neoliberal societies.

3.6.1 Liberal Political Inclusion

This section details the structures of ethnoterritoriality, realist conflict analysis and liberal inclusion norms that make up the liberal political narrative of peace and conflict. Drawing on Foucault's concept of bio-power (1994) and O'Thuatail's (1996) concept of geo-power, Hoffman et al (2021) have sketched the colonial governmental practices of ethno-territoriality that sought to order colonial populations through the invention and assignment of a hierarchy of ethnic categories to particular territories. Such a model of governance was a key feature of attempts to efficiently and effectively marshal colonial territories and populations in support of the extractive economy (Hoffman et al 2021). Ethno-territoriality was based on a belief that populations could be hierarchically classified along biological lines that determined their behaviour and relationship with the state (Hoffman et al 2021). The process of ethno-territorialisation was one of violent inclusion and exclusion. It erased areas of cultural heterogeneity, the fluidity amongst groups, and silenced subaltern and alternative ethno-religious, gender and class identities that challenged neoliberal values and patterns of capitalist extraction (Hoffmann et al 2021).

Hoffman et al (2021) argue the ethnoterritorial grid of the colonial period had a structuring effect on the political power struggles that emerged in the post-colonial period. Ong's (2001) concept of graduated sovereignty describes how the socio-economic and political benefits of citizenship, including access to financial capital, land, natural resources, education and welfare, are unevenly distributed amongst the hierarchical ethnic categories established during the

colonial era. Armed group mobilisation is driven by a logic of ethnicity, territory and authority as local elites absorbed colonial understandings of ethnicity, identity and territory to contest or retain these colonial ethnic boundaries (Hoffman et al 2021). The work of Susan Marks (2011) has shown that colonial practices of political ordering based on ethnicity, religion and territory shaped the development of international norms of political participation and self-determination based on ethno-religious identity. The sovereignty principle, the fundamental principle of international law, ties sovereign political space to territory, by protecting the jurisdiction of sovereign states over its territory and the people in it (Marks 2011). The international right to self-determination applies to 'peoples', usually defined in ethno-religious terms, within clearly defined territorial boundaries (Marks 2011). In the practice of peace-making, this thesis shows that the combination of ethno-territorial practices, the inclusion norm of political participation and realist conflict analysis form a liberal political narrative of peace and conflict.

According to the liberal political narrative it is the political exclusion of those elite ethno-religious identities created, legitimated and 'included' to differing degrees during the colonial period, that drives conflict (Hoffmann et al 2021). Due to the structuring effect of ethnoterritorial practices of government on peace process design and on dominant international and local elite understandings of conflict, inclusion at the 'political' table in peace negotiations is dependent upon membership of a 'legitimate' ethno-religious identity group identified by ethnoterritorial maps and elite essentialist discourses regarding identity[8]. Essentialist ethno-religious identity conflict narratives work with the traditional liberal inclusion norm of political participation to drive narratives of peace focused on ethno-territorial power-sharing and representation in a democratic government[9]. These power-sharing arrangements fix the balance of power and divisions between ethno-religious groups in time, rather than transform the structures of graduated sovereignty (Bell & Pospisil 2017). Employing the work of Foucault (1994), Brown (2017) and Amitav Ghosh (2016), this thesis argues that by limiting the politics of peace processes to an elite performance of affiliation with an essentialist ethno-religious identity, liberal political narratives have little impact on the governance issues that inform the neoliberal conflict zone. The narrative acts as a barrier to

[8] Interview 27, August 2018, Official, Bamako
9 Ibid

alternative identities, visions of citizenship and issues-based politics of conflict and peace that may threaten the neoliberal political-economy (Agarin & McCulloch 2019).

3.6.2 Liberal Security Exclusion

This section outlines the discourses of fear, realist security analysis, colonial practices of hierarchical religious classification and the exclusion norm of legality that informs the liberal security narrative of peace and conflict. Iza Hussin's (2019) work highlights the historical legal construction of 'excluded' illiberal spaces and populations on the basis of religious beliefs during the colonial period. She traces the reproduction of these identities in the contemporary global War on Terror discourse in the post-colony (Hussin 2019). Colonial legal geographies were the precursor to the current legal logics of inclusion/exclusion that views the liberal norm of religious freedom through the calculus of internal security (Hussin 2019). Adherents to the Islamic religion received unfavourable terms of citizenship that fostered widespread processes of dispossession of territories rich in natural resources (Hussin 2019). Christianity and Catholicism were placed in opposition to and cast as the savior of the criminal, diseased indigenous 'other' (Wade 2016). This broad religious-based division based on the norm of legality is reflected in the contemporary security classifications of 'political', 'criminal' and 'terrorist' actors (Haspeslagh 2013). Together with discourses of fear, these classifications structure the liberal security narrative of informal conflict as an illiberal external security threat to the neoliberal polity (Picarelli 2006; Hoffmann 2004).

Religious, political and security elites utilise mainstream and social media during peace processes to construct liberal security narratives of informal conflict around symbolic relationships between race, ideology, religion, terrorism and crime (Hatem 2004). Haspeslagh (2013) and Richmond & Tellidis (2012) note that contemporary peace processes are infiltrated by elite international security War on Terror discourses of fear that construct the Islamic religion as disorderly and fundamentally incompatible with the values of neoliberalism. These discourses inform the exclusion of 'new terrorist' groups in territories and populations previously excluded from the benefits of citizenship under colonial legislation (Haspeslagh 2013). Discourses of fear regarding the 'new terrorism' focus on its unprecedented willingness to utilise global networks, cause large numbers of civilian casualties, and challenge the values

of the liberal international system with an alternative universalist religious/Islamic ideology (Helgesen 2007). In Latin and Central America, religious dogma is a key part of the discourses of fear and criminalisation of gangs and rebel groups, which in turn promotes a public bias against their inclusion in political dialogue (Wade 2016). War on Drugs discourse in these regions present violent non-state actors as a combined criminal, terrorist and Communist conspiracy against democracy, capitalism and the moral piety of the Catholic Church (Wade 2016). The atmosphere of fear that pervades neoliberal conflict societies is intensified by the mass-mediated representation of the criminal other in the digital information age (Hatem 2004). As a result, the practice of peace mediation under a liberal security narrative has become an elite politics of criminalisation and exclusion, underpinned by mass-mediated discourses of fear, of illiberal identities such as new unconventional violent non-state actors, marginalised communities and social justice issues that challenge neoliberal values.

The narrow state-centric liberal security definitions of 'criminal' and 'terrorist' groups in terms of methods, motives and illegal economic activity subsume armed groups as diverse as gangs, drug cartels, organised crime, vigilantes, and rebel groups under a single excluded 'criminal' identity (Cockayne 2011). As discussed in chapter two, the focus on the rationalities of armed groups rather than the social context of violence shifts attention from the local governance issues that promote the emergence of armed groups. Discursive practices linking 'criminal' spaces with ethno-religious identity rather than poverty indicators also reduce entire marginalised local communities – such as the urban poor, nomadic pastoralist communities and rural farming communities and the complex intersecting gender, race, age and class identities within them – to the 'criminal' or singular ethno-religious identities assigned to or claimed by their defacto armed group sovereigns. The erasure of marginalised communities from the analytical frame that informs the liberal security narrative limits the possibilities for renegotiating the unequal terms of citizenship that originated in the colonial period.

The discourses of fear that underpin the liberal security interpretation of informal conflict give rise to peace defined by a discourse of hyper-punitiveness – or the expansion of the security state to protect the neoliberal polity (Samara 2007). Peace-making agendas dominated by the liberal security narrative emphasise state institutional reform to the security sector to bolster

state post-conflict capacity to manage an increasing number of unconventional violent non-state actors[10]. Elite power-sharing debates under the liberal security narrative also focus on a share in state security, rather than democratic institutions[11]. The Political Settlements database of all peace agreements since 1945 indicates that security sector reform is the most popular type of provision in modern peace agreements. This thesis will demonstrate that the embedding of peace processes within a powerful global inclusion/exclusion security discourse has subsumed the objective of a transformative peace under an overwhelming concern for security, translating peace-making into a biopolitical exercise in the maintenance of public order of deviant populations (Hussin 2019).

The following sections considers the two peace and conflict narratives derived from the concept of inclusive peace process design. It examines the extent to which they have expanded the politics of peace processes beyond elite interests in security or political power-sharing to include the social justice discourses of social actors. Reflecting the observations of Moyn (2018), Ghosh (2016) and Linarelli et al (2019) regarding the limitations of the norm of political participation in the neoliberal era, it argues that the persistence of the structuring effect of the politics-crime binary on 'inclusive' peace processes splits identity politics and class politics along the politics-crime divide making it difficult to expand the political sphere of peace processes beyond the singular identity politics of recognition. 'Inclusivity' has been co-opted as an extension of biopolitical control to social actors, with the 'inclusivity' narratives of elite social actors limited to the expression of a singular gender or race identity in formal peace processes and unconventional violent non-state actors and their communities subject to 'inclusive' apolitical community mediation to promote peace defined as local resilience in the informal sphere. The final part of the chapter draws on the Nancy Fraser's (2007) tripartite theory of social justice to outline an alternative theoretical basis for an approach to inclusive peace process design that empowers marginalized actors to contest the boundaries of political citizenship in peace processes.

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10 Interview 30, August 2018, INGO, Bamako

11 Ibid

3.6.3 Inclusivity

John Packer outlines the rationale for the political inclusion of social actors in peace processes based in the international right to political participation:

'the normative basis for inclusion follows the logic of equality such that inherently (i.e. essentially) equal human beings possess equally valid needs, interests and should therefore enjoy equal say with regards to the organization of society in dealing with these terms of establishing rules, systems and arrangements….the general will with regard to governance is a composite of individual wills (each equally valid)' (Packer 2016, p. 4)

Inclusive peace process design in the formal sphere is therefore an extension of the traditional liberal political inclusion norm to include liberal social actors (Packer 2016). It is a recognition that not all social identities have automatic and equal access to political participation (Packer 2016). To rectify identity-based exclusion from political representation, international law defines, produces and fixes the liberal political subjects who hold the right to political participation in peace processes, including women, youth and ethnic and religious minorities (Moyn 2018). The connection between the international law on political participation and inclusive peace processes is made by the UN Security Council Resolutions 1325 (mandating the participation of women in peacebuilding) and 2250 (which mandates participation of youth in peacebuilding). The international law regarding the political participation of ethnic and religious minorities has also influenced the implementation of the concept of inclusive peace process design in formal spaces (Packer 2016).

In addition to issues of equality of political participation, inclusivity narratives of peace and conflict have focused particularly on raising awareness of the negative impact of protracted conflict on women (Bell 2017). The UNSC Resolution 1325 highlighted both the human rights and criminal justice aspects of what has become known as the Women, Peace and Security agenda:

'Resolution 1325 urges all actors to increase the participation of women and incorporate gender perspectives in all United Nations peace and security efforts. It also calls on all parties to conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, in situations of armed conflict'.

Structured by the policy documents on the UN Women, Peace and Security agenda, inclusivity has become strongly associated with a recognition that women experience conflict in a way that is distinct from male members of armed groups and that peace can only be achieved if negotiations address issues of gender-based violence (Martin di Alamalagro 2019). As a result, inclusivity narratives often interpret peace in terms of reconciliation and criminal justice processes that provide recognition of and reparation for violence against women in protracted conflicts[12]. Echoing the emphasis of inclusivity narratives on the norm of political participation and also criminal, as opposed to social, justice, the scholarship by Christine Bell (2017) and Jana Krause (2020) and Louise Olssen (2020) focuses on the positive correlation between inclusive peace process design in the formal sphere and peace agreement provisions on gender equality and gender-based violence. The inclusion of women is also said to increase the likelihood of settlement and the durability of the peace agreement (Krause & Ollsen 2020). The success of the advocacy around the inclusion of women at the international level has ensured it is now impossible to design a formal peace process without facilitating participation by women (Lehti 2019). However, the social, cultural, political, and religious structures in which women operate at the international and local level also set particular opportunities and challenges for women's participation (Lehti 2019). More critical scholars such as Maria Martin de Almalagro (2018) and Cynthia Enloe (2017) have argued inclusivity narratives essentialise women as peaceful and vulnerable, and in turn reaffirms the stereotypes about women that marginalise their role in public life. In reality, as interviews conducted by the author with local female peace-makers indicated, women are complex political actors who use peace processes as a vehicle to achieve a variety of political goals, including advancement of the agendas of their political parties and their aspirations regarding public office[13].

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12 Interview 19, April 2018, INGO, Washington

13 Interview 40, September 2018, Civil society, Yangon; Interview 68, July 2019, Civil society, Colombia;

The basis of inclusivity narratives in the civil and political right to political participation, which requires the universal liberal subject to frame their individual interests and demands in terms of a singular legitimate identity or subject position, deradicalizes the contribution of social actors and cuts their connection with the class politics of marginalized actors[14]. Reflecting the split between identity and class politics, Hirblinger and Landau (2020) also note that the term 'marginalised actors' feature 'relatively weakly' in the UN and multilateral organisation documents on inclusivity. Several female local peace-makers interviewed by the author indicated that strategically adopting the international language and politics of the liberal norm of inclusivity is often the only means for elite women to attract donor funding to access political spaces close to the main negotiating table[15]. Another local female peace-maker indicated that by adapting their discourse to fit the international structures of inclusion for social actors they had to ignore the intersecting socio-economic and cultural injustices endured by marginalized women in the neoliberal conflict zone[16]. One international peace-making expert also told the author: 'donors will always fund the easy option – they will fund those that talk like them and who can meet international policy requirements…this means that the discourse of inclusivity revolves around a set of international and urban local elites'[17]. Women who receive funding to participate in peace processes know they can discuss the sexual violence and gender equality issues identified in UNSC 1325 but they cannot talk about land rights, state-sanctioned violence or poverty[18].

The disjuncture between the tightly controlled identity politics of inclusivity narratives and the issues facing marginalized actors is also evident in the international discourse surrounding the inclusion of religious and youth identities in peace processes[19]. Youth and moderate religious groups are ordinarily included in formal processes as 'civil society' on the basis of their liberal

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14 Interview 35, September 2018, INGO, Yangon

15 Interview 26, August 2018, Civil society, Bamako; Interview 48, September 2018, Civil society, Yangon; Interview 73, July 2019, Civil society, Colombia

16 Interview 69, July 2019, Civil society, Colombia

17 Interview 42, September 2018, INGO, Yangon

18 Ibid

19 Interview 15, April 2018, UN, Geneva

world views and their willingness to fit their contribution to reflect (neo)liberal values[20]. UNSC Resolution 2250 on the inclusion of youth in peace-building notes youth should be included where they can make a positive contribution to efforts to counter violent extremism and criminality. Youth are also encouraged to promote the liberal norm of religious tolerance and moderation in post-conflict societies. Reinforcing the divide between the liberal identity politics of inclusivity narratives in the formal sphere and the liberal security narrative applied in informal spaces, youth and religious groups are also closely associated in UN resolutions 1368 and 1370 on 'illiberal' unconventional armed groups, such as youth gangs and Islamic terrorist groups. Illiberal youth are specifically identified as potential 'spoilers' to peace processes. The rights and recognition contained in UNSC 2250 are not afforded to these criminalized youths who fail to express liberal values. They are instead subject to resilience discourse, outlined in more detail below.

The 'multi-track' design system that has developed to implement 'inclusivity' also structures and limits the meaningful contribution of social actors to the politics of peace processes[21]. Multi-track inclusive peace process design establishes a hierarchy between traditional armed groups and liberal social actors (Martin di Alamalagro 2018). The top track, which refers to negotiation between armed groups and the state in accordance with liberal-realist inclusion strategy, is generally considered the 'political' process (Palmiano Federer et al 2019). Track two consists of technical, structured inclusive 'political' dialogue between elite social actors, including women and civil society (Palmiano Federer et al 2019). Track Two can also include transitional justice processes and other committees organised to develop gender or justice provisions in inclusive peace agreements (Palmiano Federer et al 2019). Finally, Track three places community mediation amongst local civil society groups at the lowest level in terms of importance (Palmiano Federer et al 2019). The goal of the lower tracks is to **influence** track one dialogue (Palmiano Federer et al 2019). The dialogue processes used to incorporate 'liberal' social actors in formal peace processes are, thus, criticised for narrowly structuring marginalized groups participation, including women, around the constitution and power-sharing issues raised by armed groups in bi-party negotiations (Lehti 2019). Women's groups

20 Ibid

21 Interview 35, September 2018, INGO, Yangon

are excluded from discussions where they can raise issues of human security, humanitarian assistance and development (Lehti 2019). Furthermore, armed groups are often involved in the selection of social actors, with the consequence that women and civil society groups merely support the agendas of armed groups rather than pushing their own recognition objectives[22]. In many contexts, including Afghanistan, 'inclusivity' is perceived by both women and men as the international community, or more precisely the liberal West, pushing their agendas, and as a result, women negotiators lack the social legitimacy to be able to formulate their agendas (Lehti 2019).

'Inclusivity' at the elite level has become a biopolitical exercise in instilling neoliberal values through the ordering and classification of social actors into the categories of gender, youth, or ethno-religious groups (Martin di Alamalagro 2018). The international law, norms and frames of conflict analysis that guide inclusivity narratives of peace and conflict produce, legitimise and control the discourse of a small set of social actors (Moyn 2018). As a consequence, inclusivity narratives do not expand the politics of peace processes beyond a restricted number of social issues, including equality of political participation, gender-based violence and religious tolerance[23]. The combination of liberal political, liberal security and inclusivity narratives – which equates peace with political power-sharing, state security or individual identity-based human rights and justice -- limits the ability of formal peace processes to adequately deal with the governance issues the underscore fragmented and localized conflict in the neoliberal polity. These are instead dealt with by resilience narratives of peace and conflict in the informal sphere.

3.6.4 Local Resilience

This section outlines the 'resilience' peace and conflict narratives that have emerged as part of the shift to inclusive peace process design in the informal sphere. According to de Conig (2018), the key insight of resilience thinking for the peace and conflict field is that peace must emerge from within the complex social system itself in order to be self sustaining. Choices about

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22 Interview 23, August 2018, Civil society, Bamako

23 Interview 35, September 2018, INGO, Yangon

objectives and agenda items for peace processes and peace-building programmes can only be made by actors embedded in the conflict context (de Conig 2018). Responding to the criticisms of the top-down liberal peace-making model outlined in Chapter Two, a resilience perspective regarding the context-specific nature of peace highlights that the international peacebuilding system does not have a superior claim to knowledge about managing specific transitions (de Conig 2018). There are no off the shelf solutions and neither is there a single theory of change or model of state transformation that can claim universal applicability (Caplan 2019). De Conig (2018) highlights that 'inclusivity' – or the inclusion of a broad range of armed and non-armed social actors in peace processes – is necessary to achieve peace defined as resilience. Without inclusion of all key elements of the violent social system, there is little possibility of developing sustainable peaceful adaptations to external shocks (De Conig 2018). The concept of 'resilience' was a key component of the 2015 sustaining peace agenda's departure from the liberal-realist model of inclusion and peace-making towards locally-owned peace processes and non-linear theories of change[24]. Within this broader framework, resilience-building has become the fundamental goal of both the development and peace work of INGOs. The major peace-building INGOs International Alert, Accord and the Centre for Humanitarian Dialogue now all defined peace in terms of the resilience of local societies to violence and war[25].

Applying the work of Chandler (2017) and Duffield (2007) mentioned above, this thesis argues that although resilience thinking appears to improve on the top-down liberal peace model by harnessing the power and agency of the social sphere to make peace, it has manifest in the peace-making context as another form of neoliberal governmentality. Resilience narratives of peace and conflict are in reality an intervention at the level of individual behaviour, blaming informal conflict on illiberal traits, rather than the social structures that might promote a

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24 Drawing on complexity theory, the document also indicates that any insights about a violent social system gleaned through conflict analysis to identify 'root causes' of conflict are futile because the non-linear and highly dynamical nature of complex systems implies that the system will continue to change in unpredictable ways. Causality of violence can be traced looking back but cannot be used to predict the impact or outcome of an external intervention. The UN guidance for effective mediation stipulates that a variety of flexible strategies should be adopted because 'a mediation process is never linear and not all elements can be fully controlled' and must 'respond to the changing context'. Conflict analysis and internal assessments should be continually updated throughout the process. Further it states that the principle of national ownership requires that the conflict parties and the broader conflict society commit to the mediation process. The Guidance notes that 'while solutions cannot be imposed'...'mediators can be helpful in generating ideas to resolve conflict issues'.

25 The INGO ACCORD works in support of a 'just and sustainable peace' in African countries emerging from violent conflict. Its work is also informed by a conception of a complex peace expressed as: 'the development of local social institutions so that societies develop the self-sustainable and local resilience needed to manage their own tensions as well as external influences and shocks. Alert's conception of peace is also a dynamic, non-linear one: it recognises that peace is not a fixed state nor is it naturally self-sustaining. Their mission statement highlights that peace is volatile, subject to change, especially in the case of societies emerging from conflict. What is important, Alert recognises, is to establish whether the peace in question is tending towards or away from consolidation.

maladaption to neoliberal policies (Chandler 2013). Moreover, in practice, mediator engagement with individual social actors involves an attempt to dilute their social ties, where the community is viewed as a source of support for violent adaptations to neoliberal governance (Ayling 2019). It synthesizes interviews with INGO peace-makers, analysis of policy documents, and an analysis of their peace-making practice in the informal sphere to identify the core features of a resilience narrative of peace and conflict in the informal sphere that has more to do with the neoliberal logic of individual responsibility than identifying local priorities for a social just peace (Chandler 2017). International peace-makers and international donors structure resilience narratives of peace and conflict by selecting which social actors to engage and what items are placed on negotiating agendas.

INGOs have predominantly linked 'resilience' with inclusive community mediation to manage the rise in identity and crime related conflict that is not adequately dealt with at the elite level[26]. Local resilience narratives aim to ameliorate the effects of conflict caused by the structures of inclusion/exclusion by facilitating a peace defined as the social inclusion of informal actors[27]. As argued by Foucault (1994), social inclusion requires the adoption of 'healthy' neoliberal traits such as self-help and individualism as well as the (neo)liberal logics of profit-maximization. Because the outcome and agenda of resilience mediation is adapted to the particular social context and driven to some extent by social actors, there is a fragmented array of informal peace processes in the neoliberal conflict zone. However, local peace processes generally cohere around two main issues of cultural and/or economic exclusion that are not considered under liberal security narratives of peace and conflict: economic issues of criminal governance and cultural issues of identity polarisation[28]. This section outlines culturalist and economic approaches to resilience and social inclusion (Chandler 2014), highlighting that the purpose of each type of mediation is to stimulate a new form of adaptation or 'resilience' to the injustices of neoliberalism that is more conducive to the maintenance of the neoliberal global order.

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26 Interview 31, August 2018, INGO, Bamako; Interview 43, September 2018, INGO, Yangon; Interview 18, April 2018, OAS, Washington

27 Interview 42, September 2018, INGO, Yangon

28 Interview 18, April 2018, OAS, Washington; Interview 35, September 2018, INGO, Yangon

The peace and conflict studies literature and international peace-making INGOs have largely focused on the cultural aspect of the relationship between social exclusion and conflict, framing conflict in terms of polarizing essentialist narratives of identity difference (Hirblinger & Landau 2020; MacGinty 2011; Richmond 2014; Kaldor 2012; Lehti 2019)[29]. According to culturalist narratives of peace and conflict, the solution is local 'inclusive' mediation that accommodates cultural 'difference' (Hirblinger & Landau 2020). Informal mediators interviewed by the author indicated that local mediation that is 'inclusive' of world views, illiberal actors and social identities promotes resilience by allowing the formation of new cross-cleavage social identities based on gender, age and ethnicity[30]. In peace and conflict scholarship, Hirblinger and Landau (2020) argue for a departure from 'formal' inclusion strategies that emphasise homogenous actor groups, essentialist identities and rational interests towards relational, context-sensitive inclusion strategies that focus on the 'space between actors' and ask how 'their multiple relationships can be transformed through peace-making'(p. 15). Reflecting the resilience approach of removing informal actors from the formal political space of representation, rights and laws, they argue that:

'relationality thus invites us to think beyond the ideal-typical peace table composed of actors with bounded identities that define their interests, rights and needs, and move towards more complex, dynamic mechanisms of negotiation that put on the table those antagonistic differences that need to be accommodated in the political settlement'(p. 15).

The result of removing identity issues from the sphere of formal politics is the displacement of responsibility for overcoming identity polarization created by state structures of graduated sovereignty onto marginalized individuals (Chandler 2014). Resilience mediation regarding religious identity polarization is also more focused on transforming individual attachment to illiberal Islamic identities that threaten the neoliberal political-economy than addressing the socio-economic inequalities, such as land insecurity, that promote an affiliation with conservative Islamic discourse (Lethi 2019).

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29 Interview 35, September 2018, INGO, Yangon; Interview 31, August 2018, INGO, Bamako

30 Interview 35 & 42, September 2018, INGO, Yangon; Interview 31, August 2018, INGO, Bamako

Resilience discourse has also featured in international peace-making interventions to manage youth and community violence associated with criminal governance and criminal actors (Ayling 2019). Many regional organization, such as the Organisation of American State (OAS), the African Union (AU) and ASEAN have focused on fostering resilience to crime-related conflict (Ayling 2019). They draw on resilience thinking in the development studies literature, which emphasizes achieving social inclusion goals of recognition and redistribution through local participation in development programmes in discrete informal spaces (Gupta & Vergellin 2016). These programmes focus on skills development and ensuring the poor determine their development priorities (Gupta & Vergellin 2016). Peace-makers adopting this line of thought see criminal governance of informal areas as a negative adaptation to the socio-economic shocks and state neglect produced by neoliberal policies[31]. Peace is achieved by providing the communities and criminal actors with the skills and neoliberal values of profit-maximisation and entrepreneurship to participate peacefully in the neoliberal system of shared formal and informal governance (Chandler 2014). Interventions are focused at the level of the individual as community ties and support are identified as a source of resilience for criminal organisations (Ayling 2019).

Although resilience mediation shifts the focus from armed groups and elite interests to social actors and social issues of governance, recognition and redistribution, it does so only within the confines of the informal spaces of conflict zones. Because informal inclusive dialogue focuses only on the relations of power between individual actors within a bounded informal community, the state structures of graduated sovereignty and inclusion/exclusion that promote criminal governance and identity polarization are left out of resilience narratives of peace and conflict. Instead the burden of peace is placed squarely on the 'local' by resilience approaches, which allows the state to avoid major structural reforms to neoliberal policies in the formal peace agreement. As a result, resilience narratives maintain rather than break down the spatial and discursive barriers between political and criminal spaces in neoliberal societies. The framing of peace as resilience and social inclusion closes off any possibility of political struggle from the informal sphere in support of peace defined as social justice. It dilutes the normative goals of inclusivity, with civilians in the informal sphere, including women, denied

31 Interview 18, April 2018, OAS, Washington

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access to the formal transitional justice and human rights processes, to address the impact of violence and conflict on communities. The following section outlines an alternative theoretical basis for inclusive peace process design that breaks down structures of inclusion/exclusion by placing marginalized actors back in the sphere of formal politics, thereby providing an avenue for the revitalization of the transformative politics of peace-making in the neoliberal era.

3.7 Resistant Social Justice Narratives

The theoretical basis for the dominant peace and conflict narratives outlined above indicate that the primary driver of conflict in the neoliberal era – structures of inclusion/exclusion that promote violent patterns of shared formal and informal governance at the local level – are dealt with under informal resilience mediation. Given the limitations of the current normative basis of peace-making for stimulating a politics that tackles the political-economy of conflict, it is likely that peace will increasingly become associated with the production of resilient neoliberal subjects unless a more appropriate normative foundation for the engagement of the social sphere is located. This dissertation posits that the question of whether peace-making becomes a platform of resistance and transformation of inclusion/exclusion discourse, or merely functions to 'patch-up' and promote resilience to its effects, turns on the interpretation and implementation of the concept of inclusive peace process design. As discussed in Chapter Two and outlined above, inclusivity is currently implemented and understood within a culturalist framework that separates formal law and politics from the informal social sphere of cultural politics (MacGinty 2011; Kaldor 2012; Richmond 2014; Chandler 2017). The culturalist literature regarding local resistance is based on a Foucauldian post-structuralist understanding of the power of discourse (Chandler 2017; Chandler & Richmond 2015). Foucault's conception of structural power allows for the possibility of local discursive resistance to the discourses of social inclusion/exclusion (Martin di Amalagro 2018). Wetherall (1998) notes that subjects do not always accept the identities they have been assigned by the dominant inclusion/exclusion discourse, but can assert alternative identities, known as their subjectivity. Under the post-structuralist reading of social power, there are not fixed locations of resistance (Hooks 1990). There is merely a near infinite multiplicity of 'different' cultural discourses that exist in the relations of power between persons and float free from fixed material social structures (Stoddart 2015). Stoddart writes that 'just as power operates at essentially local sites so do

points of resistance appear at every point in the network'. The upside of a relational view of social power is that it reveals the multiple intersecting points of resistance to discourses of inclusion/exclusion across class, gender and racial identities (Hooks 1990). The downside of a Foucauldian understanding of social power is that resistant relational discourse can only ever achieve resilience, not transformation, because relational understandings of resistance only exist between persons and are not tied to oppressive social structures associated with sovereign power (Hooks 1990; Stoddart 2015). Applied to peace-making, this culturalist thought has produced an emphasis on local informal mediation to recognize and transform identity 'difference' (Hirblinger & Landau 2020). It has also promoted the reliance on the concept of 'resilience' in the interpretation of inclusivity at the local level, ensuring that the 'local' is separated from the civil and political rights and criminal justice norms associated with formal inclusivity narratives (Chandler & Richmond 2015; Chandler 2017). The combination of culturalist understandings of the local, and, international peace-making norms that emphasise the identity rather than class based barriers to political participation has resulted in efforts to engage social actors that overlook the material structures of marginality (Chandler 2017).

To inform an approach to inclusive peace process design that allows for the possibility of peace defined as social justice in Galtung's sense of the word, rather than merely resilience, this thesis adopts a critical understanding of resistance and social power based on the Marxist readings of the neoliberal global order outlined in Chapter Two. The critical perspective adopted by Hooks (1990) views marginality as an important fixed location for the construction of knowledge and for engaging in the political resistance of power. For Hooks (1990) the vision of cultural 'difference' embodied in post-structuralism which undermines the notion of the unitary historical class actor is problematic when it displaces an understanding of oppression, exploitation and domination. She argues that scholarship and activism cannot lose sight of racialised and gendered sites of oppression which are both material and cultural (Hooks 1990). Her theory of counter-hegemonic politics also takes up the challenge of post-structuralism by constructing linkages along multiple intersecting sites of marginality across class, race and gender identities (Hooks 1990). However, resistant narratives are only made relevant by the social structures of the neoliberal political-economy, highlighted in Chapter Two of this thesis, they seek to critique and transform (Simmons 2020). This thesis uses a critical view of resistance to highlight the informal social sphere of peace processes as the site of challenge to

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dominant narratives of peace and conflict (Hooks 1990). The critical understanding informs an intersectional approach to inclusive peace processes design that takes class seriously and facilitates the inclusion of marginalized actors in the politics of peace processes.

The following section uses Nancy Fraser's (2007) tripartite theory of justice to outline a theoretical basis for multi-scalar and intersectional inclusive peace process design that brings the resistant class politics of marginalized actors into the sphere of formal representational politics, opening up the possibility of transforming structures of inclusion/exclusion. Her theory draws on Hooks (1990) definition of intersectionality and social power to interpret the norm of political participation within a political-economy framework, recognizing that unequal access to political participation is based on social class structures as well as identity (Fraser 2007). Fraser argues that social movements seek to challenge three forms of injustice that should intersect – cultural misrecognition, economic maldistribution and political misrepresentation – perpetrated by the dominant inclusion/exclusion discourse (Fraser 2007). The first part of her theory focuses on the lack of attention to material sources of oppression in contemporary identity politics movements (Fraser 1998). She identifies that resistant social justice *claims* are divided between two polarized positions (Fraser 1998). The first, is underpinned by the identity politics of recognition which demands the equal recognition of different identities/groups within a society, including cultural, gender and race identities. Social justice under the frame of identity politics is achieved by a 'difference' friendly world that no longer requires assimilation to the majority or dominant cultural norms (Fraser 1998). The second paradigm, underpinned by class politics in the global capitalist economy, focuses on redistributive claims which require a more just distribution of resources and goods (Fraser 1998). Echoing the observations of Amitav Ghosh regarding the prominence of identity politics, Fraser asserts that too much emphasis on identity politics in contemporary social movements diverts attention from the growing wealth inequality that characterizes many neoliberal societies (Fraser 1998). Noting the positive impact of the shift to recognition on ideas of gender justice, which now encompasses issues of representation, identity and difference, she argues that 'it is no longer clear that feminist struggles for recognition are serving to deepen and enrich struggles for egalitarian redistribution' (Fraser 2013, p. 221). She writes that the 'feminist turn to recognition has dovetailed all too neatly with a hegemonic neoliberalism that wants nothing more than to repress socialist memory' (Fraser 2013, p. 21). The shift from

redistribution to recognition occurred in social movements just as an 'aggressively globalizing US-led capitalism is exacerbating economic inequality' (Fraser 2013, p. 21). Arguing that social justice requires both recognition and redistribution, Fraser integrates the emancipatory aspects of the two paradigms into a single framework that accommodates social equality in the economic sphere and recognition of difference in the cultural sphere (Fraser 2013).

The second part of Fraser's theory focuses on political injustice as the defining issue of justice in a globalized world (Fraser 2007). Identifying representation – or inclusion in the community of those entitled to make justice claims on one another – as the defining issue of the 'political', she argues that misrepresentation or mis-framing occurs when political boundaries wrongly deny some people the possibility of participating on a par with others in substantive justice claim making (Fraser 2007). Speaking directly to the impact of inclusion/exclusion discourse on marginalized communities, meta-political misrepresentation is where, as Fraser writes, 'states and transnational elites monopolise the activity of frame setting, denying voice to those who may be harmed in the process...and exclude the overwhelming majority of people in the meta-discourses that determine the authoritative division of political space' (Fraser 2007, p. 23). She argues that misrepresentation is constitutive of and produced by the injustices of maldistribution and misrecognition because a) social justice claims cannot be made without access to the 'political' community and b) it is those communities that suffer the intersecting injustices of misrecognition and maldistribution who are excluded from political representation by elites under inclusion/exclusion narratives (Fraser 2007). For Fraser, the issue of misrepresentation also occurs because the political community is defined not only in terms of cultural and economic status but also in terms of territorial boundaries (Fraser 2007). She argues the Westphalian sovereign state frame for the political community is inadequate to address trans-national injustices associated with globalization and the rise of non-state corporate power (Fraser 2007). This thesis applies Fraser's insights regarding the importance of a non-territorial definition of political space for the achievement of social justice goals to conflict states, where the role of violent non-state actors in governance gives rise to an appearance of fragmented sovereignty. By partitioning political space and mediation along territorial lines, extra-territorial powers such as the state are excluded from the reach of justice under local resilience paradigms. Fraser argues the solution to the injustice of mis-framing is to democratize and de-territorialise the process of setting the boundaries of the political

community, allowing contestation and consensus to be developed around who should be included and excluded from the formal politics of social justice claim making (Fraser 2007). Fraser's theory can therefore inform a multi-scalar peace process design that targets the material structure of the neoliberal global order – the divide between state political and transnational economic boundaries.

Fraser's theory indicates that the politics of inclusion – or the setting of the boundaries of the political – is a dynamic interplay between dominant liberal security inclusion/exclusion discourses and resistant social justice discourse, which consists of the class politics of redistribution and the identity politics of recognition of social movements and subaltern actors (Fraser 2007). Viewing neoliberal conflict societies in terms of the politics of inclusion reveals that the spatial and discursive divides between the formal and informal are produced by the discourse of social actors. This thesis draws on Fraser's (2007) theory of justice to highlight the *social justice narratives* of peace and conflict that challenge inclusion/exclusion discourse in neoliberal conflict societies. Social justice narratives drive the discourse of marginalized actors, civil society as well as the violent movements of armed groups that are criminalized by the liberal security narrative. Social justice narratives frame protracted, fragmented conflict as a symptom of the material and cultural sources of state oppression associated with neoliberal policies. Peace as social justice is defined as the reconfiguration of political space so marginalized communities can make social justice claims on the state. As the response of the neoliberal state to violent social justice movements is generally securitization, depoliticization and further dispossession the politics of inclusion/exclusion underscores the dynamics of conflict in the neoliberal era.

Fraser's (2007) theory re-politicises marginality by arguing that the social justice of redistribution and recognition requires the democratization and de-territorialisation of the setting of the boundaries of the 'political' in neoliberal societies in the first instance. Social justice is not something that can be achieved by resilience in discrete informal spaces of mediation alone. The democratization and de-territorialisation of the political allows marginalized actors to directly contest their structural exclusion from the socio-economic benefits of political citizenship under the dominant liberal security discourse in neoliberal societies. Drawing on Fraser's framework for the resistant and dominant politics of inclusion, this thesis argues that the biopolitical practice of peace-making operates to dismantle the

contestation of political boundaries in peace processes by imposing four peace and conflict narratives that adhere to the territorial and discursive boundaries of inclusion/exclusion. The spatiality of formal and informal peace mediation stifles resistant social justice discourse under security and resilience narratives and therefore leaves the dominant liberal security narrative that produces conflict in neoliberal societies unchallenged. The case studies illustrate that when peace processes ignore the realities of the politics of inclusion/exclusion in neoliberal conflict societies, the dominant liberal security or resistant social justice narratives can undermine peace processes from the outside. The key to effective and legitimate engagement of social actors is therefore to capture the politics of inclusion/exclusion in neoliberal societies through multi-scalar and intersectional peace process design. Multi-scalar peace process design frees peace-making practice from the territorial boundaries of formal and informal governance, allowing debate between social actors across formal and informal spaces and a consensus around social justice narratives of peace and conflict to be formed. By facilitating the inclusion of marginalized actors inclusive peace-making has the potential to do more than merely promote resilience to neoliberal governance. An intersectional and multi-scalar approach to inclusivity opens up the space for political struggle against the political-economy of conflict that the resilience approach, with its emphasis on relations between individuals and identity, takes away.

3.8 Conclusion

This chapter used the work of Michel Foucault (1994) to develop the theoretical framework to analyze the case study peace processes as part of the biopolitics that preserves the neoliberal political economy. It showed that the biopolitical tools of peace-making produce and legitimize only four possible narratives of peace and conflict – liberal political, liberal security, inclusivity and local resilience. Together these narratives limit the politics of peace processes to a small set of security, power-sharing, religious freedom and criminal justice issues. Issues related to neoliberal governance such as crime, identity and land insecurity are depoliticized under informal mediation to increase resilience. The spatiality of formal and informal peace processes, culturalist reading of the 'local' and reliance on the international norm of political participation ensures the exclusion of marginalized actors from the formal political sphere. Furthermore, it demobilizes discourses of social justice that might form across class lines in

opposition to inclusion/exclusion discourse during peace processes. Because the resilience narrative is engaged to manage the impact of the inclusion/exclusion discourse on unconventional violent non-state actors and marginalized communities, peace in the neoliberal era is increasingly connected to the production of subjects who adopt more peaceful adaptations to the effects of neoliberal governance. As a consequence of its function as a tool of the neoliberal global order, peace-making has its lost its ability to stimulate an emancipatory politics that produces social change.

The second half of the chapter used Nancy Fraser's (2007) tripartite theory of justice to outline an alternative interpretation of inclusive peace process design that (re)politicises peace processes by placing marginalized actors back in the sphere of formal political representation. The approach improves on current culturalist and normative understandings of inclusive peace process design by emphasizing firstly that barriers to political participation are class as well as identity based and secondly that the inclusion of marginalized actors in the formal political sphere is imperative for the achievement of social justice goals. This collapses the division of peace-making space according to formal or informal governance arrangements and allows for a politics of peace-making that is not tied to artificial territorial boundaries. The multi-scalar and intersectional approach to inclusive peace process design repoliticises peace-making by facilitating contestation between dominant liberal security and resistant social justice narratives regarding peace, conflict and the boundaries of political citizenship. This opens up the possibility of the emergence of an emancipatory politics of social change to transform rather than merely 'patch-up' the political-economy in peace processes.

The following chapters Four-Seven apply the theoretical framework the four case study peace processes – Myanmar, Mali, San Salvador (gang truce) and Colombia. Each of the case studies is used to illustrate the biopolitical capacity of peace-making to limit politics, demobilize class struggle and produce resilient subjects. The case studies were each dominated by one of the four peace and conflict narratives produced and legitimated by the bio-tools of peace-making in order to exclude, criminalise or depoliticize resistant social justice discourse. The Myanmar process was structured by the liberal political narrative of peace and conflict, which preserved the status quo of shared formal and informal neoliberal governance by defining the scope of the politics of the peace process so narrowly that the social sphere could not penetrate the sphere of formal political representation. In the Mali peace process, international mediators

employed the liberal security narrative to criminalise resistant social justice discourse of unconventional violent non-state actors and the communities they represent. The San Salvador gang truce depoliticized social justice readings of the gang problem through local resilience mediation in discrete, informal gang-held territories. In the Colombia case, international inclusivity discourse diluted the social justice interpretation of inclusivity adopted at the elite negotiating table, which paid attention to issues of class and the inclusion of marginalized actors. The international inclusivity narrative cut the connection between the class politics of marginalized actors and the identity politics of the peace movement in Colombia, limiting the contribution of social actors in the process to criminal justice claim-making based on identity.

The case studies are also used to illustrate that conflict in neoliberal societies is shaped by the politics of inclusion/exclusion – or the interplay between dominant liberal security narratives and resistant social justice discourse. In Myanmar, neoliberal logics of inclusion/exclusion promoted the emergence of new unconventional violent non-state and state actors and patterns of militarization and extraction that affected marginalized social actors in the borderlands. These marginalized actors invoked social justice discourse to assert their citizenship rights. In Mali, unconventional violent non-state actors adopted social justice discourse as part of their armed struggle against the state violence and land insecurity permitted by inclusion/exclusion discourse. In San Salvador, contestation between liberal security and social justice understandings of gang violence dominated the debate surrounding the gang truce. In Colombia, the left-wing politics of the FARC rebels as well as their turn to criminal and terrorist activities ensured the conflict had always been framed in terms of either a liberal security or social justice narrative.

The case studies are also used to demonstrate the importance of an interpretation of inclusive peace process design based on norms of social justice. Because dominant liberal security narratives of social actors were left unchallenged by social justice discourse in the Myanmar, San Salvador and Colombia peace processes, they overwhelmed the peace process from the outside. In the Mali case, where liberal security narratives defined the politics of the formal peace process, it was social justice discourse that rose up from the social sphere to undermine the peace process. The problems in the social sphere in Mali and Myanmar occurred because 'social' issues were deliberately excluded from definitions of the 'political' and placed by elites

under resilience mediation. In San Salvador and Colombia the negative public reactions to the peace processes were an unintended consequence of the spatial design of the processes, which tied the political boundaries of peace-making to patterns of formal and informal governance. Across the case studies, it is argued that the democratization and de-territorialisation of the setting of political boundaries would prevent 'spoiling' activity by social actors.

Chapter Four: Liberal Political Inclusion (Myanmar)

4.1 Introduction

This chapter focuses on the Myanmar peace process (2011- 2021), which was dominated by *liberal political* narratives of peace and conflict. Liberal political narratives are structured by the traditional liberal inclusion norm of state-level political participation and realist armed group and state centric conflict analysis, viewing peace in liberal terms as the inclusion of rebel group leaders in state democratic political institutions. Liberal political narratives are closely associated with the liberal peace doctrine developed at the end of the Cold War that equates peace with democratic transition. They also emerge in response to traditional Cold War era conflicts such as Myanmar, which involves over 25 ethno-religious minority ethnic groups and an authoritarian state in democratic transition. This chapter places the liberal political narratives of peace and conflict in Myanmar in a longer historical perspective by demonstrating they are shaped by colonial practices of ethno-territoriality. It argues that the liberal political narrative preserves the neoliberal political-economy of conflict by narrowing the political sphere of peace processes to an elite performance of an ethno-territorial identity, leaving the structures of shared formal and informal governance untouched by resistant social justice discourse.

The state-led Panglong peace process was designed to promote peace as part of the democratic transition from military junta rule that was already underway in Myanmar (Palmiano Federer 2016). The process was an elaborate bureaucratic production, involving hundreds of delegates over a one week period[32]. Because of the size of the meeting, the government touted the process as 'inclusive'[33]. However, the bureaucratic organisation of the dialogue, which assigned thousands of individual speaking slots rather than stimulate political

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32 Interview 46, September 2018, Donor country, Yangon

33 Ibid

debate, achieved little progress on the main negotiating issue of territorial power-sharing34. It was agreed therefore that the Panglong process would be ongoing, with a series of productions to be organised in future years[35]. The state, armed and social actors alike have exhibited limited enthusiasm for the liberal political narrative of peace and conflict that shaped the formal Myanmar peace process[36]. Some of the most important rebel groups refused to take part in the process[37]. Many armed groups were too preoccupied with their shared governance arrangements with the state regarding the informal economy to seek a share in sovereign power through the Panglong process[38]. State militia and other unconventional violent non-state actors were not invited to the process because they did not fit within the liberal political understanding of conflict between a rebel group and an authoritarian state[39]. Urban migrants wanted a solution to state identity-based discrimination but not one that would tie their rights and their political status to a territory they no longer live in[40]. The needs of marginalised actors regarding land security and protection from state violence were not met by the politics of the Panglong process[41]. Furthermore, the liberal security narrative that has criminalised and promoted a genocidal mindset against the Rohingya Islamic communities continued unabated by the Panglong process. A Panglong process has been organised periodically over the last five years, which despite the bureaucratically induced theatre, never produces a genuine, inspiring democratic politics that might transform conflict in Myanmar.

The backgrounding of the Panglong process, in Wendy Brown's (2015) sense of the economisation of the political, is related to the neoliberal logics that have re-shaped conflict and governance arrangements in ways that make a simplistic Cold War era civil war narrative of the Myanmar conflict much less relevant. This chapter focuses on the effect of two main neoliberal processes – firstly the rise of the informal economy as the source of state material legitimacy (Meehan 2015) and secondly the infiltration of the grand clash of civilisations narrative into Myanmar society as a necessary biopolitical restraint on citizens new-found

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34 Interview 47, September 2018, Donor country, Yangon

35 Ibid

36 Interview 42, September 2018, INGO, Yangon

37 Ibid

38 Ibid

39 Ibid

40 Interview 37, September 2018, Urban resident, Yangon

41 Interview 45, September 2018, Civil society, Yangon

democratic freedom[42]. Despite the dominance of liberal political narratives of peace and conflict, Myanmar is, in reality, governed through 'sovereignty by consensus' agreements between the state and rebel elites (Denyer-Willis 2015; Meehan 2015). These agreements regulate shared revenue from the informal economy and state access to rebel held territories for development projects (Meehan 2015). With the rise of the informal economy in Myanmar, rebel elites have increasingly abandoned protective governance strategies and political goals in favour of neoliberal logics of predation and profit-maximisation (Meehan 2015; Brenner 2017). Elite criminal pacts promote violent patterns of militarisation and extraction that has increased the number of violent state and non-state actors in the borderlands[43]. These new violent actors are driven by a racist, patriarchal and classist logic of inclusion/exclusion that permits the dispossession of marginalised communities and high rates of gender-based violence (Buranajaroenjki 2020). Social narratives highlighting land insecurity and gender insecurity in the borderlands have emerged in response to the discourse of inclusion/exclusion and form the basis of local mediation to develop resilience against the marginality produced by neoliberal logics[44]. As the democratic transition progressed in Myanmar, discourses of fear regarding a dangerous Islamic 'Other' prompted new forms of 'communal' violence that crossed the ethnic and territorial boundaries drawn in the colonial period (Wade 2017). In the eyes of the international community, the religious violence against Rohingya communities has eclipsed and shattered the ideal and the promise of a liberal peace in Myanmar (Wade 2017).

Because the liberal political narrative no longer reflects the politics of inclusion/exclusion that underscores governance and conflict, the chapter argues the liberal peace process in Myanmar has become a meaningless exercise of theatre. Rebel elites give speeches expressing their affiliation with an ethno-religious identity with no real agenda for political reform. The performance, however, serves a biopolitical purpose for the neoliberal global order – it acts as barrier to contestation between liberal security and social justice narratives by defining 'politics' so narrowly that the social sphere is unable to penetrate formal state politics. As a result, neoliberal governance roams free in Myanmar, untrammelled by emancipatory concepts of politics and justice. The chapter proceeds in three parts. The first part outlines the

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42 Interview 36, September 2018, INGO, Yangon

43 Interview 42, September 2018, INGO, Yangon

44 Interview 39, September 2018, Civil society, Yangon

structuring effect of the liberal political narrative of peace and conflict on the Panglong process. The second part focuses on the role of the informal economy in producing a dominant discourse of inclusion/exclusion that drive new forms of fragmented, localised conflict in the borderlands. The third part discusses the cross-ethnic religious violence prompted by the entrance of the clash of civilisations narrative into Myanmar.

4.2 The Liberal Political Narrative

4.2.1 Ethno-territoriality and Conflict

This section outlines how colonial practices of ethno-territoriality, realist conflict analysis of rebel group motivations and the norm of political participation structured the discourse of the Myanmar peace process, beginning with ethno-territoriality. The post-colonial state and the Cold War era conflict in Myanmar is shaped by British colonial practices of ethno-territoriality, which created a legal taxonomy of ethnic groups for ease of administration and extraction (Wade 2017). Colonial power divided Myanmar into two main territories – Burma Proper, the central region governed by the Bamar under the auspices of the British and the mountainous frontier that consisted of an eclectic mix of ethnic groups that had developed in relative isolation (Wade 2017). Despite the heterogeneity of borderland communities, British censuses classified ethnic groups according to language and geographic location (Wade 2017). Over time broad umbrella ethnic communities evolved as communities accepted and absorbed their legal classification (Wade 2017). The British ethnicization of the landscape in Myanmar and the differential treatment of the Bamar centre and the borderlands locked ethnic groups in a state of perpetual competition and set the scene for ethnic identity-based conflict in the post-colonial era (Myint-U 2019). It promoted discourses of exclusion against ethnic groups lower in the hierarchy of classifications, which limited their access to the global capitalist economy and justified dispossession of their lands in the interests of the colonial extractive economy (Myint-U 2019). These practices gave rise to what Thant Myint-U calls a system of race capitalism in Myanmar that has sustained the neoliberal political-economy (Myint-U 2019). The borderland rebel groups of the post-colonial conflict state cohere around the ethnic identities created during British colonialism (Myint-U 2019).

The general division between the Bamar centre and the borderland ethnic groups underpins post-colonial imaginaries of graduated sovereignty in Myanmar (Wade 2017). The ideas of ethnic and religious superiority promoted by the Bamar Buddhist nationalists of the independence movement was seized upon by the Burmese military when it took power in 1962 (Wade 2017). Convinced that even with the departure of the British that Myanmar was still infested with internal ethnic enemies, their quest for national unity became one of national uniformity with the military seeking to assimilate vast swathes of the population into the Bamar Buddhist core (Wade 2017). Citizenship of post-colonial Burma depended on membership of one of 134 ethnic groups invented by the British (Myint-U 2019). The military junta continued the colonial practice of conducting censuses in the borderland regions and required all citizens to carry a National Registration Card listing their ethnic identity (Myint-U). The ethnic identity listed on the card was the chief determinant of access to the rights and socio-economic benefits of citizenship (Wade 2017). Non-Bamar identities are subject to state surveillance, restrictions on freedom of movement and limited access to local governance services such as health and education (Wade 2017). Identity has therefore became a construct in Myanmar with people making cosmetic changes to obtain a different kind of identity card (Wade 2017). One resident interviewed by the author indicated that:

'if you go travelling somewhere the police will ask where you register and what race you are and that's the problem. I didn't change my ID because of social pressure, but because of the way the government tried to control and discriminate and separate people. So although we are Mon, when we moved to Yangon my mother said, 'No, we must be Bamar Buddhist because that is the highest identity we can get'45.

The conflict in Myanmar sprang from this system of graduated sovereignty.

In the 1960s, around 25 different rebel groups emerged in the borderlands along the lines of colonial ethno-territoriality, with each ethnic armed group demanding autonomous control of their territories and the extractive industries contained therein. Fearon and Laitin (2003) categorise the Myanmar conflict as a 'sons of the soil' war between a peripheral ethnic minority and a state-supported dominant ethnic group over distribution of land and natural resources.

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45 Interview 38, September 2018, Urban resident, Yangon

They argue that identity-based conflicts tend to last longer because grievances deriving from a disparity between ethnic groups are not easily addressed (Fearon & Laitin 2003). Brenner (2017) attributes the longevity of the rebel groups in Myanmar to the role of governance and public goods provision in the construction of a legitimate armed struggle. He writes that the ethno-nationalist insurgencies claim 'symbolic languages of authority' which promise to govern political, social and economic life in ways that defend and respect the rights of those who are oppressed by state authorities (Brenner 2017). Furthermore, through 'the use of fair procedures and dignified treatment, authorities convey…the moral principles of a group' by recognising ordinary people as 'valued group members' (Brenner 2017, p. 43). The role of colonial practices of ethno-territoriality in shaping conflict in the post-colony is downplayed by traditional Western understandings of the liberal political narrative, which focuses on rebel group struggle for democratic transformation of authoritarian rule (Myint-U 2019). The following sections argue that the emphasis of the liberal political narrative on the transformation of state institutions allows domestic elites to side-step and preserve the system of graduated sovereignty that stokes conflict.

4.2.2 Liberal Norms and Realist Conflict Analysis

Western donors understood the conflict through the narrow prism of the traditional identity-blind liberal norm of political participation in democratic governance and state centric liberal-realist conflict analysis (Myint-U 2019). Aid was targeted at supporting peace defined in terms of a democratic transition in order to address what was perceived as primarily a united civilian rebellion against authoritarian abuses of power (Myint-U 2019). As a result of a state centric view of the conflict, donors have focused on promoting the stability and state capacity required for democratic reforms and have paid little attention to the broader social context (South 2018). The approach of strengthening the state without engaging civil society or ethnic actors has risked exacerbating the identity-based drivers of conflict (South 2018). With little appreciation of the extent to which practices of ethno-territoriality have structured the grievances of rebel groups and the communities they represent, Western aid of the peace process has largely propped up the Bamar majority (South 2018). One civil society activist interviewed by the author said: 'social processes are strongly linked to the national level politics discussed at Panglong 21 but the state and Western donors have given social actors little space

to contribute'[46]. The following section outlines the core features of the Myanmar peace process, which, although it closely followed the script of the traditional liberal-realist peace, was unable to inspire a genuine politics of democratic transition.

4.2.3 Liberal Political Inclusion

Myanmar was isolated from the Western international liberal order when the military junta took hold at the end of the Cold War (International Crisis Group 2019). The US imposed sanctions in 1990 after its military failed to recognise the results of an election won by Aung San Suu Kyi and placed her under house arrest (International Crisis Group 2019). The sanctions included a blanket ban on their imports and a ban on US financial services to Myanmar (International Crisis Group 2019). After 20 years of isolation and endemic poverty and under development, the country began making overtures to the West with its 2010 elections and the release of the political prisoner Aung San Suu Kyi (International Crisis Group 2019). In January 2011, the military released a further 651 of its political prisoners (International Crisis Group 2019). The military junta set out a roadmap for democratic transition in Myanmar, which would also pave the way for a liberal peace process (2011-) that had the potential to satisfy the institutional demands made by the minority populations of Myanmar (International Crisis Group 2016). Since 2011, Myanmar has witnessed a series of land-mark events, including the signing of a ceasefire agreement with eight of the 16-member ethnic group coalition that attended the talks, a historic general election in November 2015 resulting in a landslide victory for Aung Sang Su Kyi's National League for Democracy and the formation of a new government which for the first time since 1962 comprises of a majority of people without a military background (Palmiano Federer 2016). Myanmar's peace process was characterised by complexity – the sheer number of actors and groups involved in different constellations of representation; the change in government at a pivotal point in the process; the lack of a third-party mediator making the process state-led; and the peace process being embedded in a broader political and economic transition (Palmiano Federer 2016).

In 2011, the transitional government reached out to the rebel groups to initiate the first phase of the liberal peace process (Palmiano Federer 2016). In November 2013, 16 armed groups

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46 Interview 39, September 2018, Civil society, Yangon

met at a summit at the Kachin Independence Organisation head quarters in Laiza. They formed the Nationwide Ceasefire Coordination Team, an umbrella entity that would represent the ethnic armed groups at formal talks with the government, as well as play a facilitation and technical role in the peace process (Palmiano Federer 2016). The team put forward an 11-point draft agreement to serve as the outline of the proposed Nationwide Ceasefire Agreement (NCA) that would be the foundation for peace in Myanmar (Palmiano Federer 2016). The draft focused on addressing the liberal political exclusion narrative of conflict in Myanmar, which highlights state discrimination against territorially defined ethno-religious minority groups as the core driver of conflict. It identified three negotiating issues that would preserve the practices of ethno-territoriality that promote conflict and discrimination – federalism, equality of political participation for ethno-religious minorities and self-determination. In return, the Tatmadaw (Army) proposed three main 'national causes' to guide peace negotiations – non-disintegration of the union, non-disintegration of solidarity, and the perpetuation of sovereignty (Palmiano Federer 2016). The six principles set the tone for a peace process defined solely in terms of elite armed group questions of state-level power-sharing, with little room to discuss other social justice issues facing Myanmar or for the participation of social actors in peace-making (Myint-U 2019). The guiding principles ensure that any resolution of the conflict is tied to the status of the ethnic territories.

After fraught negotiations beset by continued armed clashes in the borderlands and internal disagreement amongst the rebel group negotiating team, only eight rebel groups signed the Nation-wide ceasefire agreement in 2016 (International Crisis Group 2019). Many of the armed groups could not accept the Tatmadaw principle of non-secession[47]. The country's largest armed group the United Wa State Army rejected the ceasefire outright and called for fresh negotiations[48]. They reportedly refused to enter 'political' talks because it might jeopardise their rents from criminal business activities[49]. They still have not signed the NCA and as a result have yet to formally join the post-ceasefire political dialogue, except occasionally as observers[50]. The government excluded three Islamic rebel groups from the negotiations,

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47 Interview 43, September 2018, INGO, Yangon

48 Ibid

49 Ibid

50 Ibid

including the Arakan Army representing the Rohingya ethnic group, as illegal terrorist organisations[51]. This raised concerns amongst eight of the potential signees regarding the 'inclusivity' of the agreement[52]. Two other armed groups, the New Mon State Party and Lahu Democratic Union, have since signed the NCA in April 2018 bringing the total number of signatories to ten, but they have few combatants and little political heft[53]. One observer notes the result of the ceasefire negotiations was hardly a national consensus:

'To make an estimate, the power of signatory EAOs may be only 25% of the power of the 11 non-signatory EAOs...how can we build a union state without the consent of the KIO, the United Wa State Army, National Democratic Alliance Army, the Arakan Army, and other non-signatories....'[54]

Despite poor armed group participation, the signing triggered mechanisms for an 'inclusive' political dialogue called the 21st Century Panglong Peace Conference held in September 2016 (Palmiano Federer 2016).

Reflecting the influence of liberal political inclusion narratives of peace in Myanmar, the meaning of 'inclusivity' in the Panglong conference became synonymous with the international right of ethno-religious minorities to state-level political participation[55]. In 2016, new armed groups formed around the ethno-religious classifications invented during the colonial era because claiming a state-sanctioned identity was the only means of participation in the conference[56]. The conference attracted hundreds of ethnic minority delegates, including high-ranking figures from nearly all the ethnic armed group organisations (Myint-U 2019). In a frustratingly bureaucratic process that hardly resembled genuine political negotiations, there were days of speeches that were light on substance and strategy (Myint-U 2019). It did not produce any concrete results so Panglong 21 was re-badged as part of a series of conferences stretching years into the future (Myint-U 2019). The structural power of the ethno-religious classifications of graduated sovereignty and international law on inclusivity over Myanmar

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51 Interview 42, September 2018, INGO, Yangon

52 Ibid

53 Ibid

54 Interview 39, September 2018, Civil society, Yangon

55 Ibid

56 Interview 42, September 2018, INGO, Yangon

conflict narratives made it difficult to shift the politics of the process beyond public expressions of an affiliation with an ethno-religious minority. The delegates took existing ethnic categories and territorial divisions as a given and sought a formula by which they could all live side by side in a new 'federal' system (Myint-U 2019). A territorial solution that preserved the identity divisions that caused conflict was presented by delegates, the state and international expert advisers as the only possible solution on the table (Myint-U 2019).

The emphasis in negotiations on political unity under a democratic federalist structure has allowed the state and armed group elites to largely ignore taking more aggressive measures to overcome the issues of recognition driving the conflict (Myint-U 2019). There was no discussion of changing the structural forms of discrimination reproduced in general laws, policies and general social attitudes (Myint-U 2019). There was also no room to develop an understanding of identity as complex, multi-dimensional and fluid[57]. The plight of the Rohingya Muslims in northern Arakan was not mentioned as they were not on the list of included ethnicities (Myint-U 2019). The territorial approach to political inclusion and peace also did not reflect the realities of mass internal migration across Myanmar since independence[58]. Cities and towns are now a melting pot of different identities and many children have parents and grandparents from different ethnic communities[59]. The urban migrants interviewed by the author preferred to work towards more inclusive state institutions generally rather than the reorganisation of the state along federal lines[60]. Following Marxist observations regarding the division between a narrow sphere of representational politics and an expansive transnational sphere of economic governance, the politics of inclusion/exclusion that shape neoliberal governance and conflict in Myanmar were excluded from the tightly controlled formal politics of the peace process. The next part of the chapter shows how neoliberal logics have reconfigured the relationship between rebel elites and the state and between rebel groups and the communities they govern in ways that reduced enthusiasm for and belief in the emancipatory potential of a peace process structured by the liberal political narrative. With the rise of the informal economy in Myanmar, rebel elites have increasingly adopted neoliberal

57 Interview 40, September 2018, Civil society, Yangon

58 Interview 37, September 2018, Urban resident, Yangon

59 Ibid

60 Interview 37 and 38, September 2018, Urban residents, Yangon

logics of predation and profit-maximisation, losing interest in an ethno-territorial narrative of peace that might affect the fluid operation of the neoliberal political-economy (Meehan 2015).

4.3 The Politics of Inclusion/Exclusion

4.3.1 Neoliberalism, Militarisation and Dispossession

Following Fraser's observations regarding the politics of neoliberal societies, this section outlines the interplay between liberal security narratives and social justice discourse that shapes peace and conflict in the social sphere left outside the politics of the Myanmar process. By detailing the reality of the dynamics of the politics of inclusion/exclusion in Myanmar, it aims to highlight the role of the liberal political narrative in the neoliberal era as a barrier to the emergence of a politics of social justice that address the injustices of neoliberal governance. The Myanmar state fills the material bases of sovereignty through partnerships with rebel groups regarding the governance and revenue of the informal drug economy that finances many of the borderland rebel groups (Meehan 2015). Between 1989 and 2009 the government brokered these criminal rent-sharing agreements with around 20 rebel groups in return for a cessation of violence and state protection of the informal economy (McCarthy & Farrelly 2020). The deals also allowed armed groups to retain their weapons and gave the state access to pursue economic development projects in rebel held territory (McCarthy & Farrelly 2020). The ceasefires, which were essentially state-led attempts at illiberal state-building, offered armed groups limited political autonomy or institutional recognition (McCarthy & Farrelly 2020). Meehan (2015) has demonstrated how the illicit opium economy in the Shan State continues to facilitate state territorialisation of the borderlands by providing locally based Tatmadaw (Army) troops with a steady source of revenues through informal taxation of poppy cultivation and trade. He writes that:

'these rents fund the further militarisation of the region, but they also form the basis for hierarchically apportioned revenue-sharing agreements with rebel group leaders that sustain ceasefire agreements and deliver insurgent resources to the capital. Brokering such deals with militia extends state territorialisation and advances national sovereignty as if by proxy' (p. 27).

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Criminal rents in turn are new material resources for the state, funding oil and gas pipelines across enemy territory (Meehan 2015). In the Myanmar case rather than marking a distance from the state, the state uses criminal activity to increase processes of securitisation, erasure and dispossession of ethnic minorities through development projects (Meehan 2015). The criminal pacts have prompted the fragmentation of governance in the borderlands, with communities vulnerable to dispossession and violence by a myriad of state and non-state violent actors (South 2018; Meehan 2015). Marginalised communities can no longer rely on rebel group protection and security as the protective nature of their governance strategies gives way to neoliberal logics of predation, profit-maximisation and entrepreneurship (South 2018). Quasi-state militia play a key role in the protection of the informal economy and the violent facilitation of state development projects (Meehan 2015). Many militia groups have more political and military influence than many of the ethnic armed groups involved in the peace process, but these new violent actors are excluded from the liberal political frame of peace and conflict (Myint-U 2019). Illustrating Meger's (2020) connection between militarisation, neoliberalism, race and the patriarchy, women have been strongly affected by the ongoing conflict and by violence led by quasi-state paramilitaries.

These criminal pacts eventually broke down allegedly due the reluctance of successive governments to permit a formal role for non-state governance structures and insurgent ideas of public goods provision in post-ceasefire processes of development (Brenner 2017). In the Kachin and Karen provinces, Brenner (2017) notes that the 1994 ceasefires provoked increasing resistance from the insurgent grassroots and their allies. He argues that in cases such as Myanmar where armed groups have spent decades disbursing economic resources, maintaining coercive apparatuses of control and enlisting state-like symbols and ideologies to legitimate wartime political order, the moral context of the conflict tends to endure and eventually erodes elite extraction pacts. It was state attempts to assert authority as the provider of development and governance that undermined the peace in the Kachin and Karen provinces (Brenner 2017). However, from 2012 until the present democratically elected governments in Myanmar have allowed the military to broker a series of new pacts with rebel groups, making criminal pacts a permanent fixture of governance in the borderlands (McCarthy & Farrelly 2020). With the state and rebel groups defining the political boundaries of the peace process to exclude issues of neoliberal governance, marginalised actors adopted social justice

discourse to challenge and ameliorate the effects of inclusion/exclusion at the local level through resilience mediation.

4.3.2 Social Justice and Resilience

This section discusses the informal resilience mediation that emerged at the local level to manage the identity and crime related conflict excluded from the Panglong process. It highlights that the spatiality of formal and informal mediation, structured by the narrow scope of the formal liberal political narrative in the Myanmar case, is a key method of demobilising class struggle against neoliberal governance. While Western government donors rushed to fund state democratic transition, a plethora of international peace and development INGOs flooded Myanmar from 2011 to assist with an informal 'inclusive' peace process with local civil society and community leaders[61]. The democratic transition paved the way for the development of social movements in Myanmar and non-elite expressions of identity and citizenship. One international INGO peace-builder told the author that:

'at first there was great enthusiasm around developing local civil society so they could feed into the Track One. However, it soon became clear that the Track One was a pointless dialogue and the elite participants had no real commitment to social and economic reform. From that point onward, we started to support change-making at the community level only within track three dialogue'[62].

The paucity of local community level representation in the formal peace talks is also connected to the under-representation and devaluation of women at the formal political level[63]. 'Local' mediation is often pushed forward by women and women make an excellent link between local and national level politics[64]. Although the proportion of women representatives at Panglong 21 has increased steadily, from just 7 per cent of attendees at the first meeting in January 2016 to 22 per cent at the July 2018 talks, they remain underrepresented and their capacity to influence decisions is extremely limited (Buranajaroenkij 2020). Female participants are also

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61 Interview 35, September 2018, INGO, Yangon

62 Interview 42, September 2018, INGO, Yangon

63 Interview 42, September 2018, INGO, Yangon

64 Ibid

generally the urban elites funded by Western donors, who do not necessarily represent the interests of marginalised women in rural areas directly affected by land dispossession, sexual violence and under-development[65]. An international peace-making consultant said that:

'many rural women in Myanmar have valuable experience as mediators within the community but are excluded from formal processes which remain dominated by older men. We have the normative architecture (on inclusivity) but governments can pay lip service to it. Donors rarely fund local peacebuilding organisations because it is easier to fund and deal with governments, urban elites or INGOs, so we have 'inclusivity' experts within a country that have no idea of the complexity of the conflict on the ground. There is very little funding for long term grassroots sexual violence programming. Women and civil society are included in peace processes because it is something to do, we agree it is a good thing to do but have not gone any further than that, there is nothing strategic yet about 'inclusion' in Myanmar'[66].

The local peacebuilders interviewed by the author indicated their main priorities for peace as land security, alternative livelihoods development and a reduction in violence associated with the criminal governance of their communities, particularly against women[67]. In one community level survey conducted in the Kachin region by Oxfam, over 90% of respondents identified the borderland state-sanctioned militias as their number one security threat (Oxfam 2016). Female respondents focused on the threat of sexual violence from informal security providers (Oxfam 2016). One civil society activist interviewed indicated that a transition to a federal state structure based on territorial power-sharing would not address her concerns about bad governance as it would allow rebel leaders and Tatmadaw militia to maintain their informal alliances and criminal economy[68]. Unable to meaningfully influence state level narratives of peace and conflict, rural women have become key players in narratives of peace defined as local resilience, finding ways to address issues of recognition and redistribution such as identity polarisation, criminal governance and land dispossession within their communities[69].

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65 Ibid

66 Ibid

67 Interview 44, September 2018, Civil society, Yangon

68 Ibid

69 Interview 35, September 2018, Civil society, Yangon

Community networks of women and youth have bridged identity fault lines in Myanmar at the community level[70]. The Women's International Network for Peace is a cross-ethnic community level network of women peace-builders working to respond to communal violence[71]. The discourse of the Network was summarised by one activist interviewed by the author:

'we try to have conversations around the complexity and fluidity of identity, which so far is only happening away from the main negotiations. We challenge elite discourse on ethnic identity divisions in Myanmar and also don't want to simplify our identities as women by participating in inclusivity mechanisms that silo off identities into categories of women, youth and ethnic minorities'[72].

In line with culturalist understandings of the multitude of free-floating social discourses and identities, the Network, with assistance from international INGOs that aim to achieve peace as resilience, runs community mediation that asks participants to think seriously about the different layers that make up their identity and identify which parts of their identity they view as most important[73]. The Network also attempts to overcome identity polarisation through a multi-scalar approach to connect identity transformation at the local level to state level institutional and normative change[74]. They examine constitutional designs and laws that discriminate against ethnic minorities, for example by prohibiting marriage outside their ethnic group[75]. The emphasis on the complexity of identity 'difference' is an important departure from the male militant approach to negotiations which reinforces identity divides, indicating the importance of including and actively listening to the voices of social actors at the formal negotiating table[76]. Community peace-making networks not only support a multi-scalar approach to peace and conflict, they also link identity and class issues in an intersectional understanding of conflict and narratives of peace as social justice[77]. Adopting a right-based discourse connecting cultural exclusion with inequality and land insecurity, one activist

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70 Interview 36, September 2018, INGO, Yangon

71 Ibid

72 Interview 45, September 2018, INGO, Yangon

73 Ibid

74 Ibid

75 Ibid

76 Ibid

77 Ibid

interviewed by the author said their advocacy aims to highlight that as women are over-represented in the informal economy. Large scale development projects negotiated by elites that transform the economy have a strong negative impact on gender security[78].

Community groups are involved in state-led resilience mediation for land disputes related to state development projects in the borderlands[79]. In order to keep issues of land and development out of the Panglong 21 peace process and prevent rights-based change at the institutional level, the government set up multi-stakeholder platforms to deal with local land conflicts in the ethnic minority areas of Myanmar[80]. The platform gathers regional governments, civil society organisations, private companies, and ethnic organisation around the same table to compile data and update maps[81]. As with elite criminal pacts, the involvement of ethnic organisations in a bureaucratic process of local land management is a deliberate attempt to depoliticise land disputes and the control of the state in the borderlands. While ethnic groups are focused on local boundary disputes rather than structural changes to the neoliberal political-economy that create them, new land legislation and international development projects are passed that exacerbate existing inequalities[82]. Reflecting Chandler's arguments regarding the impact of international resilience discourse at the conflict-poverty nexus, the community engagement processes in Myanmar resulted in the creation of resilient subjects who attempt to manage the effects of land insecurity, criminal governance and identity polarisation at the local level but are unable to make substantive normative change to state structures through formal political processes, particularly with regards to gender-based violence.

The democratic transition in Myanmar not only fostered the emergence of social justice narratives of recognition and redistribution. Following Foucault's observation that individual freedom must be channelled by biopolitics to support neoliberalism, the liberal security narrative also began to permeate Myanmar society to regulate the exercise of new found democratic freedom. The liberal security narrative set up new spatial and discursive

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78 Interview 48, September 2018, Civil society, Yangon

79 Interview 39, September 2018, Civil society, Yangon

80 Ibid

81 Ibid

82 Ibid

boundaries of citizenship along religious lines in social discourse that did not adhere to the federal boundaries discussed in the elite peace negotiations. The creation of a new excluded 'Other' permitted patterns of violence, genocide and dispossession that reconfigured the ethno-territoriality of extractive race capitalism in Myanmar. The following section discusses the communal violence against Muslims in Myanmar that took place alongside and eventually overshadowed the liberal peace process in Myanmar.

4.4 Liberal Security

The emphasis of the liberal political narrative on armed groups, state institutions and ethnic territorial boundaries obscured the securitisation of traditional religious identity divisions that has occurred over the last decade in Myanmar society. One international analyst told the author that the 'international grand narrative of Islamic terrorism and security is affecting things in Myanmar too now', changing the traditional civil war character of the conflict into communal violence underpinned by questions of social inclusion and exclusion[83]. Foucault's (1994) scholarship shows us that discourses of fear regarding a dangerous illiberal 'Other' helps preserve the political and economic freedoms that underpin neoliberal political-economy by producing subjects that secure themselves against a dangerous illiberal 'other'. As the authoritarian security state retreated in Myanmar, the government engaged the international religious identity-based discourses of fear against Islamic populations[84]. Security discourses of inclusion/exclusion provoked self-securing responses amongst the majority Buddhist population that filled the security gap left by the military junta[85]. Early in the peace process the Arakan Army, situated in Rakhine State, and representative of the Rohingya communities was ostracised by the state as a 'terrorist organisation' rather than a political rebel group[86]. The conflict in Rakhine was explicitly labelled as communal as opposed to political violence, which served to isolate the region from national discussions regarding ethnic rights and peace[87]. The state application of liberal security discourse in Rakhine state contributed to the creation of new communal fissures in Myanmar as it opened up to democratic governance and

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83 Interview 42, September 2018, INGO, Yangon

84 Ibid

85 Ibid

86 Ibid

87 Ibid

to the West. Many Buddhists felt that their values and position of power within Myanmar society was under threat with the democratic transition (Wade 2017). Fears about the preservation of the Buddhist identity and beliefs were as Francis Wade (2017, p. 170) describes 'whipped up into a bloody fury as society underwent rapid change' and social actors absorbed the exclusionary classification of Islamic rebel groups as 'terrorists'. 2012 was the first of a number of local contestations across Myanmar over the question of inclusion and citizenship, with violence erupting over different views regarding who did and did not belong in the country (Wade 2017). The journalist Francis Wade observed in his book on the communal violence:

'The military in its retreat from power, seemed to have passed a torch onto the masses of people who had spent years opposing its rule. The militaries deft manipulation of lines of difference among and between the myriad of communities in Myanmar had seemed to bleed into a new landscape, empowering citizens to take up where it had left off. Monks and their legions in Rakhine state began to preach the same message of national unity or ethno-religious uniformity that their jailers of old had done' (2017, p. 87).

The democratic transition dissolved the unity forged in opposition and revived the religious biopolitical classifications of inclusion/exclusion developed during the colonial period. Under the British, Buddhism became the defacto state religion of the country, creating a conception of the nation that was synonymous with Buddhism (Myint-U 2019). At the same time, the British dethroned the Buddhist King and bought Islamic immigrant workers from India into Burma (Myint-U 2019). The idea of the Muslim threat to Myanmar began at this time. The notion that Myanmar could only survive as a nation if foreign influences were purged and Buddhism returned to centre stage characterised much of the nationalist thinking of the Bamar-centric independence movement of the 20th C (Wade 2017). The democratic transition ignited old fears and lines of exclusion and so friends turned into enemies. For a large cross-section of the majority Buddhist population in democratic Myanmar, Muslims became the dangerous outsiders bent on destroying the Buddhist belief system (Wade 2017). The Buddhist on Muslim unrest in Rakhine State in 2012 also ran along ethnic divides. But the Buddhist-Muslim violence that erupted in central Myanmar in 2013 saw communities from the same ethnicity that had experienced no prior conflict pitted against each other (Wade 2017). According to the religious leaders who incited the conflict the Muslims, who had no claim to

citizenship status had taken the land that ethnic Burmese or the 'sons of the soil' had inhabited for centuries (Wade 2017).

Appadurai (2007) writes that for extreme violence to occur against ethnically different but nonetheless neighbouring groups there must be a confused mixture of high certainty and grave uncertainty within the in-group regarding the intentions of their neighbours:

'The worry this produces is that the ordinary faces of everyday life (with names, practices and faiths different from one's own) are in fact masks of everydayness behind which lurk the real identities not of ethnic others but of traitors to the nation conceived as an ethnos. This interpretation of the supposedly real intentions of these neighbours, whose seemingly familiar faces hide a deeply hostile rivalry, so often provides the driving force for mass violence, and helps to construe that violence as defensive. Amid the unsettling swirl of messages circulated about those neighbours 'ethnically different groups cumulate little doubts, small grudges and humble suspicions. With the arrival of larger scripts, of both certainty and uncertainty, these little stories feed into a narrative with an ethnocidal momentum' (p, 24).

In 2012, there was a gradual increase in material that used discourses of fear to cast the Rohingya as dangerous and subhuman (Wade 207). The magazine Piccima Ratwan, whose editorial board comprised of Buddhist monks, police chiefs and government administrators, repeatedly referred to the Rohingya as terrorists and a 'Black Tsunami' that would threaten to wipe out the entire Rakhine ethnicity (Wade 2017). The government did not condemn these messages and the persistent framing of the violence of the Arakan Army as Islamic 'terrorism' changed local understandings of conflict in Myanmar[88]. Opponents of the Rohingya connected them with global Islamic terrorist groups and the Rohingya were soon denied citizenship rights. A monks association statement said

'the Arakanese people must understand that Bengalis want to destroy the land of Arakan, are eating Arakan rice and plan to exterminate Arakanese people and use their money to buy weapons to kill Arakanese people. For this this reason and from today no Arakanese should sell

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88 Interview 40, September 2018, Civil society, Yangon

any goods to Bengalis, hire Bengalis as workers, provide any food to Bengalis, and have any dealings with them, as they are cruel by nature'.

Three months after this statement violence swept across the state. Groups of Rakhine descended on six villages carrying spears and machetes and flaming torches (Wade 2017). Once the violence ceased the small number of Rohingya remaining in the state were segregated and confined to camps. One month after the June 2012 communal riots against the Rohingya, President Thein Sein announced 'we will take care of our own ethnic nationalities…but Rohingya who came into Burma illegally are not of our ethnic nationalities and we cannot accept them here' (Wade 2017, p. 67).

Violence eventually moved beyond Rakhine State and the borderlands to central Myanmar, which had not experienced communal hostility before. In March 2013, three Muslim quarters in Meikhtila just south Mandalay were entirely levelled (Wade 2017). In April, Muslim houses in and around Yangon were torched and mobs struck Muslim communities in Lashio in the western part of the country (Wade 2017). In August 2013, Buddhist monks in Mandalay led crowds of men towards Muslim houses and the local mosque, turning them into rubble (Wade 2017). From a localised conflict in Rakhine state, violence between Buddhists and Muslims had gone nation-wide.

4.5 Neoliberalism's Stealth Revolution

The structuring effect of the liberal political narrative relegated social justice discourse and liberal security discourse to the realm of governance and security rather than the representational politics of the Panglong peace process. As a result, the liberal political narrative did not promote a politics of democratic transition in Myanmar nor did it stimulate an emancipatory politics to transform structures of neoliberal governance in the borderlands. Rather it served to block participation by social actors in formal politics and act as barrier to contestation between the discourse of inclusion/exclusion and the discourse of social justice. The hundreds of borderland militias allied to the government but also deeply involved in rebel group illicit and licit industries were not present in political negotiations (Myint-U 2019). By comparison the 10 rebel group signatories have little grassroots support and control few combatants in comparison to these militia that now run rampant in the borderlands of

Myanmar (Myint-U 2019). The exclusion of unconventional violent non-state actors therefore threatens to undermine any progress towards peace. Marginalised actors similarly fall outside the frame of the liberal political narrative. In a 2016 Oxfam survey, the Kachin community ranked their chances of participation in the peace process as either very poor or non-existent. The feeling that priority community issues would be included in the peace process were low, with the majority of respondents saying their priority issues regarding land and militia-led violence were 'barely' or 'not at all' included (Oxfam 2016). One civil society peace-builder interviewed by the author indicated that in a process where the meaning of 'political' and 'inclusivity' is framed by the interests of armed group leaders and the state, concerns regarding the economy were not considered 'political' issues[89]. Religious leaders were also not invited to participate in the Panglong process. Giving religious leaders a stake in the process may have ameliorated their insecurity about the democratic transition, reducing their propensity to incite communal violence. The result of the structural power of the ethno-territorial practices, liberal-realist armed group analysis and traditional inclusion norms in Myanmar was an exclusive peace process with questionable social legitimacy at the expense of broad-based social inclusion of the local leaders, youth and women who have an interest in the transformation of neoliberal society.

Thant Myint-U (2019) writes that the focus in peace negotiations on democracy and federalism signalled a decision by elites to maintain the system of 'race capitalism' upon which the Myanmar state was built. Both military and armed group elites benefit from criminal rent-sharing agreements and the patterns of identity and class-based dispossession they support (Myint-U 2019). They therefore have little appetite for changing the shared formal and informal criminal governance of the borderlands (Myint-U 2019). The non-territorial economic and security power-sharing arrangements in place have reduced the interest of both the state and armed groups in the politico-territorial power-sharing arrangements advocated by the liberal political narrative. Hardening political boundaries in line with an artificial division between formal and informal governance of territory would undermine the fluid operation of the neoliberal political economy that is profitable to rebel groups who increasingly abandon

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89 Interview 44, September 2018, Civil society, Yangon

their political goals in favour of neoliberal logics of predation and profit-maximisation (Meehan 2015). As Thant Myint-U (2019) wrote

'No one (at Panglong 21) advocated higher taxes or a redistribution of wealth or land. No one suggested writing off the crushing debts facing poor people or creating a new welfare state through sweeping increases in social spending. A radical, urgent plan to help ordinary people and reduce inequality was no-where in sight'(p, 51).

The liberal political narratives of the Panglong process were therefore nothing more than a performance of affiliatation with an ethno-religious identity. It served to divert attention from and stifle the emergence of a real transformative politics amongst social actors. The liberal peace was less a platform and more a barrier to social change.

4.6 Conclusion

Two of the key features of the neoliberal global order – the rise of the informal economy and clash of civilisations discourses of fear regarding an Islamic other – altered the character of the traditional civil war in Myanmar. As a result of the elite pacts regarding the informal economy, the conflict no longer formed a direct military challenge to sovereign state power. Instead, violence became an everyday, localised, and fragmented experience for marginalised social actors placed under shared formal and informal governance arrangements. International clash of civilisations discourse regarding an Islamic other also reconfigured the boundaries of political citizenship in Myanmar along religious, rather than ethno-territorial, lines.

Although the social understanding and experience of political citizenship in Myanmar had become de-territorialised and democratised, the boundaries of 'political' inclusion in the peace process were imposed by elites and structured by the liberal political narrative of peace and conflict. The biopolitical tools of the liberal political narrative served to maintain the political-economy of conflict in Myanmar by excluding issues related to neoliberal governance – including the liberal security and social justice narratives of social actors – from the politics of the peace process. The inadequate engagement of social actors reflects the weaknesses of the normative basis of inclusivity in conflict contexts structured by ethno-territoriality. Because political participation was tightly connected to questions of ethnic discrimination, there was

little room to extend the 'inclusive' process to other social identities. An interpretation of inclusivity that recognises the class as well as identity-based barriers to political participation would extend the inclusive design features to the non-armed marginalised actors in the borderlands. However, under the current international interpretation of 'inclusivity' and in a pattern that is repeated throughout the case studies considered in this thesis, marginalised actors were permitted to cope with the negative impact of neoliberal governance through local resilience mediation but could not bring their struggles for social justice to the Panglong process.

The exclusion of the liberal security narrative of social actors from the Panglong process also had devastating consequences for the prospect of a socially just peace. The violence against the Rohingya now dominates international narratives regarding Myanmar, casting a shadow over the liberal democratic transition and the peace negotiations to resolve a Cold War era conflict that is rapidly changing under the neoliberal political-economy. A multi-scalar and intersectional approach to inclusive peace process design that aims to capture the politics of inclusion/exclusion in neoliberal societies would ensure liberal security narratives are subject to the scrutiny of a formal political process, rather than overshadowing the politics of the peace process from the outside. It would disconnect the boundaries of the political from the ethno-territorial categories of the colonial period, allowing social actors to contribute to a new, more equitable vision of citizenship in Myanmar.

The following chapter discusses the Mali peace process, where the liberal security narrative was not left free to circulate in society, but formed the structuring narrative of the peace process itself. Like the Myanmar case, it highlights the prominent role of local resilience mediation in dealing with the issues of neoliberal governance left out of the formal peace process. In the Mali case, the inadequate engagement of social actors through culturalist interpretations of inclusive peace process design resulted in the overthrow of the government who negotiated the formal peace agreement, by protestors evoking social justice narratives of peace and conflict.

Chapter Five: Liberal Security Exclusion (Mali)

5.1 Introduction

The politics of the Bamako peace process (2012-2015) in Mali was shaped by the liberal security inclusion/exclusion narrative of peace and conflict. The dominance of the liberal security narrative in the Mali case is related to the internationalization of the peace process and the proliferation of an array of violent non-state actors in a complex, fragmented and localized neoliberal conflict zone. The 2012 rebellion in Mali arose from the conglomeration of violent non-state actors who had emerged in Northern and Central Mali to provide governance in the absence of the state. Ethno-nationalist groups and global Islamist groups joined forces to overthrow the state. While these groups formed a short-term alliance, they also supported different sides of local communal conflicts centered around land insecurity and drug-trafficking routes. As a result, the 2012 rebellion was a confusing mix of ethno-nationalist and global Islamist armed struggles and local communal conflicts. Unlike the Myanmar peace process where the politics was tightly controlled by the government and rebel elites, the emergence of global Islamist groups in Mali attracted an international peace-making intervention underpinned by the identity-based discourses of fear and the exclusion norm of legality that drives global politics. In contrast to the other case studies considered in this thesis, the security classifications used to analyze the conflict and make inclusion decisions ensured that the politics of criminalization structured the peace process itself, rather than undermine it from the outside. The first half of the chapter argues that the structuring effect of the liberal security narrative of peace and conflict resulted in a peace that served international and domestic elite interests in the maintenance of the neoliberal political-economy and the production of self-securing neoliberal subjects. It obscured the local governance and complex identity issues that shaped the conflict from the perspective of local social actors. The narrative restores order not by limiting politics to debates over ethno-territorial state practices as in the Myanmar case, but by actively criminalizing and excluding social justice narratives of peace and conflict from the formal politics of peace processes. The process of criminalization continues the discourses

of inclusion/exclusion that began in the colonial period and justifies neo-colonial patterns of dispossession by non-sovereign former colonial powers in weak resource rich states. In the case of Mali, the former colonial power that controlled the peace and conflict narrative of the peace process to their advantage was France.

A policy of blanket securitization of the poor was too blunt to manage the uncertainty that stemmed from the fragmented, localized informal governance that underpinned the conflict in Mali. Resilience narratives, which have developed as a necessary accompaniment to liberal security narratives, were therefore also a key feature of the international intervention in Mali. While liberal security narratives deal with the uncertainty created by neoliberal governance by erasing the complexity of 'local' social identities, the resilience approach is to actively engage illiberal social actors at the individual, local level to transform them from 'problems' into healthy neoliberal subjects. The second part of the chapter discusses the local resilience mediation that took place to facilitate the social, not political, inclusion of individuals excluded under the liberal security narrative. INGO mediators filled the gap in international intervention by focusing on the identity and local governance drivers of conflict erased by the liberal security narrative. The chapter argues that the structure of mediator engagement with the social sphere reflects the weaknesses of the current approach to inclusive peace process design. The link between resilience narratives and culturalist understandings of the 'customs' of the local social sphere as separate from liberal representational theory obscured the social justice rights-based discourse of activists and unconventional violent non-state actors in the informal sphere. The social justice discourse of female activists demanded the state take action regarding gender-based violence in Central Mali. The social justice discourse of unconventional violent non-state actors demanded widespread social and economic structural change in Mali to address systematic land insecurity and state persecution of nomadic communities. As the social justice discourse was framed in terms of global Islamic struggle, mediators focused on the transformation of identification with illiberal Islamic 'terrorist' identities rather than transformation of the Malian political-economy. Because the female activists were situated within the illiberal sphere of 'custom', rather than the formal peace process, their appeals to international inclusivity discourse were ignored by local mediators. By conforming to rather than breaking down the structures of formal and informal governance in Mali, the local resilience mediation served merely to 'patch-up' the neoliberal conflict zone. It ameliorated

the impact of neoliberal logics in Central and Northern Mali, but did not allow informal social actors access to the political sphere to make their social justice claims on the state. The normative and culturalist approach to inclusivity, both of which lack a class consciousness, fit neatly within the overarching liberal security narrative of international intervention in Mali.

The third part of the chapter highlights that the basis for a multi-scalar and intersectional approach to inclusive peace process design in Mali already exists in the politics of inclusion/exclusion that surrounded the peace process. The result of the Bamako peace process (2012-2015) was a securitized peace that bolstered the Malian state security apparatus and cemented security logics of inclusion/exclusion within Malian society. The agreement allowed the state to establish militia in Central Mali, who absorbed the security narrative of the Bamako process, and massacred entire 'excluded' ethnic communities. In response to the massacres, protests invoking social justice narratives of peace and conflict rose up in Malian society across the artificial formal-informal divide constructed by the liberal security narrative, leading to the overthrow of the government who negotiated the Bamako agreement. They demanded a peace process that looks very much like the inclusive design advocated in this thesis. The protestors sought a democratized and de-territorialised national process, including unconventional violent non-state actors, where a consensus around the causes of conflict and the appropriate role of the state in 'excluded' areas could be formed. By facilitating debate between liberal security and social justice discourses that circulate in neoliberal society, the properly inclusive peace process design would result in peace that reflects local rather than international priorities.

5.2 Ethno-territoriality and Conflict in Mali

Post-colonial Mali has been beset by a complex range of identity and class-based conflict that was stoked by French colonial governmental practices (Diallo 2017). Lines of conflict are drawn between 'black' Mande southern Africans and 'white' Northern Tuaregs, between nomadic and sedentary communities, between Songhay, Tuareg and Arab ethnic groups in Northern communities, between Dogon and Fulani ethnic groups in Central Mali and between former slave-owning and slave classes within and across each of the ethnic groups (Diallo 2017). The tensions between Arab and Tuareg Northern and Black Southern communities in Mali originated in the historical subjugation of black Africans to an Arab and Tuareg slave-owning

class (Jourde 2017). The tensions were solidified by the French colonial view that the two races should be treated differently as Arabs, including Tuaregs, and Black Africans had their own separate pathways towards civilisation (Jourde 2017). Unlike the British in Myanmar, French colonial policy in West Africa was not primarily focused on practices of ethno-territoriality (Soares 2015). A deep-seated fear of a perceived foreign and domestic Muslim threat to French colonial authority drove the differential treatment of communities along ethnic as well as class lines (Soares 2015). Colonial administrators believed that black African Islam was fundamentally distinct from that of Arabs and therefore immune to foreign influence from the Middle East (Soares 2015). It is this intersection of ethnicity and religion that reconfigured political membership in the French empire to make subjects into citizens with different rights and responsibilities (Soares 2015). To manage the Arab Islamic threat, colonial policy towards nomadic 'Arab' populations such as the Tuareg was to keep their purportedly unique culture free from the modernising influences of French Catholicism or Middle Eastern Islam (Soares 2015). The Tuaregs were romanticised as 'lords of the desert', the proud bearers of their original culture and in need of protection (Soares 2015). The French enticed black Africans, including the Songhay ethnic group in the North, whose descendants were enslaved by Tuareg masters, into the colonial administration (Soares 2015). This altered the political-economy of Mali, which was historically shaped by the division between a nomadic Arab slave-owning class and black African slave class (Soares 2015). At the same time, as nomadic Tuareg and Arab populations remained relatively free from colonial control, the notions of master and slave became racialized in accordance with European racial frameworks, with only Arabs, who were racialized as 'white', being able to enjoy freedom and civil liberties (Soares 2015). The association of lighter-skinned populations with nomadism resulted in the erasure and denigration of black nomadic communities, such as the lower nomadic slave class of ethnic Fulani in Central Mali, from colonial imaginaries of citizenship (Soares 2015). The Fulani were classified as a settled Islamic minority black ethnic group by the French (Soares 2015). The colonial census therefore counted only the land-owning slave-owning class of Fulani as citizens of the French empire (Soares 2015).

Strict colonial classifications along historical ethnic and class lines fed into a perception within the black Malian independence movements that the Tuareg were racist slaveholders (Jourde 2017). Nomadic areas were seen as backwaters whose development had been retarded

(Jourde 2017). Tuareg and Arab pastoralists were not afforded a place in the black-African civilisation of the independence movement (Jourde 2017). On independence in 1960 the government rolled out a programme of modernisation targeted at Tuareg and other nomadic communities (Jourde 2017). Just as the French left nomadic communities alone but surveilled by the state, the Mali government deployed a strong quasi-state security apparatus in Central and Northern Mali (Jourde 2017). Tuaregs likewise did not want to be integrated into a 'black' Mali. One Tuareg is quoted as saying ''I never accepted that those who were below us in the past should be raised above us by French colonialism' (Jourde 2017, p. 54). Racialized French colonial practices contributed to the formalisation of Tuareg nationalism that has been at odds with black Mande nationalism in the south since independence (Jourde 2017). The framing of Tuareg nationalism within the context of a legacy of northern Mali's systematic under development and over-securitisation promoted Tuareg rebellion against the Malian state between 1960 and 1963, between 1990 and 1996 and again in 2006-07[90]. During the second rebellion, the authoritarian government which had held power since 1968 fell in response to protests against the governments brutal put-down of the initial Tuareg rebellion in 1991[91]. The 1997 peace process followed the traditional liberal peace model to guide a democratic transition that would give the North a greater share of power in democratic institutions[92]. However, the power-sharing agreement was never meaningfully implemented and rebellion broke out again in 2006[93].

5.3 Non-state Governance and Conflict

The neoliberal logics of welfare state devolution and securitization of those affected by the withdrawal of the social function of the state has produced complex, fragmented conflict dynamics in Northern and Central Mali. Due to the absence of the state in Northern and Central Mali, local communities have become dependent on a myriad of violent non-state actors to perform local governance functions such as service delivery, welfare, and perhaps most importantly security from state violence (Felbab-Brown et al 2017). Organised crime, global

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90 Interview 22, August 2018, Civil society, Bamako

91 Ibid

92 Ibid

93 Ibid

Islamist groups and Tuareg ethno-nationalist groups have formed alliances with local communities to provide security in communal disputes over land and drug-trafficking routes and to protect local communities from the state security apparatus (Felbab-Brown 2017). Adopting a Foucauldian reading of power as governmental practice to improve the well-being of the governed population, these groups can be classified in accordance with the *protective* or *predatory* nature of their governance strategies (Podder 2013). Picarelli (2006) and Podder (2013) highlight that some armed groups, particularly those that are more transnational or networked in nature, have weak local, social ties and therefore have a *predatory* relationship with communities and low levels of social legitimacy. As a result, the national and global economic or ideological objectives of these groups tend to outweigh any connection they may have to local grievances and local micro-conflicts (Podder 2013; Picarelli 2006). These groups use violence against communities in an arbitrary manner and do not invest in the welfare and public services of local communities (Picarelli 2006). On the other hand, other armed groups which are embedded in existing local power structures through ethnic, tribal or religious linkages enjoy strong social legitimacy through their protective governance strategies (Podder 2013). These groups use violence sparingly and always in accordance with social norms in the interests of the well-being of the population (Picarelli 2013). They have become known for providing security, livelihoods, welfare and justice in a relatively fair manner. Recognising armed groups in this nuanced light avoids essentialising the local by revealing that governance strategies and levels of legitimacy are influenced by local connections with global orders and ideologies (Picarelli 2006).

In Central Mali, key non-state armed group governors include the ethno-nationalist National Movement for the Liberation of the Azawad (MNLA) and the Islamist groups al-Qā'idah in the Islamic Mahgreb (AQIM) which migrated to Mali from Algeria; the Movement for Oneness and Jihad in West Africa (MUJAO) which pursues a broader Islamist agenda across West Africa, and 'Anṣār ad-Dīn, which promotes shari'a law in Mali and includes Arab minorities threatened by the Tuareg-dominated MNLA in the North[94]. The Islamist Macina Liberation front, led by an Islamic Fulani preacher, has also emerged in nomadic Fulani communities to provide security

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94 Interview 27, August 2018, Government, Bamako

against Malian state and quasi-state persecution of Fulani communities[95]. The perceived arbitrary nature of the state, manifest through its security forces and corrupt judicial system, is contrasted with the effectiveness of the governance of violent non-state actor groups, under whose rule corruption and local banditry is drastically reduced[96].

The Islamist groups MUJAO and ʼAnṣār ad-Dīn exhibit some protective behaviour towards Fulani communities and can claim some level of social legitimacy due to the security they provide from the predatory behaviours of the Malian state[97]. For example, their decisions regarding land disputes, sometimes in accordance with shariʼa law, are viewed as more just than those delivered by the state. However, the global nature of their ideological goals do not reflect the grievances of the local communities regarding land tenure and state corruption and predation. ʼAnṣār ad-Dīn and MUJAO 'protection' is transactional in nature, with security and governance provided in exchange for recruits for their global struggle[98]. The Macina Liberation Front is a home-grown Central Malian Islamist organisation that is deeply entrenched in Fulani governance structures and uses Islamist discourse to express local grievances[99]. It therefore claims high levels of social legitimacy for protective governance.

Drug-trafficking has historically funded armed rebellions in Mali and fuelled inter-ethnic and inter-clan conflict over control of drug-trafficking routes in Northern communities (Boutellis & Zahar 2017). The proceeds of drug-trafficking have also financed the local governance of northern communities in Mali in the absence of effective state governance[100]. The social legitimacy of Northern local leaders stems from measured control of deep, socially-embedded historical drug-trafficking networks[101]. These leaders have converted financial profits from drug trafficking into social capital with communities, paying for mosques and buying herds of cattle[102]. Although their authority is increasingly challenged by armed actors such as AQIM and

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95 Ibid

96 Interview 33, August 2018, UN, Bamako

97 Ibid

98 Ibid

99 Ibid

100 Interview 23, August 2018, Civil society, Bamako

101 Ibid

102 Ibid

Ansar ad-Din who have inserted themselves within drug-trafficking networks, they still play a legitimate role in local governance (Boutellis & Zahar 2017).

The influx of returned Tuareg fighters from Libya and the formation of the MNLA in 2010 upset the delicate alliances between the Islamist armed groups AQIM and 'Anṣār ad-Dīn and the clan-based patronage networks that controlled Northern drug-trafficking routes[103]. As the MNLA and other emerging armed groups sought to access local drug-trafficking networks, fighting around key nodes of the drug-trafficking routes increased[104]. The disruption of local networks has reduced local dispute-resolution capacity regarding these drug-trafficking disputes (Boutellis & Zahar 2017). Local mediations are traditionally run by local political elites steeped in knowledge of how drug-trafficking informed local governance and local politics (Boutellis & Zahar 2017). The 1995 Bourem process, which was credited with saving the 1997 national peace accord, was initiated and pushed forward by village chiefs and civilians who understood the destructive impact of the militarisation of drug-trafficking routes on local governance (Boutellis and Zahar, 2017). The increasing connection between armed groups, drug trafficking and the provision of local governance has reduced the influence of customary chiefs and other local community members (Boutellis and Zahar 2017). As a result, armed governance of Northern communities is becoming more predatory in nature and has less local legitimacy.

A gender-sensitive analysis of governance arrangements also reveals that shared formal and informal neoliberal governance arrangements are not necessarily protective of women and have increased the intersecting socio-economic and gender inequalities faced by marginalized women (De Jorio 2019). The UN Refugee Agency reports approximately 2250 cases of gender-based violence in Central and Northern Mali each year (De Jorio 2019). Status, class and ethnic affiliation are key determinants of susceptibility to sexual violence (De Jorio 2019). Sexual violence is of the highest concern for nomadic women and girls in Central Mali, who are vulnerable to rape by a wide range of security providers including ethno-nationalist Tuareg groups, Islamist groups, UN peace-keeping missions and state-sanctioned militia (De Jorio 2019).

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103 Interview 28, August 2018, Government, Bamako

104 Ibid

These complex informal governance arrangements in Northern and Central Mali converged in 2012 to form the basis of the fourth rebellion against the state since Malian independence (Felbab Brown et al 2017). The 2012 rebellion was sparked by the National Movement for the Liberation of the Azawad (MNLA) which was established in October 2010 following the return of Tuareg fighters to Mali after the fall of Muammar al-Gaddafi in Libya. The MNLA is part of a long history of secular Tuareg rebel movements in Mali although they never claimed any link to Tuareg ethnicity, indicating they stood for the independence of all the regions of the North of Mali which they call the Azawad[105].

The 2012 rebellion differed from previous Tuareg rebellions because of the influence of international Jihadist-Salafist movements in Mali[106]. In launching the rebellion, the MNLA forged an alliance with 'Anṣār ad-Dīn, the other Tuareg-dominated group led by a former Tuareg separatist leader from the 1990s[107]. The 'Anṣār ad-Dīn claimed an Islamist agenda to introduce shari'a law throughout Mali[108]. After taking vast tracts of territory in Northern and Central Mali, the MNLA were soon militarily overpowered and displaced by three Islamist groups: 'Anṣār ad-Dīn (who broke their alliance with MNLA), al-Qā'idah in the Islamic Mahgreb (AQIM), and its off-shoot, the Movement for Oneness and Jihad in West Africa (MUJAO)[109]. AQIM is an Algerian off-shoot of al-Qā'idah and MUJAO is an AQIM splinter group comprised of Malians and Mauritanians. The Macina Liberation Front (MLF) also joined the rebellion[110]. As the state withdrew completely from Central Mali after 2012, the MNLA and MUJAO also gained a stronghold in Central Mali by forming alliances and providing governance, weapons and security for rival ethnic farmer (Dogon) and nomadic herder (Fulani) communities engaged in long-running communal conflicts over pasture land and water[111]. A political-economy analysis indicates that to resolve the conflict, peace processes must address the local governance issues that promote the emergence of organized crime and community alliances with armed groups for security of land tenure and livelihoods. However, the international

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105 Interview 28, August 2018, Government, Bamako

106 Ibid

107 Ibid

108 Ibid

109 Ibid

110 Ibid

111 Interview 27, August 2018, Government, Bamako

securitization of the Mali conflict zone prevented close attention to the intersecting identity and class-based exclusions that promote violent informal governance and rebellion against the state.

A French-led counter-terrorism operation recovered much of Central and Northern Mali in 2013 which provided space for the formal Bamako peace process (2012-2015) between the state and the secular Tuareg movements[112]. The Bamako process was led by two main international mediators – France and Algeria[113]. Adopting the inclusion/exclusion logic that maintains the neoliberal global order, the mediators attempted to impose order on the disorderly Malian conflict zone by using legal security classifications to classify violent non-state actor groups[114]. The biopolitical tools of the inclusion strategy -- the norm of legality, realist security analysis and discourses of fear-- were absorbed by domestic elites, leading to a peace process underscored by a politics of criminalization of the social justice narratives of peace and conflict of marginalized actors. The following section traces how the dominance of the liberal security narrative of peace and conflict in the formal Mali peace process operated to exclude local governance issues from the formal political sphere, leaving them to local mediation processes conducted by peace-making INGOs to achieve peace as resilience.

5.4 Liberal Security Exclusion

This section illustrates the structural power of the liberal security narrative of conflict and peace to produce self-securing neoliberal subjects who view informal conflict as a security issue and desire a peace that bolsters the state security apparatus. In the Bamako peace process both international and domestic elites drew on colonial imaginaries of citizenship in West Africa to preserve their access to the benefits of the formal and informal economy in Mali[115]. The interests of France, the former colonial power in West Africa and one of the lead mediators for the Bamako process, in Mali's extractive economy has persisted into the post-colonial era (Jourde 2017). Admitting that French prosperity derived from the raw materials

112 Interview 28, August 2018, Government, Bamako

113 Ibid

114 Interview 34, August 2018, UN, Bamako

115 Interview 26, August 2018, Civil society, Bamako

and mineral resources of West Africa, the French have pursued a number of avenues to maintain influence over political, military and economic policy in post-colonial Mali (Jourde 2017). In the 1960s, West African countries agreed to a Colonial Pact with France under which French companies obtained access to natural resources (Jourde 2017). The term Francafrique – referring to the close relationship between France and some leaders of its former African colonies – has come to symbolize modern neo-colonialism in West Africa[116]. Several civil society activists interviewed by the author saw the Bamako peace process as an example of the Francafrique[117].

France employed the key tool of 21stC neo-colonial international intervention – a clash of civilizations discourse of fear against an Islamic 'Other' – to justify the deployment of French forces in resource rich areas of Central Mali and their involvement in the Bamako process[118]. In October 2013, the French broadcast President Hollande's assessment of the Malian crisis and France's military operation: 'We have never claimed that our involvement would eliminate terrorism in the region. It was damaged. It was attacked. But it hasn't disappeared.' (Jourde 2017). Hollande and media analysts went on to argue that terrorism was 'installed' in Central Mali and this posed a serious threat to European security (Jourde 2017). The French structured the Bamako inclusion strategy around these discourses of fear. They attempted to impose order on a disorderly, threatening illiberal conflict zone by classifying violent non-state actor groups into included 'compliant' political actors and excluded 'non-compliant' criminal and terrorist actors using realist methods and motives armed group analysis (Boutellis & Zahar 2017). The 'terrorist' label was applied to entire ethnic Fulani nomadic herder communities in Central Mali which had aligned themselves with the Islamist groups 'Anṣār ad-Dīn, AQIM, MUJAO and the home-grown Macina Liberation Front[119]. The region of Mopti in Central Mali was excluded from the Bamako process as a 'terrorist' hotspot even though the Islamist struggle in the region is closely linked to an intensive ethnic communal conflict over land and drug-trafficking[120]. In a context where 'terrorist' groups operating in Mali are now primarily led

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116 Ibid

117 Interviews 22, 23, 26 and 30, August 2018, Civil society, Bamako

118 Interview 32, August 2018, Religious organization, Bamako

119 Ibid

120 Interview 31, August 2018, INGO, Bamako

by a group of Malians rather than global actors, the Malian government expressed a willingness to talk to the 'jihadists' (Boutellis & Zahar 2017). The government, however, changed its position due to pressure from France, illustrating the influence of the French neo-colonial international security agenda on the outcome of the Mali peace process (Boutellis & Zahar 2017). The classification of the historic slave nomadic class of Fulani as 'terrorists' echoed the colonial era erasure of subaltern Fulani from citizenship imaginaries and exacerbated intra-ethnic tensions and status hierarchies within the Fulani community[121]. The socially subaltern nomadic Fulani are over-represented in Islamist groups such as MUJAO and the MLF because they believe Islamists provide them with support against the Tuareg, state sanctioned militia and also Fulani land-owners (Diallo 2017). The land-owning, former slave-owning Fulani class were classified as 'compliant' and 'political' and were included in the Bamako process as a settled ethnic minority[122].

The included political armed groups were those who did not espouse an Islamist ideology and adopted the traditional liberal political inclusion narratives of peace defined as ethno-nationalist power-sharing[123]. As with the Myanmar case these narratives played on the ethnic divisions created and solidified during the colonial era and therefore adhered to dominant international understandings of the 'political' conflict. Following naive Western portrayals of the post-colonial conflict zone, the mediators started with only two main 'political' groups -- the MNLA and the High Council for the Unity of Azawad (HCUA), both of which desired independence for the North (Boutellis and Zahar 2017). The weakness of realist armed group analysis, which assumes rebel groups are the legitimate representatives of the ethnic communities they claim to negotiate for, became apparent during the Bamako negotiations. Many local communities, clans and ethnic groups in the North did not feel adequately represented by the MNLA or the HCUA which were comprised of combatants returning from Libya and who had not lived in Mali for some time[124]. Some local notables believed the MNLA were 'hijacking' the Tuareg identity to gain state political power[125]. As a result, the number of

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121 Interview 32, August 2018, Religious organisation, Bamako

122 Ibid

123 Ibid

124 Interview 28, August 2018, Government, Bamako

125 Interview 28, August 2018, Government, Bamako

'political' armed groups in Mali increased steadily during the peace process from two (MNLA and HCUA) to eight. Adopting the dominant normative approach to 'inclusivity', the mediators also allowed the political participation of ethnic minority armed groups such as the Fulani and the Songhay who did not feel adequately represented by the Tuareg nationalist negotiating coalitions (Boutellis and Zahar 2017). The armed groups were established either just before or in reaction to the peace talks and their creation was motivated by the need for representation in the peace talks. These groups desired the maintenance of national unity rather than independence for the North[126]. The extra armed groups were also created along ethnic and clan-based lines[127]. The Co-ordination of the Movements of Patriotic and Resistance Fronts (CMFPR) is a conglomeration of self-defence movements made up of Songhai and Peul/Fulani in the Gao and Mopti regions. The Movement of Arab Azawad (MAA) was established to protect Arab interests of the North. The GATIA were made up of pro-government militia with links to the Malian army. Despite the evidence of political tensions among local communities in the North, mediators grouped the 'political' ethno-nationalist armed groups into two broad negotiating coalitions, reflecting the analytical and normative bias towards two-party structured negotiations between armed groups and the state on national issues[128]. The groups were divided in accordance with their political goal – power-sharing or independence for the North. As with the Myanmar case, 'inclusivity' also became synonymous with the international right of political participation for ethno-religious minorities, with no space provided for the meaningful participation of women and civil society[129]. The armed groups selected the included civil society organisations and women's groups and limited their political contribution to the mechanistic support of their power-sharing agendas[130].

The liberal political inclusion narrative was merely a cosmetic tool claimed by armed groups to gain legitimacy in the eyes of the international mediators and therefore a seat at the 'political' table[131]. As one local notable interviewed by the author indicated, just because these groups

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126 Interview 29, August 2018, Government, Bamako

127 Ibid

128 Ibid

129 Interview 22, August 2018, Civil society, Bamako

130 Ibid

131 Interview 25, August 2018, Islamic scholar, Bamako

understood how to use the international language of political inclusion, it did not stop their hidden 'criminal' agendas from overtaking the political process[132]. Unlike the Myanmar case where a relatively fixed number of rebel groups had committed to an ethno-nationalist struggle and governance of their communities for over sixty years, many of the armed groups in Mali had formed in response to the peace process itself and some had very loose legitimacy to negotiate on behalf of the ethnic groups of Northern and Central Mali[133]. The signatories of the Bamako agreement also harboured deep ethnic and community-based rivalries over access to drug-trafficking routes which are not acknowledged by liberal political narratives[134]. Elites absorbed the security classifications imposed by the international community as legitimate and true and used them in the course of the peace process to criminalise and exclude their rivals in the informal criminal economy of Northern Mali[135]. They denounced their clan-based and inter-ethnic rivals of the North as criminals while denying any involvement in the criminal activities they pursued in private[136]. Many traditional local leaders from the North were criminalized by new armed groups seeking control of Northern drug-trafficking routes[137]. The politics of criminalization of the Bamako process driven by the 'criminal' interests of the 'political' actors lends support to Mbembe's (2001) argument that formal peace processes in Africa are primarily concerned with dividing the spoils of the informal economy. The rebel coalitions also made public statements distancing themselves from the 'terrorist' groups they were now seeking to displace in Central Mali even though they had joined forces to overthrow the state in 2012[138]. Because the 'compliant' groups and their allies in the Dogon farmer communities in Central Mali did not employ the discourse of the global Islamist struggle, they escaped the international label of 'terrorist' even though they frequently used 'terrorist' strategies against their ethnic rivals for water and pasture land[139]. That the Bamako peace process descended into an elite identity and class-based politics of criminalization highlights the futility of the exclusion norm of legality and the security classifications that support it in

132 Ibid

133 Ibid

134 Ibid

135 Interview 28, August 2018, Government, Bamako

136 Ibid

137 Ibid

138 Ibid

139 Interview 31, August 2018, INGO, Bamako

the fragmented neoliberal conflict zone. Any one of the armed groups or communities could have fallen on the wrong side of the politics-crime dichotomy by virtue of their association with Islamist groups or their criminal or terrorist methods or motives of challenging the state. The 'political' label was assigned in accordance with ethnic identity, class, and religious affiliation rather than the supposedly neutral criteria of methods and motives or more importantly the social legitimacy of armed groups or social actors.

The dominance of the liberal security exclusion narrative of conflict resulted in a process that equated peace with the maintenance of security and order. State security reform became the dominant negotiating item[140]. The Bamako agreement bolstered French and state counter-terrorism capacity to confront Islamist groups which exacerbated grievances regarding state oppression in Northern and Central Mali[141]. Key positions in the state security apparatus were transferred to a narrow Arab-Tuareg elite and their allies, who had little connection to many Northern and Central communities and were known to persecute Fulani nomadic herders in Central Mali[142]. The government subsequently drew on the peace agreement to employ ethnic and tribal militias to maintain security in Central Mali which fueled communal violence between Fulani and Dogon communities[143]. That power-sharing negotiations under the liberal security exclusion narrative were focused on state security institutions rather than a federal structure, parliamentary seats or the judiciary echoes Mbembe's observation that neoliberal conflict is ultimately over control of the state means of coercion, which translates into control of the rents of the informal economy and control over the extractive economy. It also highlights the liberal security exclusion narrative – made up of discourses of fear, security classifications of armed actors and the norm of legality – as a key part of the patriarchal, racist, and classist neoliberal global order. In the Bamako process it legitimized the maintenance of the status quo governance arrangements by excluding of the majority of social actors from Central and Northern Mali from the negotiating table merely because they were associated with non-compliant armed groups[144]. As a result, the social justice issues of state abuse of marginalized

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140 Interview 28, August 2018, Government, Bamako

141 Ibid

142 Ibid

143 Interview 26, August 2018, Civil society, Bamako

144 Ibid

actors, land governance, the gender-based violence of particular concern in Central Mali and criminal governance were left off the negotiating agenda[145]. The Bamako process continued the colonial forms of what Mbembe (2003) calls biopolitical racism, into post-colonial Mali. The narratives of inclusion/exclusion displaced the sources of risk, dispossession and inequality from the neoliberal regime to excluded inferior populations of Central and Northern Mali. The discourses of fear employed by the French during the peace process were soon adopted and translated into discourses of hyper-punitiveness by state-sanctioned Dogon militia in Central Mali who had become self-securing neoliberal citizens[146]. The lack of compliance of Fulani nomadic communities with neoliberal values was converted into a threat to the survival of the healthy Dogon population that deserved punishment. The massacres of entire Fulani villages by Dogon militia in the wake of the Bamako agreement further authorized the dispossession of their lands that began in the colonial era[147]. The deadly outcome of the Mali peace process is a reminder that peace-making, as a tool used to preserve the neoliberal global order, entails not only biopolitics (preserving life by creating self-securing neoliberal subjects) but can also result in necropolitics (letting die).

The resilience narrative of peace and conflict developed in response to cases such as Mali where the blanket securitization of vast tracts of conflict territory proved to be inadequate to the manage a proliferation of local identity and crime-based conflict[148]. As discussed in chapters Two and Three, resilience interventions at the community and individual level have become necessary to deal with the heightened uncertainty associated with the complexity of violent and fragmented neoliberal governance arrangements (Chandler 2017). The following two parts of the chapter discuss the departure by international peacebuilding and development INGOs from liberal normative approaches to mediation in order to resolve communal conflicts and negotiate with Islamists. Land, justice and criminal governance issues were managed through informal 'inclusive' community mediation processes to increase community resilience to armed groups, poverty and identity polarization[149]. The liberal security

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145 Ibid

146 Interview 24, August 2018, Religious organisation, Bamako

147 Ibid

148 Interview 21, August 2018, INGO, Bamako

149 Ibid

discourse of the formal negotiations delineated the 'excluded' spaces where apolitical informal local mediation to 'patch-up' the neoliberal political-economy could take place[150]. The spatiality of the formal political and informal resilience peace processes in Mali is indicative of the way the security and development arms of international intervention work together in the post-colony to stifle the emergence of a class politics that might demand structural reform to the neoliberal political-economy (Duffield 2007). The liberal security narrative pushes social justice issues out of the formal political sphere and resilience narratives of peace and conflict ensure that social exclusion is dealt with as a local communal issue.

5.5 Local Resilience

This section discusses the structuring effect of the resilience discourse of international intervention on local peace-making in Mali. It argues that resilience narratives of peace and conflict aim to produce subjects that exhibit values of liberalism and of entrepreneurialism to support the formal as well as the informal economy (Chandler 2014). The resilience narratives of conflict disseminated by international peace-building and development INGOs focus on informal conflict as a symptom of social exclusion at the local level rather than a state security issue[151]. Peace defined as the resilience of local actors involves promoting social inclusion through processes of local community mediation[152]. As argued by Foucault (1994), social inclusion requires the adoption of 'healthy' neoliberal traits such as self-help and individualism as well as the (neo)liberal logics of profit-maximization. In order to engage with power as governmental practice, INGO mediators moved away from methods and motives armed actor analysis to deal with armed actors as governors of informal territory and employ suitably (neo)liberal local social actors as the primary agents in 'inclusive' participatory processes of social change[153]. Because the outcome and agenda of resilience mediation was adapted to the particular social context and driven to some extent by social actors, there was a fragmented array of local peace processes in the excluded areas of Central and Northern Mali[154]. However, the local peace processes generally cohered around three main issues of cultural and/or

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150 Interview 35, September 2018, INGO, Yangon

151 Interview 14, April 2018, INGO, Geneva

152 Ibid

153 Ibid

154 Ibid

economic exclusion that are not considered under liberal security narratives of peace and conflict: communal conflict over land and natural resources; communal conflict over drug-trafficking routes; and the conservative world views of those labelled as 'terrorists' under the Bamako process[155]. This section takes each type of resilience mediation in turn, highlighting that the purpose of each type of mediation was to stimulate a new form of local governance adaptation or 'resilience' to the injustices of neoliberalism that is more conducive to the maintenance of the neoliberal global order.

5.5.1 Identity difference

This section discusses the trend amongst informal INGO mediators to define resilience in culturalist terms as the ability of local actors to overcome the essentialist identity difference that elites use to stoke conflict (Lehti 2019). The Myanmar case showed efforts by local actors, facilitated by peace-making INGOs, to move beyond polarizing ethnic identity narratives. In the Mali case, INGO peace-makers did not focus on transforming the inter-ethnic competition fostered during the colonial period but instead encouraged marginalized actors to move beyond identification with hardline global Islamic discourse[156]. According to this culturalist approach to resilience narratives, peace can be achieved by transformative mediation that is inclusive and appreciative of illiberal world views and the complexity of social identities[157]. Resilience narratives of peace and conflict in Mali have therefore led to an interpretation of 'inclusivity' that allows negotiation with so-called 'terrorist' groups such as the MLF who have social legitimacy as governors with protective ties to their communities[158]. The aim of religious mediation was to achieve social inclusion by encouraging illiberal religious actors to adopt more liberal versions of Islam[159]. In the Central Mali region of Mopti, a group of moderate Islamic scholars from the community-based organization Amicale Jawambe partnered with the peace-making INGO the Centre for Humanitarian Dialogue to attempt to moderate the hardline Islamic discourse of the MLF[160]. They created a peace commission in 2017 called Jam

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155 Ibid

156 Interview 31, August 2018, INGO, Bamako

157 Interview 31, August 2018, INGO, Bamako; Interview 35, September 2018, INGO, Yangon

158 Interview 21, August 2018, INGO, Bamako

159 Interview 24, August 2018, Religious organisation, Bamako

160 Interview 31, August 2018, INGO, Bamako; Interview 25, August 2018, Islamic scholar, Bamako

e-Dina. This was composed of ten members including traditional chiefs, religious leaders, and other local notables[161]. The committee have negotiated over the group's local rule, humanitarian access, the reduction in harm to civilians, and the righteousness of its conservative Islamic discourse[162]. These efforts to engage the MLF in religious debate have largely failed to change the position and discourse of the MLF[163]. While the MLF have no list of political demands, its discourse blasted on radio and social media, reveal that the movement wants profound social and economic change in Mali's governance arrangements[164]. The group focuses on local grievances such as shrinking pastoral land, abusive government officials and socio-economic neglect by the state (International Crisis Group 2019). The politics of redistribution is framed within a transnational religious discourse demanding the implementation of sharia and the imposition of an Islamic state (International Crisis Group 2019). This has focused the attention of mediators on religious narratives of identification rather than the ethnic discrimination underscoring the socio-economic structures of the Malian state that has prompted the emergence of the MLF[165].

The dominance of particular ethnic groups within different Islamic insurgencies in Mali adds a local dimension to what appears to be a global Islamist insurgency (Soare 2015). The local dimension reduces the effectiveness of dialogue that emphasizes transformation of liberal or illiberal religious world views (Soare 2015). Soare (2015) notes that the capacity of Islamic organisations in Mali to attract followers predominantly depends on how that organisation is ethnically defined. The importance of ethnic trust in the Malian context can lead individuals to join a given Islamic organisation that is lead by co-ethnics and refuse to join other Islamic organisations led by people framed as untrustworthy 'ethnic others' (Soare 2015). For example, the subaltern Fulani people joined with MLF because of ethnically driven not religious motives – to stop Arab Tuaregs taking their land. Joining the MLF was a way for them to combat an ethnic other (Soare 2015). Islam might have been a founding ideological block of the group but ethnicity and the notion of untrustworthy ethnic others was a frame through which many

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161 Ibid

162 Ibid

163 Ibid

164 Interview 31, August 2018, INGO, Bamako

165 Interview 21, August 2018, INGO, Bamako

made sense of joining it (Soare 2015). As discussed above, for some of the Fulani, the MLF was a way to fight Tuaregs but was also about intra-ethnic tensions within the Fulani community. Pastoralist Fulani were in favour of the MLF because they believed these Islamists had given them support against Fulani land owners (Soare 2015). As Soare (2015) explains, they sent their children to Gao to get some military training, study the Quran and do the Jihad in return for protection of their land. The leader of the MLF, Alamadou Kouffa claims a Fulani identity and has called on Fulani explicitly to join the jihad, leading to the association of all Fulani communities with MLF 'terrorist' violence by the liberal security narrative (International Crisis Group 2019). The failure of religious mediation in Central Mali to capture the social justice issues underlying the religious narrative demonstrates the weakness of culturalist approaches to inclusivity, which places an emphasis on cultural narratives of identification, without tying narratives to the social structures that promote ethnic identity as well as class-based discrimination (Hooks 1990). Instead of a participatory, bottom-up peace process, the resilience discourse of international INGOs structured the selection of local social participants and the negotiating agenda so that it minimized the intersecting identity and class politics that underscored local understandings of conflict in favour of a familiar clash of civilizations discourse[166]. Much like the liberal security narrative of peace and conflict, resilience discourse highlights illiberal Islamic values as the problem, the difference being that the resilience narrative of peace contemplates the possibility of social inclusion through the transformation of illiberal world views[167].

The link between resilience narratives and culturalist understandings of the local social sphere as separate from the realm of liberal representational theory also minimized the participation of women in local mediation in Central Mali (Di Jorio 2019). One of the key negotiating items of the Jam e – Dina peace committee was the reduction in the harm to civilians under MLF rule. A female activist interviewed by the author said the work of Malian women's organisations on gender-based violence during conflict was completely disregarded by international mediators working in Central Mali[168]. She said this stemmed from a patronizing

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166 Interview 21, August 2018, INGO, Bamako

167 Ibid

168 Interview 23, August 2018, INGO, Bamako

view of sexual violence in Mali as a part of an immutable and archaic culture or custom that is incompatible with liberal norms of criminal justice[169]. Local women's organisations were obscured by the international view of local custom and they were unable to press for women's rights as part of the local peace process[170]. Instead, international INGO mediators negotiated for a reduction in harm to civilians more generally on their behalf[171]. This did not address the issue of state and international security actor violence against women in Central Mali as the formal sphere was not party to the discrete local social mediations[172]. The enthusiasm amongst predominantly European peace-builders for the turn to local 'resilience' mediation that 'think(s) beyond the ideal-typical peace table composed of actors with bounded identities that define their interests, rights and needs' should be re-examined in light of the Mali experience where women felt unable to access the international criminal justice system of the formal sphere (Hirblinger and Landau 2020). As Chandler (2017) observes, resilience and complexity thinking removes the structural power of the discourse of the international intervener from the equation. Because local resilience mediation theoretically takes place within bounded informal social spaces and is 'owned' by the local community, international mediators are absolved from responsibility for the outcome of interventions (Chandler 2017). However, as the Central Mali mediations indicate, international mediators exert considerable control in the selection of participants and bring pre-conceived ideas regarding conflict that do not always match local narratives or the desire of marginalized actors to make rights claims on the state[173].

5.5.2 Criminal governance

Resilience discourse has also featured in international peace-making interventions to manage youth and community violence associated with criminal governance and criminal actors (Ayling 2009). As discussed in chapter Three, economic approaches to resilience view conflict as a symptom of exclusion from the socio-economic benefits of citizenship (Gupta and Vegellin 2016). Criminal violence is seen as a negative adaptation to the shock produced by neoliberal

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169 Ibid

170 Ibid

171 Ibid

172 Ibid

173 Ibid

policies and peace is achieved by providing the communities and criminal actors with the skills to participate peacefully in the neoliberal system of shared formal and informal governance (Ayling 2009). To this end, international INGO mediators stepped in to orchestrate a series of local mediations to defuse communal conflicts over drug-trafficking routes in Northern Mali. The first Anefis process in 2015 resulted in a 'roadmap comprising a series of measures, including the cessation of hostilities, joint initiatives for intercommunal and intracommunal reconciliation, the exchange of prisoners, and the free movement of people and goods' (Boutellis and Zahar, 2017). The second process in 2017 focused on the inclusion of armed groups, resulting in a narrow negotiating agenda to keep routes for drug trafficking open to diminish armed competition and theft[174]. The second more exclusive process is indicative of the increased militarisation of the Northern drug-trafficking routes, with armed groups displacing the historical social networks on which the drug-trafficking trade is based[175]. The armed groups provided an opportunity for marginalized youth to challenge traditional governance structures in the North and seek socio-economic benefits from the informal economy that were historically controlled by local elites[176]. An INGO mediator interviewed by the author indicated the second Anefis process was an attempt to empower more modern local social actors in the governance of their communities and break archaic corrupt customary networks that in his view entrench cycles of violence and crime in Northern communities[177]. Critics of the Anefis process argue its efforts to accommodate organised crime have only produced another layer of exclusive elite pacts between armed groups with questionable social legitimacy at the expense of broad-based inclusion of the local leaders, youth and women who have a stake in the resolution of drug-trafficking disputes and improved local governance[178]. This thesis interprets the Anefis process in light of the literature of resilience as a form of neoliberal governmentality. By engaging with local youth who had joined armed groups the mediators supported the local social actors who most exhibited neoliberal traits of self-help, profit-seeking, entrepreneurship and a desire for modernity over local tradition. There was no attempt to reassert the state in Northern Mali or discuss the role of state neglect in the

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174 Interview 11, April 2018, INGO, Geneva

175 Ibid

176 Ibid

177 Ibid

178 Interview 8, April 2018, INGO, Geneva

development of criminal governance, meaning that communities will continue to rely on armed groups to provide basic services. Although the Anefis process represented a departure from the traditional normative basis of liberal peace mediation, its design still reflected the political-crime dichotomy on which traditional peace mediation is based. It was not a political process as state, local political and civil society actors were never party to the negotiations[179]. The Anefis process is an example of the biopower of resilience discourse to maintain the neoliberal global order despite the violent criminal governance it produces by fostering more acceptable adaptations to the status quo. It supported the efforts of the Bamako process to sideline traditional local leaders in the North by creating individualistic, entrepreneurial (neo)liberal subjects that challenge illiberal elites, view the informal economy as an economic opportunity and avoid making social justice demands on the state.

The structural power of resilience discourse to exclude illiberal actors and depoliticize the social justice discourse of marginalized actors was also evident in the local agro-pastoralist mediation in Central Mali. The aim of the mediation was to promote social inclusion by empowering traditional local social actors to regain control of local governance structures from Islamist armed groups and resolve their own intra- and inter-ethnic land disputes[180]. This thesis suggests the different attitude towards the inclusion of armed groups stemmed from the illiberal Islamist discourse of the armed groups operating in Central Mali as opposed to the more acceptable profit-maximizing logics of the armed groups in Northern Mali. Professional mediators based the peace process design on the inclusion of non-armed community members first, and adding members of armed groups as they were necessary to the community-led process[181]. The international mediators did not assume that Islamist armed groups represented the interests and objectives of local communities[182]. They facilitated community exchanges to identify community leaders with the necessary social legitimacy and competence to negotiate the resolution of communal conflicts[183]. They ensured that all social groups – pastoralists, farmers, fishermen, youth, elders, men and women – were equally represented in

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179 Ibid

180 Interview 8, April 2018, INGO, Geneva

181 Ibid

182 Ibid

183 Ibid

community mediation teams[184]. The community mediators are familiar with the geography of pasture lands in dispute. They have proficient knowledge of customs and traditions and the community sense of justice. Because of the community links of the mediators, they focus agendas on the origins of the conflict in old disputes over natural resources rather than Islamist or ethnic armed conflict[185]. The INGO mediators replaced community mediators when armed groups exerted influence over communal conflicts, using its networks with the national government and armed groups to negotiate ceasefires[186]. As with the Anefis process, the result was a more acceptable resilient adaptation to the status quo of formal and informal governance than alliances with Islamist armed groups. The separation of the social sphere of 'communal' conflict from the formal space of political representation also served the purpose of obscuring the role of colonial, state and international structures of identity and class based dispossession that lead to land insecurity and conflict in Central Mali. As another example of Fraser's meta-political misrepresentation, the boundaries of the 'political' in the Mali process were tightly controlled by the international discourses of security and resilience to ensure that the class politics of marginalized actors was excluded and cut off from the elite politics of the formal sphere. Because the liberal security narrative was absorbed into the politics of the formal peace process, unlike the other cases considered in this thesis, it was the resistant discourse circulating in the social sphere that emerged to undermine the dominant liberal security discourse. Social actors left out of the design features of international peace-making adopted a resistant social justice discourse that moved beyond the spatial and discursive boundaries between formal and informal actors. It advocated for the inclusion of all state, social and armed actors in a dialogue to form consensus around the causes of conflict and inclusion in Malian concepts of citizenship.

5.6 Resistant Social Justice Discourse

Religious and civil society organisations have attempted to address the decoupling of the social justice discourse of advocates in the formal sphere from the discourse of unconventional violent non-state actors in the depoliticised informal sphere through multi-scalar inclusive

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184 Ibid

185 Ibid

186 Ibid

peace process design (International Crisis Group 2019). Rather than informal 'spot' mediation to 'patch-up' communal land conflicts and transform illiberal world views, some international INGOs and local civil society have pushed for a comprehensive formal dialogue process with the state, Malian social actors as well as leaders of armed groups to establish a shared understanding of the causes of conflict[187]. The inclusive political dialogue would include local groups known to support international Islamist groups and ideology, such as Islamic school students and nomadic Fulani[188]. The agenda would emphasis intersecting social justice issues of recognition and redistribution that have so far only been the subject of informal mediation to increase resilience rather than transform the Malian state[189]. One local civil society activist interviewed indicated 'we need dialogue on what a return of the state to Central Mali should look like in terms of non-discriminatory governance of natural resources and local security provision'[190]. Another activist from a religious civil society organisation indicated that 'religious scholars have the legitimacy and credibility to help map out political and religious reforms giving formal local autonomy that reflects the way Central Malians are already governed through alliances between armed groups and communities, local community mediation and sharia courts'[191]. International INGOs stressed a dialogue process should include a strong truth and reconciliation component to address issues of violence against women and civilians and ensure any shift to local autonomy is placed under the international human rights frameworks[192]. Given the dominance of the liberal security narrative in Mali, the government and the French stabilisation mission refused proposals to incorporate marginalised actors and social justice narratives in formal political dialogue, stating that 'they do not negotiate with terrorists'[193].

Because the social justice discourse of informal actors was depoliticised under resilience mediation and formal social actors were prevented from raising social justice issues in the

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187 Interview 23, August 2018, Civil society, Bamako; Interview 24, August 2018, Religious organisation, Bamako; Interview 25, August 2018, Islamic scholar; Interview 12, April 2018, INGO, Geneva

188 Ibid

189 Ibid

190 Interview 23, August 2018, Civil society, Bamako

191 Interview 24, August 2018, Religious organisation, Bamako

192 Interview 12, April 2018, INGO, Geneva

193 Ibid

formal peace process by the structures of liberal-realist peace process design, the only outlet for social justice discourse was political protest against the state and the outcome of the peace process[194]. From 27 March to 3 April 2017, hundreds of delegates from across Mali's ten regions marched for a National Conference of National Understanding to promote peace and reconciliation (International Crisis Group 2019). The delegates urged the government to engage with so-called terrorist groups including the MLF[195]. The 2017 push for dialogue emerged in response to the escalation of state-sanctioned violence against Fulani communities[196]. A wave of protests in the capital Bamako was sparked by the 2019 massacre by state sanctioned Dogon militia men of an ethnic Fulani herder community (International Crisis Group 2019). The protests were led by religious leaders, civil society leaders and youth organisations and demanded an overhaul of the state security arrangements negotiated in the Bamako agreement (International Crisis Group 2019). One protestor is quoted in Mali newspapers as saying 'Dogons and Fulanis have always co-existed. Even today, amid the massacre, Peul and Dogon villages coexist and don't care about the conflict. So, it's not a problem with the Dogons. It's a political problem. The Malian army has outsourced Malian security to the Dogons. That has to stop. It's why we want one very simple thing: to disband all the militias in Mali ... including Dan Nan Ambassagou, and the Malian authorities complicit with them. They should all be caught and tried decently, so that justice can be done' (International Crisis Group 2019). The movement wanted the government held accountable for negotiating a peace agreement that pandered to international security interests and understandings of the Malian conflict (International Crisis Group 2019). The Malian government resigned in 2019 in response to the massacre and the protests that followed.

5. 7 Conclusion

In a similar vein to the Myanmar case, changes in the governance of the informal economy and the infiltration of global Islamist discourses in local communities produced a fragmented, localised conflict zone centred around violent patterns of everyday neoliberal governance. The

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194 Interview 23, August 2018, Civil society, Bamako

195 Ibid

196 Ibid

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competition between ethno-nationalist armed groups in the North over drug-trafficking routes diluted the political power-sharing ambitions of the Tuareg, with the Bamako process undermined by the hidden criminal agendas of the negotiating parties. While the subaltern Fulani had traditionally been erased from colonial and post-colonial imaginaries of Malian citizenship, the framing their social justice struggle in terms of global Islamist discourse invited a strong response from the global liberal security narrative designed to manage threats from a 'clash of civilisations'.

The international discourse of inclusion/exclusion structured the peace process design and the politics of the Bamako process to criminalise and stifle the social justice politics of marginalized actors in Central Mali. Because securitization alone is not enough to control populations in a fragmented conflict zone, resilience mediation was also employed at the local informal level to produce liberal, self-helping and entrepreneurial subjects who possess the skills to adapt peacefully to the shocks of neoliberalism. The structure of inclusive peace process design in Mali illustrates that current interpretations of inclusivity work with, rather than promote the transformation of the overarching liberal security narrative of the neoliberal global order. Due to culturalist understandings of a discrete, illiberal 'local' space of custom, the rights-based discourse of marginalized actors in informal spaces was depoliticized under 'inclusive' resilience mediation. The inadequacy of mediator engagement with social sphere resulted in the social protests, invoking social justice discourse, which undermined the peace process from the outside. A multi-scalar and intersectional approach to inclusive peace process design could break down the barriers between formal and informal actors and spaces in peace mediation and harness the power of resistant social justice discourse against the dominant liberal security narratives imposed by elites. The incorporation of the politics of inclusion/exclusion that informs neoliberal societies into peace processes opens up the possibility of peace as social justice rather than mere resilience. Moreover, it has the potential to focus negotiating agendas on state governance reform and decentralisation rather than the bolstering of a security state. Although multi-scalar dialogue may be an effective conflict resolution tool in the Malian context, local governance cannot be developed without the funding and policy support of the international community. The various different inclusion strategies in Mali were funded by the aid agencies of major donor countries – France, the Scandinavians, the EU, the US, the UK, China, Australia and the AU. It is important that donors disburse its development aid for

community processes that foster inclusive local institutions rather than continue to support exclusive national processes that encourage corruption, human rights abuses, waste and destabilisation through agreements that are not acceptable to the majority of the Malian population. This may be difficult given the strong mining interests of several major donors in Central Mali. The securitised peace outcome combined with the resilience approaches supported by the international development community may be a consequence of the heavy reliance of the Malian state on the international community for assistance in peace-making and state-building. The following two chapters consider peace processes in states with stronger institutional structures and less reliance on the international community for peace-making assistance. Unlike the Myanmar and Mali cases, these two peace processes – the San Salvador gang truce and the Colombia (2016) peace agreement were therefore able to strongly embrace the concept of inclusivity. The next case – the San Salvador gang truce – was dominated by the resilience narrative. As the San Salvador 'conflict' is predominantly the result of neoliberal logics only and bears no resemblance to the Cold War era civil war in El Salvador, the case is used to highlight resilience, as a support to the liberal security narrative, as the key objective of peace-making that is properly adapted to the neoliberal era. The San Salvador case makes very clear the weaknesses of resilience narratives in neoliberal societies where the boundaries of political citizenship are already contested as an interplay between liberal security and social justice narratives. Because resilience mediation with the gangs stifled social justice interpretations of the gang problem within a discrete informal mediation space, the liberal security narrative of formal actors regarding gang violence was left unchallenged to undermine the truce from the outside. As with the Mali and Myanmar cases, the chapter suggests that the alternative to peace defined as resilience rests in the interpretation of inclusivity.

Chapter Six: Resilience (San Salvador)

6.1 Introduction

The San Salvador case reflects a general global shift away from traditional two-party political civil wars towards post-war urban criminal violence in cities (Cruz and Duran-Martinez 2016). In 2011 there were 55, 000 deaths related to civil war compared with 526, 000 homicides in cities (Whitfield 2013). These developments have prompted the question of whether there should be a role for international peace mediation in urban contexts such as San Salvador given the normative liberal underpinnings of international peace mediation, which excludes illiberal criminal actors from political dialogue because of their illegality (Lanz 2011). The San Salvador gang truce between the rival MS-13 and Barrio 18 youth gangs was the first international peace process in the post- civil war urban context (Whitfield 2013). It necessarily required a departure from the traditional politics-crime dichotomy that guides traditional liberal security narratives and strategies towards 'criminal' unconventional violent non-state actors in international peace mediation (Wennmann 2014). It marked a turn towards resilience mediation in the informal sphere which deals with unconventional violent non-state actors as governors of informal territory and informal communities rather than as an external security threat (Chandler 2017; Foucault 1994).

The politics of the 2012 San Salvador gang truce was shaped by the resilience narrative of peace and conflict. The dominance of the concepts of resilience and social exclusion is related to the unconventional nature of both the conflict and the peace process itself. Unlike the Mali and Myanmar conflicts which still bear a resemblance to Cold War era rebellions against the state, the gang violence in San Salvador is an example of the complex and uncertain social conflicts associated with neoliberal governance that prompted the emergence of resilience thinking in international policy (Chandler 2014). In contrast to Cold War era conflicts the aim of gang violence in San Salvador is not to openly challenge or seek a share power in the state (Bealle et al 2013). Rather it has been interpreted by the Organisation of American States (OAS)

peace-makers as an adaptation of urban youth to the political and socio-economic marginalization associated with neoliberal policies in San Salvador (Blackwell 2015). This chapter argues that the structural power of the norm of legality as well as resilience discourse over the 'inclusive' truce process design ensured the truce did not address the exclusionary structures of citizenship that underscores gang formation. Reflecting Foucault's (1994) observations on the requirements for social inclusion, the aim of the truce was to achieve social inclusion by transforming gang members into productive neoliberal subjects, who exhibit a more positive and peaceful form of resilience to the neoliberal status quo (Ayling 2009).

Although the social inclusion strategy ensured the gang truce had legitimacy at the municipal level, mediators failed to engage political and social actors who resided outside gang-held 'criminal' spaces, reflecting an unintended reproduction of the normative boundaries of inclusion/exclusion of neoliberal societies in the truce process design[197]. The inclusion of 'criminals' in political dialogue sparked a toxic negative reaction at the city level, with public opinion firmly in favour of a return to liberal security approaches to gangs[198]. Eventually discourses of fear regarding the gangs dominated the politics of the gang truce and elite political actors withdrew their support for the truce during the 2014 presidential election campaign (Blackwell 2015). The mediators had attempted to impose new boundaries of the 'political' on a city where liberal security and social justice narratives regarding the gangs circulated freely (Samara 2007). The failure to capture these inclusion debates by democratizing the question of political citizenship for gangs meant the dominant liberal security narrative in San Salvador was able to undermine the truce (Van Der Burgh 2014). The resistant social justice discourse was stifled under resilience discourse (Chandler & Richmond 2015).

Based on the role of non-armed social actors outside 'criminal' spaces in delegitimising the San Salvador truce, this chapter suggests that to achieve social legitimacy for gang truces in the post-war urban environment, social inclusion strategies must be extended to the city level in a multi-scalar approach to inclusive peace process design. It examines why public influence on peace mediation is so pronounced in the post-war urban democratic megacity of the Global

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197 Interview 18, April 2018, OAS, Washington

198 Ibid

South, making city-wide inclusion a necessity. It makes the case for inclusion of the 'formal' city in terms of the relationship between the particularities of urban space and urban politics. Adopting a socio-spatial analysis of the truce, it argues multi-scalar inclusive peace process design is particularly important in the Central American urban context because gangs play a central role in shaping urban space and the urban politics of violence. It argues that the spatial and discursive segregation of San Salvador into 'political' and 'criminal' realms promotes the preference for liberal security narratives and for the 'exclusive' local truce process design that undermined the 'social' gang truce. To adapt the peace mediation inclusion framework to the post-war urban setting, mediators must acknowledge the politics of inclusion in peace mediation as merely a part of the ongoing city-wide politics of inclusion/exclusion between the dominant liberal security narrative versus the social justice discourse regarding the gangs. Following Fraser's argument regarding the connection between the democratization and de-territorialisation of political inclusion and social justice objectives, city-wide inclusion is required to overcome the politics-crime divide in space and discourse and provide a platform to unite social justice advocates across the city.

The chapter proceeds as follows. The first part traces the trajectory of conflict in El Salvador from a traditional Cold War era civil war subject to a liberal peace to present-day urban gang violence. The second part highlights the pivotal role that gangs play in the governance of urban space and state policies of securitization and pragmatism towards the gangs. The third part outlines the features of the resilience narrative of peace and conflict that structured the gang truce. The final part traces how discourses of fear ultimately took over the gang truce process.

6.2 Violence in El Salvador

The extreme inequalities that gave rise to the civil war in El Salvador are attributed to the development of the coffee oligarchy known as La Catorce (the Fourteen Families) (Dudley 2013). The country's oligarchy ruled El Salvador by itself for the first century after independence in the 19thC and then through the military for a sixty year period beginning in the 1930s (Wade 2016). The elite espoused the virtues of economic liberalism that supported their coffee trade while pursuing political practices that were distinctly illiberal (Wade 2016). Land was concentrated in the hands of the oligarchy and used to service the international

coffee market (Dudley 2013). The FMLN rebel group emerged in the 1970s to attract followers and wage a class-based war against the glaring disparities of wealth created by the Salvadoran government's neoliberal economic philosophy (Dudley 2013). The 1992 peace talks did not address the core conflict issue with both sides proposing to wait until national elections to introduce their preferred economic platforms (Dudley 2013). As a result the elite still holds power in El Salvador today and the military continues to protect their interests (Dudley 2013). The concentration of power among a small elite class, along with the accentuation of poverty, unemployment and extraordinary levels of street crime, have impeded the consolidation of peace in El Salvador (Dudley 2013).

During the country's civil war, one in six Salvadorans were displaced from their homes and many moved to Los Angeles. As Steven Dudley writes, San Salvador's gang problem arose from this initial displacment :

Finding few employment opportunities and a social space littered with street gangs, Salvadoran youth developed two of their own gangs as a survival mechanism – the MS-13 and Barrio 18. They integrated former rebels into their ranks and became brutally effective at usurping and controlling territory. The US passed an immigration reform bill in 1996 which expanded the categories for which an immigrant could be deported. In the years that followed the flood of ex-convicts to the region was unprecedented – El Salvador received over 40, 000 ex-convicts between 2000 and 2010, many of them gang members. The gangs found fertile ground for their expansion. At the time, El Salvador was struggling not only with a war to peace transition but also with a country that had suddenly become more urban than rural (Dudley 2013, p. 2).

The city of San Salvador, as a strategic centre of finance and trade, was at the forefront of the post-war neoliberal rollout in El Salvador (Brenner and Peck 2010). The economic importance of rural areas had declined during the civil war due to mass migration to the US and remittances soon exceeded the earnings of all agricultural exports (van Burgh 2013). With the post-accord implementation of neoliberal policies, such as reduced state spending, privatisation, decentralisation and liberalisation, the industrial and agricultural sectors lagged further behind

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(van Burgh 2013). As a result, there was an influx of rural ex-combatants to urban areas where economic power rested in the hands of a small group of financial and trading elite who handled the flow of remittances (van Burgh 2013). The business districts of San Salvador became sites of significance for growth and urban development models following a neoliberal logic. Government policies favouring financial elites rather than sustainable and equitable growth, had a polarising impact on socio-economic development in San Salvador. The number of unemployed youth in slum areas swelled, whilst the financial districts grew richer. Due to the combination of neoliberal policies with intensive post-accord state decentralisation, the state was largely absent from many poor areas of San Salvador during the 1990s. It did not upgrade public infrastructure or collect taxes from residents between the late 1980s and late 1990s (van Burgh 2013). Demobilised fighters searched for jobs. Unemployment and crime soared. Families struggled to adapt to city life and small street gangs had already emerged (Dudley 2013).

Gangs are a unique kind of 'criminal' actor that emerges from the particularities of urban space (Moser and McIwaine 2014). Jutersonke, Muggah and Rogers (2011) highlight that gang warfare stems from the compression of socio-economic inequalities of neoliberalism into dense urban space. They also indicate gangs are a feature of democratic cities, which provide the freedom for gang mobilisation to take place. The early literature on gangs in Central America connects the social and economic violence of gangs with social exclusion or structural violence at multiple levels (family, community and state) in post-war societies (Moser 2004). At the macro-level, where state institutions have been weakened during civil war and the state no longer makes citizenship meaningful, gangs provide an alternative source of social membership, identity and sense of belonging (Moser 2004). A lack of social cohesion at the family and community level, often a product of the devastation of civil war, can also increase the attraction of gang membership in post-war societies (Moser 2004). Beall, Goodfellow and Rogers (2013) typology of conflicts – sovereign (inter-state), civil (intra-state) and civic -- places gang warfare in the context of rising global 'civic conflict' in post-war cities. Civic conflict results from rapid urbanisation combined with post-war neoliberal and democratic reforms that reduce the capacity of the state to provide security and welfare for the urban population (Beall et al 2013). For them, gang-related violence does not fit rigidly into the categories of social and criminal violence (Beall et al 2013). It is a reactive and recurring violent expression of

grievances (social, political or economic) regarding marginalisation and state neglect (Beall et al 2013).

In San Salvador, the MS-13 and Barrio-18 stepped in to provide governance in poor urban communities neglected by the state (Cruz 2018). The San Salvador gangs hold the monopoly on violence, resource extraction and service delivery over large amounts of 'informal' urban space (Cruz & Duran Martinez 2016). There are about 29, 000 gang members in San Salvador, organised into around 2000 different gang clicas (Cruz 2010). Extortion in the territories they control constitute the main sources of revenue for gang members and their families (Cruz 2018). They extort money from transport services, small business owners and convenience stores (Cruz & Duran-Martinez 2016). For every formal service provided by the state – ranging from urban planning, public transportation, and security – the gangs offer a myriad of informal practices and institutions offering the same service in the informal spaces of San Salvador. Given their dominance in informal spaces, gangs are essential for the efficient functioning of the city. Businesses and politicians require permission to enter gang-held territory to deliver goods or carry out political campaigning (Cruz 2018). The gangs are associated with social and economic violence over unpaid extortion money to high-scale gang warfare between rival gang cliques fighting over neighbourhood boundaries (Wade 2016). The prevalence of violence against women in San Salvador is also attributed to gang governance, exacerbated by the intentional use of sexual violence by gang members to force women into submission, to create a culture of fear, and to punish those who defy the gang (Applebaum & Mawby 2018).

Because gangs are visible in urban space as sovereigns of territory, they have become a central constituting feature of urban space and urban politics (Caldeira 2000). The predominant characterisation of the built environment of San Salvador, like many megacities in the Global South, is that it is a 'city of walls' (Caldeira 2000). High walls and razor wire spatially segregate two patterns of urbanisation that define the city: one informal patterns shaped by gangs – that exists outside the realm of legality and citizenship rights, and the other formal – which is regulated in accordance with the rule of law (Rodgers 2006). State-sponsored death squads and transnational organised crime have less territorial control and so attract less public attention (Rodgers 2007). Vogelman and Lewis and Rodgers (2004) argue the high visibility of

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gang cultures of violence, including group rituals such as tattoo marking, in tight urban spaces, increases the intensity and impact of gang-related violence on general public well-being, trust and perceptions of insecurity. In San Salvador, gang-related violence is experienced by the city as a whole as an endemic, every day and intractable part of life. One middle class San Salvadoran resident interviewed spoke of the influence of the gangs on his everyday decision-making: 'I think a lot about the gangs...I avoid taking public transport at particular times of day and I make sure I am not down town at night...I think all the time about whether I have enough security for my home and my family'[199]. The fear of gang-related violence stimulates the retreat of security-seeking elites and the middle class within the 'gated communities' and 'fortified enclaves' that make up the city of walls (Low 2005; Caldeira 2000).

Because gangs play a central role in shaping urban space and the lives of urban inhabitants they have become the key feature of urban political discourse in San Salvador (Low 2005; Caldeira 2000; Humphrey 2013-14). The built environment creates a strong bias towards liberal-security discourse regarding gangs (Samara 2007). The urban sociology literature makes this connection between the spatial segregation of violence and the politics of the criminalisation of the gang problem (Low 2005; Caldeira 2000; Huphrey 2013-14; Torres 2015; Tsing 2004). It highlights that the normative and discursive boundaries between the political and the criminal that underpin and justify liberal security inclusion approaches to gangs are reinforced and produced by neoliberal security seeking practices of spatial segregation in response to gang-related urban violence. The spatial segregation of San Salvador into formal and informal zones through the construction of walls and the concentration of violence in informal gang-held spaces promotes the ideological construct of an external criminal 'other' that reside outside the political communities of 'fortified enclaves' (Caldeira 2000). The political discourse of 'hyper-punitiveness' is prevalent in media reports that regularly depict gang-held territories outside the walls of gated communities as disorderly, criminalised and violent spaces that could only be subject to military interventions (*El Diaro de Hoy,* 20-23 December 2015). Highlighting the externalisation of gangs from political society, many middle-

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199 Interview 51, December 2018, Urban Resident, San Salvador

class interview subjects were of the view that gang members are not deserving of the human rights associated with citizenship, including the right to political participation[200].

The centrality of the gangs to urban space and political discourse regarding crime has also placed them at the heart of state electoral politics (Van Der Borgh 2014). Political surveys conducted in the early 2000s indicated that Salvadoran voting preferences shift with what they perceive to be the main national issue – the economy or gang-related crime (Van Der Borgh 2014). The liberal security narrative regarding gangs became the driving force of urban politics when the conservative ARENA government adopted the criminalisation of the gang problem as a cornerstone of its electoral strategy (Van Der Borgh 2014). In 2003, public opinion identified the economy -- and in particular ARENA's pursuit of neoliberal policies – as the major problem facing the country. ARENA shifted public debate from its failure to deliver economic reform towards national security (Wade 2016). An internal ARENA memorandum referred to the war on gangs as an 'immediate chance for the party to tie into a winning issue' (Van Der Borgh 2014). By 2004, more than 90% of those who participated in political polls viewed gangs as the major security threat facing the country (Wade 2016). ARENA won the 2004 presidential election in a landslide. Gang policy has been the primary issue in El Salvador elections ever since this time (Wade 2016).

6.3 Securitisation and Pragmatic Realist Pacts

The international gang truce in San Salvador, introduced in more detail below, took place after a decade of failed attempts to manage the gang problem using the traditional liberal security narratives and pragmatic strategies at the domestic level (Blackwell 2015). The liberal security strategy was exemplified by the mano dura or 'war on crime' law enforcement approaches to gangs (Blackwell 2015). Mano dura consisted of police and military crackdowns on gangs and gang-held territories and mass arrests of gang members under anti-gang laws that criminalised gang membership (Blackwell 2015). From 2002 to 2011, the number of incarcerations rose from 11, 000 to over 25, 000 (Blackwell 2015, p. 45).

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200 Ibid; Interview 50 & 52, December 2018, Urban Residents, San Salvador

The results of managing the gang problem in narrow, legalistic and security terms were negligible. Imprisonments served to radicalise gang members, encourage recruitment efforts and strengthen the power of the gangs (Blackwell 2015). Between 2008 and 2013 gang membership rose by more than 130% and levels of urban violence skyrocketed. In 2011, 4354 homicides took place in San Salvador, in a country with a population of 6.2 million, representing a per capita homicide rate of 69.1 per 100, 000 people (Blackwell 2015, p. 45).

As security interventions failed to assert state control in gang-held territories, states in Central America have turned to pragmatic clandestine criminal pacts to reduce homicide levels under policies of 'accommodation' or 'managed security' (Colak & Pearce 2015). Moser and McIwaine (2014. p. 233) argue that, given the realities of urban governance in post-war Central America, where gangs have the monopoly on violence in vast tracts of informal urban space, 'pragmatic approaches may be inevitable: interventions to reduce urban violence and conflict may realistically involve their management rather than their eradication'.

The political science literature has comprehensively covered the wide variety of pragmatic approaches towards criminal groups including gangs, organised crime and drug cartels. These works focus on the economic and profit motives of criminal groups and their strategic calculations in dealing with the state as rational self-maximising actors. Lessing (2015) and Bailey and Taylor (2009) argue that criminal groups will have variously competitive or collaborative relationships with the state depending on the cost-benefit calculation of working with or challenging the state. In the context of cartel-state conflict in Mexico, Lessing (2015) writes that increases in the degree of state repression create positive incentives for cartels to fight back, but state repression conditional on behaviour can control violence levels. Bailey and Taylor (2009) similarly highlight that criminal groups adjust their behaviour in response to state repression through evasion, corruption or confrontation depending on the tactical circumstances. Confrontation strategies are rare because violence is costly in economic terms. However, confrontation can be an effective tactic to stop state repression as they expose the weakness of state law enforcement institutions. As a result, states may prefer pragmatic violence reduction negotiations rather than law enforcement methods in order to avoid public displays of criminal violence (Bailey and Taylor 2009). Duran-Martinez (2016) also notes state

actor concern with the visibility of violence in El Salvador and Colombia, where pragmatic gang truces were negotiated to reduce violence during elections. Cruz and Duran-Martinez (2016) argue the level of institutionalisation and cohesion of gang organisations affect the success of criminal pacts with gangs as the leaders of weakly structured organisations have limited capacity to enforce the terms of the truce amongst its members. The success of violence reducing pacts in San Salvador is attributed to the highly institutionalised nature of MS-13 and Barrio 18.

The San Salvador government uses clandestine criminal pacts as a tool to manage gang-related violence (Wennmann 2009). The first phase of the 2012 San Salvador truce reflected the traditional pragmatic approach to the inclusion of 'criminal' actors and it was the first time the government made the contents of pragmatic negotiations public (Blackwell 2015). In early 2012, the Minister for Justice and Security facilitated secret dialogue between the mediators, Monsignor Fabio Colindres and Raul Mijango, and the incarcerated leaders of MS-13 and Barrio 18[201]. Both mediators acted in a private capacity and the dialogue was conducted behind prison walls[202]. The aim of the initial phase of negotiations was to achieve prison conditions that met international human rights standards in exchange for a cessation of gang-related violence in San Salvadoran communities[203]. The truce was announced through a communique signed by the leaders of various gangs on March 9 2012[204]. In the year after the announcement of the truce, the homicide rate in El Salvador decreased by more than 60% (Blackwell 2015). Successive clandestine or public criminal pacts with gangs in San Salvador served to maintain rather than transform the status quo of shared urban governance between the state and gangs. The potential for transformation of urban governance is limited because the liberal normative framework governing pragmatic peace mediation practice in San Salvador precludes the involvement of 'political' actors, who have an interest in the governance of the city, in 'criminal' dialogue. The depoliticised nature of the first phase of the 2012 truce which was conducted entirely in the 'criminal' realm between criminal actors limited the agenda to

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201 Interview 59, December 2018, Academic, San Salvador

202 Ibid

203 Ibid

204 Ibid

technical issues of violence reduction at the expense of addressing the socio-economic inequalities that promote the emergence of gangs in cities[205].

The weakness of traditional strategies for developing long-term solutions to gang-related violence is connected to the analytical tools used to define the 'political' and the 'criminal' (Picarelli 2006; Locke 2012). Traditional strategies and the political science literature on criminal groups define 'criminal' actors in terms of the profit, market driven logics of their illegal behaviour and their criminal methods of undermining the state (Varese 2010). The abstract analysis removes criminal actors from their social context and deflects attention away from the complex socio-economic root causes of criminal governance (Locke 2012). The focus on criminal methods, strategies and motivations also obscures the variation in types of groups that engage in criminal activities in cities – including cartels, transnational organised crime and gangs – preventing a nuanced response to urban violence based on group type (Moser & McIwaine 2014).

The urban violence literature notes different criminal groups can exhibit a variety of overlapping economic, social, political and institutional violent logics depending on their relationship to the state, community, urban space and the transnational liberal economy (Moder 2004; Moser & McIwaine 2014). Locke (2012) argues that tightly structured local organised crime groups with strong links to local social and economic structures exhibit protective behaviour towards local communities. The security-oriented violence of these groups is both economic and institutional, in that it is guided by social logics and norms as well as the desire to protect profits from criminal enterprises. The literature also highlights that transnational organised crime groups with weak or non-existent social and territorial ties exhibit the purely economic logic of neo-liberalism (Locke 2012; Cockayne 2011). These groups support the literature regarding individualistic, calculating and profit-maximising organised criminals that use violence in a predatory fashion (Felbab-Brown et al 2017). The cartels, organised crime groups and gangs that are implicated in urban violence in Central America can be differentiated according to their transnational or homegrown nature and the strength of their profit motives for violence (Felbab-Brown et al 2017). Drug cartels are immersed in the

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205 Interview 59, December 2018, Academic, San Salvador

transnational drug trade and have weak social ties to the communities in the territories they control (Lessing 2015). Cartel violence is driven purely by a transnational market logic (Felbab Brown et al 2017). Highly organised crime groups have deep, long-standing relationships with their urban or rural communities and methods of infiltrating and targeting the state (Cockayne 2011). These groups employ institutional, political and economic violence. As youth gangs can be highly organised – by fulfilling community needs, controlling territory, engaging in extortions and organising a distinct group identity – they are often compared to organised crime (Rodgers 2006). However, while organised crime operates clandestinely and seeks strong corrupt ties with the state, youth gangs are far more visible and less organised in their approach to state actors (Rodgers 2006).

Given the strong connection of gangs to the post-war city in Central America, strategies to address gang-related violence must acknowledge the role of the urban environment in shaping the gang problem. Pragmatic and liberal security strategies at the domestic or international level, supported by abstract, context-independent definitions of criminality and illegality, are unable to capture or address the urban governance drivers of urban gang-related violence (Lanz 2011). The remainder of the chapter focuses on the second phase of the 2012 San Salvador gang truce, which involved international peace mediators. It represented an effort to overcome the limitations of traditional liberal security strategies for international peace mediation in the post-war urban environment and develop inclusive community-based political solutions specifically targeted at the root causes of gang violence by invoking resilience narratives of peace and conflict (Blackwell 2015).

6.4 Local Resilience

Gang-related violence is increasingly seen through the prism of resilience by international policy-makers and scholars (Ayling 2009). The concept of resilience conflates two ideas : the capacity to absorb and thus withstand disruption and the capacity to adapt, when necessary to changes arising from the disruption (Ayling 2009). Adaptation can range from minor evolutionary adjustments to robust transformations akin to the movement of an ecological system into a new domain (Ayling 2009). Applying resilience thinking to the capacity of communities to withstand the disruption caused by neoliberal policies, Ayling argues that gang

formation is one of the socio-cultural processes that allow societies to resist the 'erosive strain of socio-economic marginality…and create social networks that provide cultural resilience'. Gangs form where impoverished communities emerge. As Chandler (2014) suggests, the aim of resilience interventions into gang communities is to promote an adaption to socio-economic marginalisation that is better suited to the preservation of the neoliberal political-economy. In accordance with neoliberal values of individualism, profit-maximisation and entrepreneurship, resilience interventions focus on the level of the individual, giving them new knowledge and skills to perform a different social rôle (Fleisher 2009). The emphasis on individual skills is also intended to help sever the reliance of gangs on community support, which is identified as one of the key aspects of their resilience (Ayling 2009). The San Salvador gang truce was structured by resilience narratives that see gang violence as a symptom of their social exclusion from the neoliberal state and see the solution in terms of individual skills development and peaceful adaptation to the neoliberal status quo.

The Organisation of American States (OAS) led second phase of the 2012 San Salvador truce marked the first attempt at international 'criminal' peace mediation in post-war cities (Whitfield 2013). The San Salvador case can therefore reveal how traditional civil war peace mediation inclusion strategies are adapted and changed to manage urban violence. The second phase was initiated in a context of escalating violence and years of failed liberal security and pragmatic approaches to gangs. At the request of an El Salvadoran government desperate for alternative solutions, the OAS entered the truce process to facilitate a radically new approach to gang-related violence in the city[206]. The mediators attempted to overcome the shortcomings of traditional strategies by focusing on fostering local political participation in the truce and defining the gang problem in terms of the socio-economic inequalities of the urban context[207]. The truce process marked a shift from traditional liberal security narratives based on legality to an inclusive strategy underpinned by values of inclusivity, resilience and local political participation[208].

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206 Interview 18, April 2018, OAS, Washington

207 Ibid

208 Ibid

The OAS definition of gangs, which emphasised their social exclusion from the benefits of citizenship rather than their criminal methods, provided the foundation for local resilience mediation and a social inclusion strategy to address the socio-economic causes of gang violence:

'Gangs represent a spontaneous effort by children and young people to create, where it does not exist, an urban space in society that is adapted to their needs, where they can exercise the rights that their families, governments and communities do not offer them. Arising out of extreme poverty, exclusion, and a lack of opportunities, gangs try to gain their rights and meet their needs by organising themselves without supervision and developing their own rules, and by securing themselves a territory… (which) frequently generates violence and crime'(Blackwell 2015, p. 76).

The second phase of negotiations expanded the impact of the ceasefire to ten municipalities in San Salvador[209]. The plan included community policing, disarming of gangs, and the development of education and work projects for gangs to enable positive adaptations to the neoliberal political-economy and reintegrate them into society as neoliberal subjects[210]. The development of the municipalities into peace zones were driven by local actors, including mayors from different political parties, Catholic priests, civil society and local businessmen[211]. An OAS mediator interviewed said the plan was to tackle local insecurity through inclusive broad-based dialogue and community reconciliation programmes[212].

Although the inclusive strategy ensured the legitimacy of the truce at the local level, mediators failed to engage non-armed actors who resided outside the peace zones[213]. The San Salvador gang truce reproduced the politics-crime dichotomy upon which traditional peace mediation is based. Although the truce represented an improvement on context-independent pragmatic inclusion and liberal security strategies, the second phase focused only on the social context

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209 Ibid

210 Ibid

211 Ibid

212 Ibid

213 Ibid

of the discrete gang-held 'criminal' territories and had minimal participation from formal political society[214]. As a consequence of the exclusion of 'political' society, the truce faced considerable legitimacy issues at the national level[215].

The announcement of the truce politicised and polarised San Salvadoran society[216]. The OAS mediator interviewed indicated the public reaction towards the truce was, in the words of one mediator, 'toxic, extreme and unlike anything seen in criminal mediations in the civil war or Western urban context'[217]. There were internal divisions within the Catholic Church, the business community and political parties regarding support for or opposition to the treatment of gangs as a social as opposed to criminal issue[218]. As public opinion was firmly in favour of a return to liberal security approaches to gangs, the state withdrew its support for the truce during the 2014 elections and the truce collapsed[219].

Based on the role of non-armed actors outside 'criminal' spaces in delegitimising the 'social' approach to gangs in the San Salvador truce, this chapter argues that to achieve social legitimacy for gang truces in the post-war urban context, social inclusion strategies involving the political participation of non-armed actors must be extended to the city level. The remainder of the chapter examines why public influence on the success of social inclusion strategies in peace mediation is so pronounced in the post-war urban democratic context, making city-wide inclusion a necessity.

6.5 A Socio-Spatial Framework for Multi-scalar Inclusive Peace Process Design

The urban violence literature emphasises that inclusion strategies towards 'criminals' are central to the urban politics of violence in the post-war democratic city (Samara 2007). Echoing the work of Foucault and Fraser that formed the theoretical basis of this thesis, it portrays the

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214 Ibid

215 Ibid

216 Ibid

217 Ibid

218 Interview 49, December 2018, Political party, San Salvador

219 Ibid

politics of urban violence as an interplay between security and social justice approaches to defining and managing criminal actors (Samara 2007). Samara (2007) notes that exclusionary security strategies are underpinned by the dominant urban political discourse of 'hyper-punitiveness' which demonises the urban poor as a hazardous, threatening, and violent population that must be controlled through an increasingly sophisticated and far-reaching security apparatus. The discourse of hyper-punitiveness, which has the effect of criminalising poor populations, has supported the unprecedented support of punitive security practices to manage the violent consequences of the poverty and marginalisation produced by neoliberal policies (Samara 2007). This chapter suggests that in the San Salvador context, the political culture of hyper-punitiveness that accompanies and protects neoliberalism has focused its attention on criminalising the youth gangs and promoted a bias towards punitive mano dura gang policies (Van Der Borgh 2013). Hyper-punitive discourse relies on the narrow legalistic definition of criminality that also supports liberal inclusion strategies in peace mediation (Blackwell 2015). An alternative political discourse defining the urban poor as victims of the social injustices of neoliberalism has developed to challenge the dominant liberal security narrative (Samara 2007). In San Salvador, social justice discourse promotes the social inclusion of gangs in dialogue and in society through just land and property distribution and the development of livelihoods instead of state security solutions to gang-related violence[220]. Social justice advocates were important allies for mediators attempting to implement a social inclusion strategy in San Salvador[221].

This chapter depicts the politics of inclusion in peace mediation in the post-war urban democratic context not as an issue determined by mediators but in terms of the ongoing city-wide political debate regarding the merits of the dominant liberal/pragmatic approach to gangs versus the alternative social inclusion strategy for gangs. By situating inclusion dynamics within the socio-political context of the city, the San Salvador gang truce becomes more than a separate elite-driven apolitical, 'criminal' process or a localised socio-political process to increase resilience managed by external mediators. It becomes a city-wide political process in which modes of inclusion cannot be legitimately imposed on the city without securing the

220 Interview 54, December 2018, Civil society, San Salvador
221 Ibid

support of 'formal' actors through an inclusive process. It was the failure of mediators to capture and address the inclusion debates that circulated in San Salvadoran society that allowed the liberal security narrative to undermine the truce[222].

Although placing urban peace mediation in the context of the politics of urban violence highlights that inclusion strategies regarding gangs is a city-wide political issue, it does not account for the intensity of political interest in gangs or the dominance of the discourse of hyper-punitiveness in the politics of the city. Urban sociologies of Central America have highlighted urban space as a central actor in shaping the particularities of urban politics of violence in Central American cities (Low 2005; Caldeira 2000). A socio-spatial analysis can explain the acute political interest in gangs and the preference for liberal-security inclusion strategies as a function of gang control of informal urban spaces, the density of the city, and the spatial segregation of urban space into political formal and informal criminal realms along the lines of the liberal normative binary of inclusion.

Applying a socio-spatial analysis to the gang truce, the following section argues the neoliberal built environment imposes constraints on the scope of urban political discourse, inclusive city-wide peace process design and political support for social inclusion strategies (Caldeira 2000). It also highlights that the need for inclusion of the 'formal' city is particularly pronounced in San Salvador because of the central role gangs play in controlling and shaping urban space and urban politics.

6.6 The Politics of Urban Violence in San Salvador: A City of Walls

Due to the pervasive impact of gangs on urban politics and security, there was an existing heightened political focus on gangs at the time of the gang truce, which became merely a part of the general urban political discourse on gangs that had the power to determine the outcome of elections[223]. It is the intensity of public interest in and influence on political support for the social inclusion of gangs that makes an inclusive city-wide process necessary[224]. During the

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222 Interview 56, December 2018, Catholic priest, San Salvador

223 Interview 57, December 2018, Civil society, San Salvador

224 Ibid

truce, the gangs themselves recognised the importance of engaging with the urban politics of the city in order to obtain public support for their inclusion as citizens[225]. The collective statements from gang leaders in prison made requests for formal dialogue directly to the Salvadoran people[226]. Adopting social justice discourse, their communiques reminded the Salvadoran public that they too were 'Salvadoran citizens' and asserted that gang members were 'children of the country's civil war' and a 'social sub-product' of harmful and divisive socio-economic policies[227].

If the gangs understood the importance of the politics of the 'formal' city, why did the mediators fail to engage the Salvadoran public? The truce was planned in secret and the public was not consulted about the new social inclusion strategy (Blackwell 2015). This chapter suggests that the material and ideological segregation of the neoliberal San Salvadoran city contributed to the flawed 'exclusive' peace process design. The concentration of violence in informal spaces directed and narrowed the analytical gaze of mediators towards the criminal actors within 'criminal' spaces. An OAS official interviewed emphasised gang organisational structure and motivations, rather than the politics of the city, when speaking about the design and reasons for pursuing the transformative phase of the truce[228]. He said it was thought transformative peace mediation was appropriate for the San Salvador context because the gangs had no links to transnational organised crime, a strong institutional structure and were socially embedded in their local communities, making them more receptive to transformative mediation aimed at integration into society[229]. The mediators' emphasis on gang organisational structures and governance preserved the normative politics-crime dichotomy in peace process design.

The following section connects the break-down of the San Salvador truce with the failure of the mediators to overcome the constraints the neoliberal city places on inclusive peace process design, urban political discourse and state political support for social inclusion. It argues that

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225 Interview 55, December 2018, Political party, San Salvador

226 Ibid

227 Ibid

228 Interview 18, April 2018, OAS, Washington

229 Ibid

city-wide inclusive peace process design would increase the likelihood of success of social inclusion strategies by breaking down the material and discursive barriers between political and criminal spaces, promoting public trust in the process, and providing a platform to unite advocates of a social justice stance on the gang problem.

6.7 The Politics of Inclusion in the Salvador Gang Truce

In a spatial and political urban environment shaped by acute fear of gangs and a strong public bias against dialogue with 'criminal' gangs, the announcement that a ceasefire had been negotiated and a second phase of negotiations was planned in secret was met with anger and confusion throughout the city[230]. A middle-class resident interviewed said that they 'felt betrayed' by the government and that the secrecy made them 'deeply distrustful' of the process[231]. A small business owner said the truce made many businesses feel unsafe as it 'let gangs get away with their criminal behaviour'[232]. Faced with what was perceived as state and international sanction of criminality, the solution for many Salvadorans was to build more walls to keep the gangs outside of formal political society[233].

A barrage of anti-truce media reporting adopting the discourse of hyper-punitiveness made it difficult to legitimately pursue a dialogue strategy[234]. The city and national media supported public campaigns waged by sections of the Catholic Church, the business community, members of the general public and the conservative ARENA party against the truce (Wade 2016). Drawing on the exclusionary imagery of the fortified built environment, one mediator interviewed said the campaigns compared the gang threat with that of the civil war, creating the impression of criminal hordes standing at the gates of the city ready to harm, at a moment's notice, honest citizens[235]. Media reports depicted gangs as murderous, brutal criminal organisations, populated by young men whose less than human nature is manifest in images of their heavily tattooed shirtless bodies (Wolf 2016).

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230 Interview 52, December 2018, Urban resident, San Salvador

231 Ibid

232 Interview 50, December 2018, Business, San Salvador

233 Ibid

234 Interview 55, December 2018, Political party, San Salvador

235 Interview 54, December 2018, Civil society, San Salvador

Some elite factions of the Catholic Church focused on the immorality of the 'criminal' gangs and in turn the immorality of negotiating with them. One OAS official interviewed noted that the strong influence of religious dogma on the urban politics of violence contributed to a popular public conception of gangs as what Susan Wolf (2016) has called 'folk devils', which places them firmly outside liberal political and moral society not only physically but also metaphorically[236]. The 'folk devil' narrative was reflected in the sentiments of many middle-class Salvadoran residents interviewed who said there was a general feeling at the time of the truce that the gangs could not be trusted to keep their promises because they were fundamentally immoral[237].

By failing to acknowledge formal society's potential issues with the social inclusion of gangs they deemed 'criminal', the mediators allowed the dominant liberal-security narrative of urban politics to overtake and undermine the peace process. They also cemented the neoliberal security-seeking spatial practices that reinforces the normative politics-crime binary in urban space and discourse. The difficulties in maintaining state political support for the social inclusion strategy stem from the initial negative public response to the truce[238]. Upon election in 2009, the FMLN Funes administration attempted to decriminalise the gang problem by placing it in a broader spectrum of socio-economic issues facing the country (Van Der Borgh 2013). The gang truce was part of the new 'social' gang strategy (Van Der Borgh 2013). As the first left-wing administration in two decades, the Funes government represented a rare opportunity to change perceptions of the gang problem (Van Der Borgh 2013). However, a FMLN party member interviewed indicated that due to the influence of gang policy on the outcome of elections, and the public outrage demanding a return to liberal-security policies on gangs, the government was unable to support the truce unequivocally[239]. Fear of public opposition to engagement with the gangs led to repeated government denial of involvement in the truce (Blackwell 2015). It took six months from the ceasefire announcement for the government to admit it had brokered and facilitated the truce and the state offered no resources for the second phase of the truce (Blackwell 2015). The start of campaigning for the

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236 Interview 18, April 2018, OAS, Washington

237 Interviews 51, 52, 62, December 2018, Urban residents, San Salvador

238 Interview 49, December 2018, Political party, San Salvador

239 Ibid

2014 elections ultimately put a stop to the transformative phase of the truce. The 2014 ARENA campaign focused on the truce as a symbol of the gang-FMLN communist conspiracy against El Salvador (Wade 2016). One report indicated gangs had 'made a deal with the FMLN to wreck ARENA's chances in the election', and that they were allowing the FMLN free reign on their turf in return for bribes (Wall Street Journal, 10 March 2014). The FMLN changed its social justice narrative regarding the gangs to one of criminalisation over the election period and the truce process was effectively over (Wade 2016).

The disjuncture between peace process design and the urban politics of inclusion promoted an artificial binary between liberal security narratives and the alternative social justice framing of the gang problem along the lines of national/local and political/criminal urban space. The social inclusion approach employed by mediators, which included local political participation, ensured the dominance and general support of social justice narratives in the local 'peace zones'[240]. Drawing on liberation theology which aims to achieve justice for the poor, local priests and elite members of the Catholic Church acting in a private capacity played a key role in developing a local social justice discourse regarding gangs (Levine 2018). Local civil society and the local Catholic Church formed a humanitarian foundation to connect local social groups who supported the truce (Blackwell 2015).

Although the truce effort was very cohesive at the local level, mediators failed to secure linkages between the local socio-political movement in favour of social justice and potential sympathisers in the 'formal' parts of the city[241]. These connections would have strengthened the power of social justice discourse in urban politics. The exclusively local truce process denied advocates of a social justice definition of gangs the opportunity to properly enter the city-wide debate and the capacity to negotiate and challenge the dominant discourse regarding gangs[242]. The exclusively local truce process also ignored the need to engage the identity politics of recognition through a formal process conducted under the normative human rights frameworks associated with citizenship, allowing victims of gang violence, particularly women,

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240 Interview 54, December 2018, Civil society, San Salvador

241 Ibid

242 Ibid

to air their grievances[243]. Gangs, as marginalised youth, were also unable to assert their position or their rights to access the socio-economic benefits of citizenship in formal political debate[244]. The stifling of resistant class and identity politics under a neoliberal resilience framework placed outside of the realm of formal political representation and rights ultimately undermined aspirations for a transformative peace in San Salvador.

The outcome of the truce is a reflection of the weakness of the Foucauldian understanding of social power upon which resilience thinking is based (Chandler & Richmond 2015). Understanding power as a multiplicity of governmental practices or discourses that circulates between persons has facilitated engagement with the local social context of conflict zones and with unconventional violent non-state actors as governors of territory (De Conig 2018). However, it limits the analytical gaze to the relations of power between individuals in a discrete social sphere of governmental practice and excludes consideration of the relationships of material and discursive power between formal and informal social spaces that support the neoliberal political-economy (Hooks 1990). As a result of the separation of formal politics from the social sphere of non-state governance, there is no possibility of resistance to the state structures that promote marginality (Chandler 2014). There is only room to manage the negative effects of neoliberalism on the individual by acquiring the social flexibility to make more 'resilient' adaptations (Fleisher 2009). While the gangs adopted aspects of social justice discourse regarding citizenship, they too absorbed the structures of inclusion/exclusion that provide the template for citizenship in neoliberal societies (Chandler 2014). A local mediator interviewed by the author said the gangs did not want a reconciliation process as they did not see themselves as traumatized or victimized. They wanted a forward-looking approach that gave them education and job opportunities[245].

An OAS mediator said the lack of inclusivity at the beginning, which would have provided clarity and transparency for the public, meant the truce was conducted without the support of the 'middle'[246]. In attempting to make up the ground lost after the initial truce announcement,

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243 Ibid

244 Ibid

245 Interview 57, December 2018, Civil society, San Salvador

246 Interview 18, April 2018, OAS, Washington

mediators spent time consolidating existing allies and addressing the accusations of the most vocal detractors rather than appealing to the undecided and confused Salvadorans to adopt a social justice stance on gangs[247]. Some of the middle-class San Salvadorans interviewed by the author were receptive to social approaches to gangs provided their security fears were addressed. They indicated they would prefer not to live within a city of walls and continue indefinitely to spend money on private security[248].

The lack of inclusion also denied the truce process the support of the global business community in combating the urban politics of exclusion that dominated the truce. Research by Moncada (2018) indicates that global service sectors in cities favour transformative participatory approaches to urban violence because they reshape cities to align with international perceptions of what global cities should approximate. Business elite lobby groups have the potential to challenge the security discourse used by conservative political elites in San Salvador (Moncada 2018). An OAS mediator interviewed indicated the role of supportive global companies such as Microsoft in the truce was limited to the local technical level, where they funded training and computers for livelihood programmes[249].

To overcome the limits imposed by the built environment, a city-wide process that includes both 'political' and 'criminal' spaces and actors is required to break down the material and ideological political-crime divide that supports liberal-security inclusion strategies towards gangs. Early city-wide inclusive public engagement could capitalise on the middle-class desire for social alternatives to neoliberal security and prevent the acute atmosphere of fear regarding the gangs from hijacking the urban political discourse surrounding the process. One mediator indicated city-wide engagement should include a process to address victims rights in order to promote reconciliation[250]. He said 'we should have provided a platform for them to vent and air their grievances with the gangs. We also should have started with a comprehensive communications strategy'[251]. A multi-scalar inclusive process would provide a platform to unite

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247 Ibid

248 Interviews 51, 52, 62, December 2018, Urban residents, San Salvador

249 Interview 18, April 2018, OAS, Washington

250 Ibid

251 Ibid

and strengthen social justice advocates across the city. A more powerful voice for social justice in urban politics could be mobilised to support state policies of social inclusion over election cycles that coincide with the truce process.

6.8 Conclusion

The San Salvador gangs are a community-based response to neoliberal urban governance underpinned by logics of economic deregulation and welfare state devolution. Because the San Salvador case is purely neoliberal 'conflict', with no vestiges of a Cold War era rebellion, it clearly demonstrates that peace-making in neoliberal era must address the liberal security discourse that circulates throughout society, with the inclusion of social actors an imperative. The gang violence 'problem' is created by the neoliberal security logic that criminalises those communities and spaces who are marginalised by neoliberal policies, and that in turn justifies their continued exclusion and securitisation. The case also clearly demonstrates the weaknesses of a resilience approach to inclusive informal mediation to achieve social inclusion as opposed to a social justice approach to inclusive peace process design that aims to achieve the political inclusion of marginalised actors by collapsing the artificial spatial and discursive boundaries between formal and informal spaces and recognising the class based barriers to political participation. The treatment of gang-held territory as a discrete 'political' unit excluded consideration of and reinforced the liberal security discourse of social actors that produces notions of 'informality' and 'criminality' in San Salvador. The objective of social inclusion, which involves intervention at the level of individual behaviour, also obscures the role of state neoliberal policies in promoting gang formation. With the depoliticization of resistant social justice discourse under resilience narratives that produce compliant neoliberal subjects, liberal security discourse is left to consume the social space of neoliberal governance.

The case also highlights that the particularities of urban space will create new challenges for mediators as 'conflict' becomes increasingly urbanized in the neoliberal era. The spatial and discursive segregation of densely crowed post-war democratic cities into formal 'political' and 'criminal' gang-held spaces promotes a bias towards liberal security approaches to gangs, an urban political discourse of hyper-punitiveness and local 'criminal' truce process design. This makes it difficult to obtain state and city-wide support for social inclusion strategies for gangs.

To break down the material and ideological barriers between the political and the criminal and the national and the local, inclusive peace processes in post-war contexts of urban criminal violence should include a city-wide element where the competing urban political discourses on gangs – liberal security and social justice – can be debated and consensus around social justice can be formed.

The final case study considered in the next chapter – Colombia – is an example of an attempt to implement a social justice approach to inclusive peace process design. The elite negotiators adopted a political-economy reading of the norm of political participation, recognising that the political exclusion of marginalised communities was one of the core drivers of the conflict. Furthermore, the negotiators attempted to democratise the setting of new boundaries of political citizenship in Colombia by putting the inclusive peace agreement to a referendum. The chapter argues that major weakness of the Colombian approach was the insistence on maintaining an artificial spatial and discursive divide between conflict and non-conflict territories on the basis of informal and formal governance. The spatial division meant social actors outside conflict territories were not properly engaged until the referendum. Another issue was the reliance on the international inclusivity narrative in constructing the social engagement design features of the process. The inclusivity narrative diluted the social justice discourse of the negotiators, excluding the class politics of marginalised actors from the process. These flaws in the inclusive design contributed to the failed plebiscite, during which the liberal security narrative of peace and conflict was able to sway public opinion. The innovations and failures of the Colombian process provides a path forward for peace-making in the neoliberal era. In particular it shows that neoliberal conflict can be dealt with without resorting to an emphasis on 'local' mediation and on resilience narratives of peace and conflict.

Chapter Seven: Inclusivity (Colombia)

7.1 Introduction

The politics of the Colombia peace process between the Colombian state and the FARC was dominated by the inclusivity narrative of peace and conflict. The term 'inclusivity' in Colombia was used by the elite armed group negotiators in a critical fashion in line with Fraser's theory of justice, which encompasses the idea that the limitations to political participation are both class and identity based. Unlike the previous peace negotiations considered in this thesis, both state and armed group elites at the negotiating table chose to abandon liberal security and liberal political narratives of peace and conflict in favour of social justice narratives of peace and conflict. It was agreed from the outset that political misrepresentation and economic maldistribution resulting in rural underdevelopment and cultural misrecognition were the core drivers of conflict. In addition to the left-wing politics of the FARC, a number of other contextual factors contributed to the dominance of the inclusivity narrative. Firstly, the Colombian conflict exhibited many of the features that the concept of 'inclusivity' was developed to manage. Rebel group held conflict territories were also home to a myriad of unconventional violent non-state actors, including right-wing militia and organised crime, creating violent patterns of governance that negatively impacted the civilian population (Idler 2019). Elites recognised that the solution to the conflict involved a peace process that was 'inclusive' of the marginalised social actors most affected by it (Conciliation Resources 2019). Secondly, the relatively strong state democratic institutions and civil society organisations in the Colombian democracy also allowed intersecting questions of redistribution and recognition to remain in the formal political sphere. Civil society organisations in Colombia have long been advocating for their right to participate in the design of public policy. Their practical experience and lobbying contributed to a more inclusive process (Conciliation Resources 2019). At the beginning of the process the state already had inclusive infrastructures for peace in place, including legal frameworks to manage humanitarian crises, aid the social integration of former combatants, promote reparations for victims, and develop transitional justice mechanisms (Conciliation Resources 2019). Unlike the San Salvador case, the involvement of formal political structures in inclusive design ensured that 'inclusivity' was not merely equated with the resilience of a

separate, apolitical social sphere. At the end of the peace negotiations, the government attempted to democratise and de-territorialise questions of inclusion in Colombian society by putting the peace agreement to a plebiscite across formal and informal spaces. It was widely assumed the 'inclusive' agreement would have legitimacy amongst social actors because they were consulted and had some ownership of the peace-making process. However, the referendum was narrowly defeated because of conservative liberal security backlash against the agreement within formal non-conflict areas. The distribution and recognition elements of the agreement were watered down after the referendum and the distribution elements of the agreement have floundered at the implementation stage.

This chapter argues the referendum result and continued conservative backlash against agreement implementation is connected to two core features of inclusive peace process design. Firstly, it reflects the co-option of 'inclusivity' by the neoliberal global order as a biopolitical tool that limits the politics of social actors in peace processes to the expression of identification with a singular identity. Given the impact of the Colombian conflict on women, international inclusivity discourse in Colombia was particularly focused on the expression of gendered identities. Drawing on the international norm of political participation, international inclusivity discourse on gender identity promotes an emphasis in negotiations on achieving international criminal, rather than social, justice for women as victims of gender-based violence.   In Colombia, although elite negotiators adopted elements of social justice discourse, the input of social actors was restricted by the structures of international interpretation of inclusivity. The design features of the inclusive process limited discussions to the victimisation of women during conflict and the importance of transitional criminal justice processes as a pathway to peace and reconciliation. Reflecting Fraser's split between the identity politics of recognition and the class politics of redistribution in social movements, the distributional aspects of justice were excluded from the politics of the inclusive peace process. Secondly, as occurred in the San Salvador case, it reflects the impact of the structuring effect of the norm of legality over the spatiality of inclusive peace process design. The politics of the peace process was initially defined in terms of the boundaries of formal and informal governance. Political boundaries were not adequately de-territorialised in Fraser's sense until the referendum. The structural power of discursive and material boundaries of inclusion/exclusion ensured that formal social actors who invoke liberal security narratives were not included in the political

process, which focused on the inclusion of social actors from discrete informal conflict territories. By absorbing and imposing the international discourses of inclusivity rather than, as Fraser's theory suggests, truly democratising and de-territorising questions of inclusion with the political input of social actors from formal and informal spaces, the design mechanisms failed to foster debate between the liberal and social justice narratives of peace and conflict that circulate in Colombian society. As a result, consensus did not develop around contentious issues such as sexuality, the political or criminal status of the FARC and land reform. The chapter proceeds as follows. The first part illustrates the liberal security and social justice narratives that have informed the shape of the conflict in Colombia but were excluded from the structures of the inclusive peace process design. The second part shows how the inclusive design mechanisms severely constrained the political input of social actors affected by the conflict, leaving marginalised actors dissatisfied with the definition of 'justice' in the working groups for social actors. The third part illustrates that because the design focused only on spaces and discourses of civilians directly affected by conflict, the liberal security narratives that underpin the broader Colombian neoliberal political-economy were left unchallenged and allowed to undermine the referendum and the post-agreement implementation.

7.2 The FARC: Marxist rebels or Criminal entrepreneurs?

This section traces the liberal security and social justice narratives that have informed public and elite understandings of the conflict and of the FARC as a violent non-state actor. The 'agrarian problem' has consistently been singled out as a core conflict issue in Colombia, with FARC's development as a rebel group linked to structural inequalities in land ownership (Rettberg 2019). As a result, a resistant social justice narrative of peace and conflict has always been present in Colombia at the elite armed group level. The conflict in Colombia can be traced back to a period called *La Violencia* (1948-64), which was characterised by intense political violence between Liberal and Conservative factions in the countryside (Megher and Sachseder 2019). Elites from both parties eventually signed a political power-sharing pact in 1964, giving rise to a restricted democratic system that was both clientelist and corrupt. The rural tax system that developed under the power-sharing arrangement privileged rural land-owners, concentrating resources in the hands of a few and promoting poverty and poor health and education outcomes in rural areas (Meger and Sachseder, 2019). A number of left-wing

guerrilla groups emerged in the 60s to challenge the monopolisation of power and land by liberal and conservative parties. The National Liberation Army (ELN) pressed for the nationalisation of resources. Other groups, such as the M-19 demanded the opening of the political system. The FARC formed to support the establishment of independent peasant republics and communist organising in the rural regions (Meger and Sachseder, 2019). The FARC opposed Colombia's neoliberal project of economic development which put emphasis on a process of what Richani called 'internal colonisation' (Richani, 2007). Internal colonisation refers to the forcible displacement of largely Afro-Colombian and indigenous rural populations to facilitate agriculture and primary resource development. Reflecting the neoliberal trend of outsourcing security, paramilitary groups sponsored by the state and conservative economic elites used violence against civilians in resource rich rural parts of Colombia in order to seize valuable lands, ensure development of infrastructure projects, and to protect the interests of investors in agriculture and mining projects (Meger and Sachseder, 2019).

While land explains the onset of the Colombian conflict, the informal criminal economy in Colombia explains the protracted nature of the conflict (Rettberg, 2019). The criminal and terrorist activity of the FARC shifted the discourse in Colombian society away from social justice narratives of peace and conflict towards liberal security narratives regarding armed groups and the populations they govern. Colombia supplies approximately 80% of the worlds cocaine (Saab & Taylor 2009). After the fall of the infamous Medellin and Cali drug cartels in the 1990s, the FARC and paramilitary groups were able to derive the majority of their revenues from criminal activities, including kidnapping, extortion, and the protection, production and trafficking of Andean grown narcotics (Saab & Taylor 2009). Crop-producing areas as well as the strategic corridors and ports have been under the control of the FARC and several smaller criminal organisations, all of them tied to international networks (Saab & Taylor, 2009). Saab and Taylor (2009) identify that the informal economy has had at least four effects on armed conflict: it funded the armed groups and the governance of their social support base 2) it broadened the rural inequality gap by aiding drug traffickers in the acquisition of land 3) it resulted in the forced displacement of peasant populations and 4) it promoted drug-related corruption and violence, which weakened the Colombian state. It also weakened the FARC guerrillas as drug-related incomes introduced divisions into their organisation and subverted their political aspirations in favour of neoliberal logics of profit-maximisation. The FARC

engagement in the drug trade deeply discredited their structural reform agenda. Negative public perceptions of the FARC increased as they moved from a rural base into urban areas through an urban bombing campaign during the 2002 Presidential elections[252].

The liberal security narrative, which is inherently racist, sexist and classist, justifies violent practices of dispossession and re-development in informal conflict areas of Colombia. With both paramilitaries and rebel groups seeking land for their activities, by the mid-1990s forced displacement and civilian targeting had reached its highest level (Meger and Sachseder 2019). To date over seven million rural inhabitants have been displaced by violence and conflict in Colombia (Conciliation Resources 2019). Feminist groups in Colombia have sought to expose the extent to which intersecting sexual, racialised and gender-based violence has been a feature in this armed conflict[253]. They emphasise that paramilitaries in particular have imposed a regime of sexual terror and a system of sexual exploitation[254]. Meger and Sachseder (2019) argue that the prevalence of paramilitary forces in Colombia help to construct the Colombian nation as rooted in a hyper-hetero-masculinity. This construct provides the basis for exclusion from full citizenship rights based on sexuality, gender and feminised identities. They write that 'Paramilitary violence simultaneuously operates to reconstruct hierarchical relations of inclusion/exclusion that sustain the neoliberal political-economy in Colombia based on gender and a feminised indigenous identity' (Meger and Sachseder 2019, p. 75), further entrenching liberal security narratives within public discourse. The three core conflict issues identified above – land, the informal economy and transitional justice for victims – were key negotiating items during the 2012-2016 peace process.

7.3 The 2012-2016 Peace Process

Over twenty state led efforts were made to bring the conflict between the FARC and the state to a halt since the conflict began in the 1960s (Conciliation Resources 2019). Some of these efforts were successful in demobilising the FARC for a short period in the 1980s. Other efforts failed because of a lack of political will, strong spoilers (within the military and recalcitrant rural

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252 Interview 65, July 2019, Civil society, Bogota

253 Interview 69, July 2019, Civil society, Bogota

254 Ibid

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elites) and the growing lure of the drug trade (Conciliation Resources 2019). The tide changed in the early 2000s when a US funded aid package aimed at curbing the drug trade substantially improved the offensive capacity of the Colombian military (Conciliation Resources, 2019). In addition, several experiences with leftist governments in Latin America seemed to demonstrate to the FARC that electoral democracy might be an acceptable avenue for change. This helped produce the conditions for credible talks which were launched in Cuba in 2012 (Conciliation Resources, 2019).

The bi-party talks in Havana between the Colombian state and the FARC were conducted without an official mediator so that the two conflict parties could control the process and the agenda[255]. Norway and Cuba merely played a 'facilitation' role in drafting agreement text and providing technical expertise. The government had learned from the failures of the previous involvement of the UN in the 1990s who had pushed a liberal peace agenda that excluded proper consideration of the land question[256]. The UN's role was limited to the design and selection of victim participation mechanisms[257]. The peace negotiations were designed to put an end to the armed conflict and produce the conditions for the substantive transformation of power dynamics in the country[258]. Both sides identified political marginalisation and lack of rural development as the core drivers of conflict that needed to be addressed (Conciliation Resources 2019). Learning lessons from shortcomings in previous negotiations in Colombia and elsewhere, both sides understood that deep structural political, economic and cultural change would not trickle down from the negotiating table (Conciliation Resources 2019). They agreed on the need to design a process that paid attention to the views of groups who were affected by the conflict[259]. The negotiating elites developed tightly controlled and sequenced design mechanisms to enhance the inclusion of social actors in the peace process (Mendes 2019).

The peace talks between the Colombian government and the FARC have become a global reference point for 'inclusive' peace process design[260]. The 2016 peace agreement is renowned

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255 Interview 64, July 2019, Government official, Bogota

256 Ibid

257 Ibid

258 Interview 62, July 2019, Government official, Bogota

259 Interview 74, July 2019, Government official, Bogota

260 Interview 75, July 2019, Government official, Bogota

for its unprecedented focus on issues of gender, victims, sexuality and land in the peace agreement, encompassing both class politics of redistribution and identity politics of recognition[261]. The direct participation of victims at the negotiating table and effective mechanisms for gender and civil society inclusion in the peace process are the two key features of the Colombian process that have been heralded as hallmarks of 'inclusivity'[262]. Amongst its final provisions the final agreement recognised the structural impact the armed conflict has had on women and on marginalised ethnic groups, namely Afro-Colombians and indigenous communities[263]. It stipulated a transversal approach to peace, including a focus on gender, family, and inter-generational dimensions as guiding principles[264]. To ensure the negotiations were 'inclusive' of all social actors in the Colombian state, the peace agreement was put to a plebiscite in 2016[265].

To the shock of liberal peace-makers who assumed the 'inclusivity' of the peace agreement would result in a socially legitimate peace because local social actors could claim ownership of it, the peace agreement was voted down by a margin of 55, 000 votes in a public referendum held in October 2016 (Mendes 2019). Rural and peripheral regions voted for the agreement and urban and central ones had mixed results, with major cities split (Mendes 2019). It was said the regions most affected by the conflict voted yes (Mendes 2019). The following sections attribute the referendum result to the structural power of the formal-informal binary over inclusive peace process design and the biopower of international inclusivity discourse that limits the contribution of social actors in peace processes to singular identity politics. As with the San Salvador case, inclusivity mechanisms ensured the agreement had legitimacy within the informal spaces under FARC or paramilitary control, but the consultations did not effectively engage formal populations outside areas labelled as conflict territories, resulting in backlash from excluded formal actors who invoke liberal security narratives[266]. It argues that the combination of the politics-crime binary and international inclusivity discourse did not allow a dynamic interchange between the liberal security discourse and the social justice

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261 Ibid

262 Interview 63, July 2019, Government official, Bogota

263 Ibid

264 Ibid

265 Ibid

266 Interview 62, July 2019, Government official, Bogota

narratives of marginalised actors that underpinned social understandings of the Colombian conflict. As a result, a democratic consensus was not formed around the social justice agenda imposed on the Colombian population by elites at the negotiating table.

7.4 The Territorial Peace

This section outlines the concept of 'territorial peace' that inadvertently ensured the Colombia negotiations would be structured along the lines of the formal-informal divide characteristic of neoliberal societies. In an effort to achieve social justice for marginalised conflict territories with a 'territorial peace', the liberal security narrative of formal actors that supports land dispossession in informal territories was excluded from the politics of peace processes. At the outset of negotiations, the state and the FARC agreed to frame the conflict not as a security issue but as a symptom of socio-economic, cultural and political exclusion[267]. The process treated the FARC as parties to an armed conflict with the state, dropping any liberal security reference to the 'political', 'criminal' or 'terrorist' labels that had been applied to the FARC by the state and the media over the course of conflict[268]. Legal frameworks for the liberal political inclusion of the FARC as a legitimate political party were already in place before negotiations began[269]. The FARC's organised crime businesses were treated as livelihood issues to be transformed over time[270]. Both the state and the FARC acknowledged responsibility for harm to civilians during the conflict and acknowledged the need to provide redress to victims[271]. Dispensing with structural narratives of inclusion/exclusion at the start of the process allowed the negotiations to focus on dismantling the structural inequalities that inform the neoliberal conflict zone by using social justice narratives of peace and conflict[272].

Central to the elite social justice narratives of the Colombian process was the concept of a *territorial peace,* which placed the core conflict issue of agrarian reform at the centre of the elite peace negotiations (Cairo et al 2018)*.* The concept of territorial peace was used to

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267 Interview 64, July 2019, Government official, Bogota

268 Ibid

269 Ibid

270 Ibid

271 Ibid

272 Ibid

recognise the spatiality of socio-economic inequalities and violence in Colombia and the material territorial appropriations that both promote and are a consequence of conflict in Colombia (Cairo et al 2018). The concept also connected material injustices with cultural injustices by acknowledging that indigenous and gender identities have been disproportionately affected by the absence of formal democratic governance in conflict territories (Conciliation Resources 2019). Sergio Jaramillo, High Commissioner for Peace in the Colombian government was the first to make reference to 'territorial peace' in a press conference in 2014:

'what I want to emphasise is that we have to take advantage of the moment of peace to align with the incentives and to develop the institutions in the territory that overtime will assert the rights of all equally. In order to move in that direction, the territorial approach must be complemented, first because the conflict has affected some territories more than others, and because that change will not be achieved if the efforts are not articulated and the population in those territories is not mobilised around peace'.

The definition points out the consolidation of the Colombian state as a necessary pre-requisite for a stable peace. The same notion is accepted by the FARC-EP negotiating team who said in a press conference in 2017: 'our concept of territorial peace, although it has particularities, responds to the idea of sustainable peace in the sense that the aim is to build peace from the regions'. This speaks to an acceptance of a rural-urban cleavage by which the conflict increased in the periphery of the country. A complementary vision can be found in the discourse of the police and the military regarding territorial peace. They understood the territorial peace as the return of the police to its traditional functions of public and citizen security in rural contexts affected by conflict (Cairo et al, 2018). The police commissioner said in a media interview in 2016:

'For the police territorial peace is simply the return to what we, in our conception, call citizen security…In this case, the return of the police to what has to do with the countryside, to the rural, to work with peasants, not only to generate security, not only to combat criminal phenomena that arise through or after a post-conflict, but also to accompany that peasant in everything that has to do with rural development.'

This restricted reading of territorial peace limits it to decentralisation and a handover of weapons by the guerrillas and the control of national territory by the police and the army. For the FARC the territorial peace is only the starting point for a much more complex and ambitious restructuring process that must integrate greater local political participation (Cairo et al 2018). One FARC negotiator indicated they intended the concept of territorial peace to encompass indigenous world views and sustainable relationships to land in Colombia:

'the concept of decentralisation is very important in the vision of peace that we had, because all this has to be consulted with the communities. The government cannot just impose its projects. It is necessary to talk to local authorities, municipal authorities, the community action committees, or the association of boards to articulate the PDETs, and in the case of the substitution of coca crops, alternative plans...Thus, in our vision, in our conceptualisation, territorial peace, in addition to the consonance of intercultural and interethnic exchange, is based on the exchange with mother earth, it is from that point that we introduced the concept of 'good living' which is a derivation of the Aymara and Quechua concept of *sumac kawsay*'.

As an explicit attempt to reassert the rights and socio-economic benefits of citizenship in informal conflict territories, both the restricted and more expansive discourse of territorial peace is the most innovative and ambitious inclusion mechanism of the Colombian process[273]. The ideas regarding the provision of rights, territorial control, citizen security, sustainability, decentralisation or even sumac kawsay encompass the political, economic and cultural aspects of Fraser's definition of social justice and allows for the possibility of reimagining the political boundaries of citizenship of the Colombian nation. It moves beyond inclusive mediation to promote peace as local resilience in informal spaces, to highlight the role of structural reform of the neoliberal state in promoting sustainable peace. As a result of territorial peace discourse, the final peace agreement contained a set of provisions to address state policies of territorial ordering during the agreement implementation phase[274]. Participatory mechanisms were set up to facilitate bottom-up drafting of rural development plans for land restitution and redistribution[275]. Despite these successes and innovations, the focus on conflict territories

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273 Interview 73, July 2019, Civil society, Colombia

274 Ibid

275 Ibid

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under the concept of territorial peace inadvertently maintained the formal/informal divide in public discourse by imposing a new elite vision of Colombian citizenship without consulting social and political actors in formal spaces[276]. The 'inclusive' design features did not democratise the question of inclusion in the aterritorial sense envisaged by Fraser because inclusion in the peace process as a social actor was tied to membership or representation of the conflict/informal territories identified by the territorial peace[277]. Once social actor selection for inclusion was made on the basis of formal/informal territorial boundaries, the biopower of the 'inclusive' design mechanisms in informal territories further constrained social input into the politics of the peace process to exclude issues of redistribution[278]. The following two sections outline the core binary inclusion/exclusions promoted by the spatial and discursive structures of inclusive peace process design adopted in the Colombia process that reduced the social legitimacy of the agreement. The first reflects Fraser's observations regarding the split between identity politics and class politics within contemporary social movements. The second is the artificial binary between the liberal security discourse of non-conflict formal areas and the 'inclusivity' discourse that was nurtured in informal conflict spaces.

7.5 Inclusivity: A Differential And Gender-based Approach

This section demonstrates that design features for the inclusion of social actors in the Colombian process structured their political input around international inclusivity narratives of peace and conflict. These narratives did not reflect the reality of broader inclusion debates in Colombian society, leading to the defeat of the peace accord in a public referendum. The Colombia Peace Accord stated in its Preamble that:

'Implementation of the Agreement will be governed by the recognition of equality and protection of the pluralism of Colombian Society, without any discrimination. Implementation will ensure the conditions for real and effective equality; and affirmative action will be taken

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276 Ibid

277 Ibid

278 Ibid

in favour of discriminated or marginalised groups, under a territorial, differential and gender-sensitive approach'.

Reflecting international inclusivity narratives, the gender-based approach was defined in the Implementation Provisions of the agreement as:

'Recognition of equal rights for men and women and the special circumstances of each person, especially those of women, regardless of their marital cycle, life cycle and family and community relationships, as enjoying rights and special constitutional protection. In particular, it implies the need to guarantee affirmative measures to promote that equality, active participation by women, and their organisations in peacebuilding and recognition of the victimisation of women as a result of the conflict. To guarantee true equality, it is necessary to put forward affirmative measures, which respond to the disproportionate impact which the armed conflict has had on women, in particular, sexual violence. Moreover, differential action must be taken to enable women to access the plans and programmes contained in this agreement on equal terms. Participation by women and their organisations and the equitable representation of women in the different areas of participation must be guaranteed.'

In accordance with inclusivity narrative of peace and conflict, the key features of inclusive process design in the Colombia process were the direct participation of victims at the negotiating table to ensure victim-centred transitional justice and effective mechanisms for capturing issues related to gender identities[279]. Between August and December 2014 five groups that were chosen by the UN to represent diverse forms of victimhood, travelled to Havana and met with the Peace Panels[280]. These were touch sessions with victims meeting face to face with some of the perpetrators of crimes against them[281]. Following significant pressure from women's organisations, on September 2014 the Colombian government and the FARC agreed to create a gender sub-commission tasked with reviewing all documents issued as part of the peace process and ensuring they contained gender-sensitive language and provisions (Conciliation Resources 2019). Between December 2014 and March 2015 the sub-commission invited three delegations from civil society organisations (comprising 18 in total) working on

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279 Interview 64, July 2019, Government official, Bogota

280 Ibid

281 Ibid

gender and sexuality issues. There were three formal consultation mechanisms with Colombia's civil society: an internet website; 6 UN forums on agenda items with thousands of participants; and two external experts chosen by the negotiating parties who had input on the negotiating items (Colombian government official, 2018). Phelan and True's research on the gender-based approach taken in the Colombia process highlights that gender was also mainstreamed across all components of the agreement, including land reform, rural development, transitional justice and political participation. They write that the 'final agreement maintained an explicitly formulated, gender mainstreaming approach that provided women's organisations in Colombia with an institutional and political frame for their demands'.

While the concept of territorial peace received a lot of attention, Koopman (2020) notes that the concept of a 'differential approach' was not well-defined in the agreement or media commentary by the conflict parties. The term was first used by a Dutch-Colombian feminist in a UNHCR report on Colombia which defined it then as 'taking into account gender, age and ethnic differences', given that displacement as different impacts on women, and Afro-Colombian and indigenous communities are over-represented amongst the displaced. Many more differences are identified throughout the Colombian peace accord, including children, adolescents, persons with disability, older adults and the LGBTI community. The section on drug consumption includes differences in socio-economic condition and geography whilst the section on the Truth Commission includes journalists, union leaders, entrepreneurs and ranchers. It was the first peace accord in the world to specifically address peace for LGBT people and support LGBT organising to that end, reflecting the specific targeting of the LGBT community during the Colombian conflict:

'LGBT people have been targeted in other conflicts, but in Colombia paramilitaries specifically used attacks on LGBT people as a means of establishing social control. When they first entered new areas, often the first people they would publicly torture and sometimes kill, would be local LGBT people, who villagers were less likely to defend. It served to legitimate their social control of an area, as it echoed local prejudice' (Koopman 2020, p. 4).

Koopman's (2020) research highlights that the primary issues with the differential and gender-based approaches of the Colombian agreement was their distinct lack of intersectionality.

Koopman (2020) links class, race and space in her intersectional analysis of the Colombian conflict:

'It is the racialised lowlands, which are often called the 'hotlands' that have been 'hot' zones for violence. the most racialised regions are also the poorest. Black and browner lives have mattered less to the state of Colombia. These communities are marginalised and have not received nearly the same investment in schools, clinics, roads and other forms of support for well-being and a dignified life. Both indigenous and Afro-Colombian people have collectively held lands that are coveted by investors tied to armed actors. Violence in these regions for decades received less media coverage. In part this is because these areas are rural and harder to reach (lack of infrastructure) but it is also because these deaths were naturalised' (p. 6).

However, the differential approach of the Colombian peace accord does not recognise the intersections between the singular social categories it identifies – the poor, women, indigenous people etc. It does not acknowledge that someone could be a woman, disabled and indigenous and that the challenges faced by them could only be addressed by acknowledging the multiple sites of marginalisation and exclusion. Phelan and True (2021) have argued there was a consensus amongst their interlocutors that the gender-based approach of the Colombian agreement also entailed addressing structural violence, although they admit this was not 'overtly stipulated' in the final agreement. Nevertheless, they write:

'the government, FARC and civil society tend to agree that there were underlying structural grievances exacerbating and constraining women's participation that needed to be overcome… observation(s) about the intersectionality of women's experiences of gender, socio-economic, ethnic and colonial oppression…(were) shared' (p. 20).

In an effort to paint the women, peace and security agenda and its achievements with regards to the Colombia agreement in a positive light, Phelan and True (2021) argue that the gender mainstreaming provisions of the agreement, common in any international development programming, signal firstly 1) there was cross-class consensus amongst women negotiating the agreement and 2) the agreement effectively addressed intersecting class and gender issues. The authors research lends more support to Koopman's (2020) conclusions regarding the lack of intersectionality in the Colombian agreement and its tendency to focus provisions on singular social identities. The authors research also supports long-standing critiques of gender

mainstreaming provisions in development programming more broadly, which some view have had the opposite to its intended effect – that of ghetto-ising gender issues by focusing too much on singular aspects of social identity.

The focus on criminal justice and women as victims of conflict obscured the class politics of marginalised actors that intersected with their gender politics of recognition. As a result, the links between agrarian reformism movements and the pro-peace women's coalitions who took part in the peace process were very weak (Zulver 2017). In contrast to the views of the international community regarding the success of the inclusivity mechanisms, indigenous and Afro-Colombian civil society groups interviewed by the author reported barriers to access to the dialogue and expressed dissatisfaction with the content of the political debate around justice issues[282]. The marginalised communities that these civil society groups represented understood the idea of justice to go far beyond the attribution of penal responsibility for harm to civilians during conflict[283]. For them the dynamics of conflict could not be separated from the social injustices that caused it. A victims representative told a group of Colombian researchers (Mendes et al 2020, p. 339) :

'they have proposed incarceration (of the FARC) and what do we gain from it? Nothing happens, this is not important, this will not make the country better. We need projects to end poverty and inequality'.

Another civil society representative indicated that those who occupied different positions in Colombian society had different interpretations of the idea of peace and justice and only elite social movements with extensive donor funding were able to make themselves heard during the peace process[284].

Reflecting on the outcome of the agreement, a number of mediators interviewed said the inclusivity mechanisms and the transitional justice framework, which focused on gender and victims, did not lay the foundation for a post-conflict social justice of redistribution political agenda[285]. Land reform was placed on the negotiating agenda because of the left-wing politics

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282 Interviews 65, 68, 73, July 2019, Civil society, Bogota

283 Ibid

284 Interview 65, July 2019, Civil society, Bogota

285 Interviews 62, 63, 64, July 2019, Civil society, Bogota

of the FARC, not because peace process design promoted and facilitated class politics[286]. As a result of the prioritisation of identity politics in inclusive process design, the land redistribution aspect of the peace agreement remains largely unimplemented[287]. Given that the Colombia process is viewed as a model of 'inclusivity', it appears 'inclusive' peace process design reflects the bias identified by Fraser in global resistant politics towards the identity politics of recognition. The sequencing of peace in Colombia, where-by land issues and the territorial peace can only be politicised once other areas of security and socio-political issues are managed reproduces the intersecting classist, gendered and racialised hierarchies of inclusion/exclusion that sustain the violence of the Colombian political-economy. By criminalising the FARC only and by excluding the class politics of social actors, the violence and dispossession perpetrated by paramilitaries persists unabated in rural areas. The following section shows that the combined exclusion of the social justice and liberal security narratives of social actors in peace processes dominated by the inclusivity narrative has allowed the relationship between militarism, neoliberalism and the persecution of marginalised actors to flourish in post-peace agreement Colombia.

According to the neat linear logic of liberal peace intervention, consensus around the ideas of social justice in the peace agreement was to be achieved through a carefully managed and sequenced set of inclusive design mechanisms (Mendes et al 2020). However, what Mendes et al (2020) calls the 'monitoring rationality' of inclusive designs creates significant 'blind spots' in the way liberal peace-makers view the success of an unfolding peace process. In the Colombia case, elites did not recognise the divergence between elite discourses regarding the territorial peace at the negotiating table and the much narrower discourse structured by international inclusivity discourse regarding social actors.

7.6 Liberal Security Narratives

While the liberal security narratives in the three other peace processes considered in this thesis were targeted at groups who identified with the Islamic religion or criminal actors, the liberal security narratives that emerged during the referendum campaign in Colombia had a distinctly

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286 Ibid
287 Ibid

gendered dimension. The focus on demonising the gendered excluded 'Other' was a response to the prominence of gender issues in the peace agreement (Conciliation Resources 2019). It was also related to the historical association between what is known within Colombian society as 'gender ideology' and a variety of social ills affecting the country including a neo-colonial assault on the Catholic Church and the family unit by the UN (Beltran & Creely, 2018). Religious elites in Colombia have long used the generally neutral, academic term of gender ideology to oppose progressive policies regarding women's rights and homosexuality without using openly offensive sexist or homophobic language (Beltran & Creely, 2018). During the referendum campaign religious elites and conservative political elites employed the term to spread moral panic about the impact of the peace agreement on Colombian society[288]. The agreement was dubbed to be polluted with gender ideology[289]. The coalition against the peace agreement wrote to the President of Colombia complaining about the emphasis on gender. A letter from representatives of the Evangelical Confederation of Colombia said:

'the term was used subtly and intentionally as a tool by means of which the Colombian institutional framework and the idiosyncrasy is being modified, thereby distorting the original intention of the defence and promotion of women's rights, putting the institution of the family at risk' (Beltran & Creely 2018).

Gender ideology also allowed a number of disparate actors who express social justice discourse to be lumped together in expressions of social discontent (Beltran & Creely 2018). It presented atheists, communists, homosexuals, feminists and supporters of the peace process as equivalent and as enemies of the state. Beltran and Creely (2018) write that:

'the success of the 'no' vote was possible due to the convergence of several sectors of society, particularly between the political right and a social movement, which inspired by religious values, opposed the recognition of LGBTI rights and the use of the term 'gender' in the agreements'.

The 'no' campaign drew on classism, racism and heteropatriarchy to divide Colombia into an 'us' and 'them', creating an inferior, degenerate and dangerous 'Other' along intersecting

288 Interview 68, July 2019, Civil society, Bogota

289 Ibid

racial, class and gender lines. Koopman argues that the lack of intersectionality in the peace agreement itself is partly to blame for the no vote, allowing classism, racism, and heteropatriarchy to prop each other up across space.

The referendum results were widely interpreted in terms of the conflict-non-conflict territory binary created by the term territorial peace (Conciliation Resources 2019). Referendum voting was said to adhere to these spatial boundaries of inclusion and exclusion created during the campaign. The urban areas with class and privilege voted to protect those privileges in the referendum. One international peace mediator reflecting on the referendum wrote:

'It was people less affected by the conflict who had the luxury to vote based on their fear that the accords would impose a particular gender ideology than vote for peace so that their kids would not have to worry about land mines on the way to school – more afraid of homosexuality than they were of war' (Conciliation Resources 2019).

However, Cairo et al (2018) points out that the socio-spatial element of the armed conflict goes far beyond the territorial focus raised by elites in Havana in a number of ways. Firstly, the causes and effects of armed conflict have seeped into urban areas. The forced displacement of populations has been an important growth factor for urban populations in Colombia. Secondly, urban militias and the FARC have connected what was once rural conflict with spaces of the city. Despite the increasingly urban nature of the conflict, the peace agreement does not propose any measures to deal with urban spaces or to rethink urban-rural relations. Thirdly, the global economy has started to diversify patterns of land ownership in so-called conflict territories. A feminist activist interviewed by the author saw the referendum results as a protest by urban areas against their exclusion from the politics of the peace processes[290]. Echoing observations about the urban environment on discourses of fear and heightened perceptions of the threat of conflict from violent non-state actors in the San Salvador case, she said:

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290 Interview 70, July 2019, Urban resident, Bogota

'these are cities that have seen levels of violence steadily increase and lived in fear of FARC bombing campaigns…the peace process made no effort to hear their concerns…it was not as simple as telling them how the new Colombia would be'[291].

The referendum highlighted the profound disagreements within Colombian urban society in relation to FARC political participation and non-punitive sentences for commanders which still mark everyday political debate in the country[292]. Urban populations had come to view the FARC not as political actors but as criminals or terrorists[293]. The simplistic notion that those from conflict areas generally supported the peace process also failed to acknowledge those working in the constructions, resources, trade, transportation and services sector who relied on investment opportunities in conflict territories (Cairo et al 2018). The peace agreement did not merely pit oligarchs against peasants, but also threatened the livelihoods of workers and new smaller landowners (Cairo et al 2018). The agreement proposed a state-managed Land Fund that would purchase millions of hectares of land used by small enterprises. As Cairo et al (2018) says, opposition to the referendum therefore cannot be viewed merely in terms of class struggle but also in terms of the networked global economy that operates in Colombia. This more nuanced reading of the 'no' vote suggests that peace in Colombia requires a departure from a hyper-territorialised view of the conflict. As Fraser's theory suggests, the globalised world demands the democratisation and deterritorialization of questions of inclusion in order to combat the meta political misrepresentation that occurs when elites delineate the boundaries of the 'political' in territorial terms. In the Colombia case, the elites confined the politics of the peace process to artificially defined informal conflict territories, leaving the interplay between liberal security and social justice discourse to the excluded social sphere. The shortcomings of the inclusive peace process design have had disastrous consequences for the pursuit of a socially just peace. The discourse of inclusion/exclusion that gained traction during the referendum campaign has cemented hyper-masculine and racialised Colombian imaginaries of citizenship (Meger and Sachsaner 2019). In accordance with the discourse of hyper-punitiveness that follows campaigns of discourses of fear, the dangerous excluded Other, defined in terms of intersecting gender, race and class identities, has become a threat

291 Ibid

292 Ibid

293 Ibid

to the Colombian citizen who must be punished with dispossession and death. Since the peace agreement, there has been a rise in assassinations of indigenous female activists in urban areas who, displaced from rural by paramilitaries, have been vocal in seeking to protect their lands from mining operations[294]. There is also an increase in domestic violence in cities as ex-combatants lose the prestige associated with 'fighter' identities and attempt to retain their masculinity by 'fighting' women (Meger and Sachsaner 2019). The emphasis on the international inclusivity narrative during the peace process did not change toxic patterns of masculinity or enhance the political participation of marginalised women. It merely made them more vulnerable.

7.7 Conclusion

The negotiating parties adjusted the peace agreement after the failed referendum. It saw greater material and judicial responsibility for the FARC, less prominence of so-called gender ideology and a boosting of state security in informal conflict areas. The negotiators had the best of intentions in emphasising the political marginalisation and socio-economic inequalities in conflict territories. However, it was the concept of territorial peace, the reliance on the international interpretation of inclusivity and the inclusion strategies focused on rebel held areas that maintained rather than challenged the spatial and discursive structures of inclusion/exclusion that underpin patterns of dispossession in the neoliberal political economy. Conflict issues are linked to the deep entrenchment of formal and informal institutions in Colombia. The referendum was an attempt at a multi-scalar approach to the question of inclusion that invited debate amongst both formal and informal spaces in Colombia about the nature of Colombian citizenship. However, the de-territorialised approach to inclusion came too late in the process, with the agreement formed without the meaningful input of key social actors and groups.

The Colombia case illustrates that biggest stumbling block to a more emancipatory approach to inclusive peace process design may be the persistence of a territorial view of the 'political' and of peace-making space, which splits peace process design in accordance with boundaries of formal and informal governance. A normative basis to inclusive peace process design that

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294 Interview 72, July 2019, Urban resident, Bogota

can accommodate marginality and class politics is not enough for a socially legitimate and effective peace process in the neoliberal era. The liberal security discourse that produces conflict- non-conflict and formal-informal divides must be engaged in a process that fully democratises question of post-conflict political citizenship. Furthermore, the Colombia case showed that international interpretations of inclusivity is problematic and harmful to the pursuit of a locally-owned process. The Colombia negotiators went to enormous lengths to keep international influence at bay because they wanted to enable Colombian discourses of conflict and peace. The international involvement in the design of inclusive mechanisms diluted the emancipatory politics of the peace process at the stage of inclusion of social actors, when a social justice approach to inclusivity might have stimulated momentum around the negotiating agenda. Nevertheless, the Colombian case shows the merits of multi-scalar and intersectional inclusive peace process design to achieve political, not merely social, inclusion of marginalised actors. It demonstrates that the transformation of the political-economy of conflict requires leadership from state and elite armed actors, and cannot be achieved through the resilience of local actors alone.

Chapter Eight: Conclusion

8.1 Introduction

The core research question of this dissertation considered how the neoliberal global order has shaped contemporary intra-state conflict dynamics and the international peace-making architecture. It answered this question by placing both peace-making and contemporary conflict dynamics within the macro political-economic structures of a neoliberal global order. Drawing on recent Marxist literature on the role of European neoliberals from the 1940s onwards in shaping current international law and institutions, it highlights the core feature of this international order as an artificial split between state political boundaries and the transnational economic sphere. Chapter Two illustrated how this political-economic structure translated into violent forms of shared formal (state political)-informal (transnational economic) governance in neoliberal societies. It then argued that peace-making preserves these structural conditions for conflict by creating two distinct spheres of mediation along the lines of formal and informal governance in neoliberal societies, making it a core part of the neoliberal global order.

In order to understand how the macro-structures of neoliberal peace-making – international human rights law and the security-development nexus – work to shape the political preferences of actors in individual peace processes, Chapter Three used the work of Michel Foucault to develop a theoretical framework to understand contemporary peace-making as a part of the biopolitical capacity of the neoliberal global order to preserve itself by controlling the behaviour and politics of populations through discourses of inclusion/exclusion. The framework is used throughout the thesis to illustrate that the four peace and conflict narratives produced and legitimised by the biopolitical tools of international peace-making serve to criminalise, depoliticise or exclude the resistant social justice discourse that has emerged in conflict societies in response to the discourse of inclusion/exclusion. It therefore attributes the present feeling of inertia within the peace-making profession to the co-option of peace-making by the neoliberal global order, where its function is to maintain the status quo of formal and

informal governance by reinforcing logics of inclusion/exclusion rather than harness the power of social justice discourse to transform it.

The thesis also used the theoretical framework to address the two sub-research questions of the dissertation, concerning the adequacy of the current normative basis of peace-making and the impact of the concept of inclusive peace process design on peace-making practice. It demonstrated that the norm of the right to political participation in democratic governance that inspired the liberal peace of the 1990s now structures two of the peace and conflict narratives – liberal political inclusion and inclusivity – to restrict the scope of politics so that the class politics of the social sphere cannot infiltrate peace processes. As a result, the current normative basis of peace-making is a barrier to transformative change in the neoliberal era. The dissertation also highlights inclusive peace process design – which manifests in the peace and conflict narratives of inclusivity and resilience – as the key method of extending the biopolitical reach of peace-making to the social populations most affected by conflict that stems from neoliberal governance. It argues that inclusive peace process design is currently implemented in accordance with culturalist understandings of a split between the formal political sphere and a discrete 'local' illiberal social sphere that is resistant to liberal representational theory. This interpretation dovetails with the overarching spatial and discursive structures of inclusion/exclusion that underpin both neoliberal conflict societies and the design of international peace-making interventions. It fragments peace-making practice into discrete formal and informal spaces based on the artificial boundaries of formal and informal governance in neoliberal societies. The international inclusivity discourse limits the political contribution of social actors in formal peace processes to claims for equality of political participation and criminal justice for singular social identities, including gender identities. The class politics of 'local' marginalised actors is depoliticised under the resilience narratives of peace and conflict that guide 'inclusive' mediator engagement with the informal sphere. Local resilience mediation aims to ameliorate the effects of inclusion/exclusion discourse on marginalised communities giving them the skills, behavioural traits and values to adapt peacefully to the neoliberal political economy, but does not give them access to the formal political sphere to make social justice demands on the state. The case studies show that 'inclusive' resilience interventions at the level of the community and the individual have become the most prominent means of addressing the fragmented and localised neoliberal

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conflict environment. As a consequence, peace-making is likely to be increasingly associated with resilience unless an alternative normative basis for inclusive peace process design is found. The pessimism of the international peace-making profession regarding the role of peace mediation can also be attributed to the rise of resilience, which undermines transformative politics and ensures that peace-makers can only hope to 'patch-up' the neoliberal conflict zone.

The dissertation has drawn on Nancy Fraser's tripartite theory of justice to propose an alternative interpretation of inclusive peace process design based on norms of social justice and a concept of the 'political' that is not tied to the artificial territorial boundaries of informal and formal governance. Fraser's theory adopts a political-economy reading of the norm of political participation, highlighting that access to the formal political arena of social justice claim-making is based on class as well as identity. This directly addresses and overcomes the spatial and discursive logics of inclusion/exclusion by placing marginalised actors back in the sphere of formal political representation. Fraser argues that political misrepresentation can be managed by democratising and de-territorialising the setting of the boundaries of the 'political' in neoliberal societies, which allows debate between the liberal security and social justice discourse of social actors regarding the limits of political citizenship. This dissertation has argued that an intersectional and multi-scalar approach to inclusive peace process design, that aims of capture and address the politics of inclusion/exclusion that drives the neoliberal conflict zone, has the potential to revitalise the transformative function of peace-making.
These arguments were made with reference to four case study peace processes – Myanmar, Mali, San Salvador and Colombia. For the remainder of the conclusion I will tie the analysis regarding the macro and micro structures of neoliberalism that shape the politics of peace-making together, in order to raise some issues and recommendations for the future of peace and conflict studies.

8.2 The Politics of European Peace-making: Liberal Democracy and Illiberal Elites

This thesis placed peace-making within a neoliberal global order that was designed primarily by Europeans to maintain European economic access to their former colonies and to stifle the politics of social justice amongst an increasingly enfranchised working class. It highlighted our current dominant understanding 'peace' – as tied to the neoliberal split between liberal state politics and a transnational economy regulated by international law – as a European construction that has persisted because it has supported both European and American hegemony in the post-Cold War era. Framing peace and conflict practice and scholarship as something developed by and for Europeans helped the author think through bewildering aspects of the peace and conflict studies literature encountered during the course of research in the European context and highlight suggestions for not only its improvement but also for what a peace and conflict studies decentred away from Europe and the international organisations that serve European interests might look like.

The thesis identifies two key features of the post-imperial neoliberal global order that have had a determinate impact on the kind of post-conflict politics that is shaped by peace-making. These features also reflect the European colonial origins of the international peace-making architecture. The first is the normative basis of peace-making in the liberal democratic norms contained in international human rights law. This normative basis of peace-making has been largely unquestioned by European-based scholars and policy-makers, with most opting to work within the liberal democratic frame, even though the author would guess that many of those scholars would have a commitment to social democratic principles and politics within their home countries in the global North. The result has been a plethora of political science scholarship on political power-sharing, rebel governance, post-conflict elections and post-conflict political parties. That peace in Europe is so unquestioningly linked to liberal democracy and liberal state-building ignores the social and political context in many parts of the world. The Indo-Pacific achieves peace by adhering to a strict policy of non-interference in the state political systems of the region. There are many in post-conflict societies who struggle for social justice, social democracies or even socialist utopias. As many conflict societies are now democracies in form, the class politics that drives tension in the neoliberal global order warrants more attention. European peace and conflict studies, as part of a neoliberal global order, remains tone deaf to the social politics of the societies and regions it studies and supports the neoliberal division between state politics and the transnational economy.

That European peace and conflict studies has difficulty acknowledging the 'liberal' politics already in existence in conflict and post-conflict societies is connected to the dominant framing of the 'local' as 'not liberal' in terms of cultural values. This again reflects the colonial origins of the international/European peace-making architecture. Robinson's theory of race capitalism highlights that European capitalist expansion from the 17thC was based on Europe's ability to differentiate and exclude on the basis of racial 'difference'. This thesis has illustrated how colonial categories of racial difference promote contemporary conflict and are also reinforced by post-conflict liberal state-building. It also argued that 'local' peace-making is based on the assumption that anyone that is racially different to Europeans is 'not liberal' and therefore cannot be expected to participate in a liberal politics of representation without help or accommodation through concepts of post-liberal peace, formal political unsettlement etc. The thesis shows that class status is an under-appreciated and hidden aspect of the assumptions regarding the 'local', with 'not liberal' increasingly also meaning a lower class or rural status. The two assumptions of European peace and conflict studies – the relationship between liberal democracy and peace as well as illiberal 'locals' (conveniently located in transnational economic spaces) helps maintain the political-economic structures of the neoliberal global order. Possibly because the author is from a region that is on the other side of the world to the colonial metropoles, and a country next door to the largest Islamic country in the world, that contrary to any culturalist clash of civilisations/Asian values arguments, is also an established democracy with a strong tradition of socialist politics, these two assumptions were difficult to agree with. Instead, the thesis drew on core concepts and assumptions from development studies regarding the security-development nexus to connect the macro-features of the neoliberal global order with the micropolitics of conflict and peace in neoliberal societies. By focusing on the rise of the security apparatus in state and international institutions as the driver of neoliberal conflict and international responses to it, the thesis represents a major departure from the themes of European peace and conflict studies.

8.3 The Politics of Neoliberal Conflict: Security and Social Justice

The emphasis on security, rather than democratisation or local illiberal values, stemmed from the core thesis assumption – that peace-making works to support a neoliberal global order. Both the post-structuralist and Marxist understandings of neoliberalism outlined in this thesis

highlighted security as the core features of neoliberal societies. For Marxists, the expansion of the state and international security apparatus in the neoliberal global order has occurred to manage the violent socio-economic consequences of the inequality and informality promoted by neoliberalism and is therefore targeted directly at cultural communities with a low socio-economic status. For post-structuralists, the security discourse of inclusion/exclusion promotes individual behaviours that accord with neoliberal values, displacing democratic politics with a governing market rationality. Contrary to neoliberal peace theory, this thesis demonstrated that the connection between neoliberalism and security has promoted new forms of fragmented, localised and protracted violence in the informal spaces of the transnational economy. This thesis argued that peace-making preserves the structural conditions for neoliberal conflict by absorbing the key policy prescriptions that uphold the neoliberal global order – international human rights law, security and resilience. It used Foucault's concept of biopolitics to show that these policy prescriptions act on individual peace processes to create two distinct spaces of mediation – one for the formal state political sphere of neoliberal governance and the other for the informal transnational economic sphere of governance. By highlighting the spatial structures of two distinct forms of mediation – one political and one not -- it departs from Foucaultian understandings of neoliberalism as the eradication of politics. The thesis argues that formal peace processes aim to create or maintain a particular kind of liberal politics in post-conflict societies, that leaves informal spaces in tact. Just as liberal politics has not disappeared, the politics of neoliberal *societies* (not the 'local') persists and challenges the enforced politics of peace processes. Resistance to peace processes is most definitely not 'local' but rather invokes the global politics of social justice that has developed to highlight the injustices associated with the transnational economy. The thesis framed neoliberal conflict and resistance result from the interplay between liberal security and social justice discourse.

In Myanmar and Colombia, the informal economy reconfigured the systems of graduated sovereignty that were responsible for over sixty years of traditional civil war in each country. In Myanmar, many rebel group leaders abandoned their territo-political power-sharing goals for economic power-sharing deals with the state over the informal economy. Adopting neoliberal logics of profit-maximisation, individualism and entrepreneurship, elite rebels gave permission for state-led development projects in their territories in return for state protection

of their informal economic activities. As a result, a plethora of state-sanctioned militia and formal military actors have flooded the borderlands, producing conflict that is no longer a bi-party clash of the military power of rebel groups and the state. It is instead an everyday, protracted form of violence against marginalised civilians based on militarised neoliberal governance practices of inclusion/exclusion, in which both the state and rebel groups are complicit. The identity-based logic of inclusion/exclusion that underpins Myanmar's system of graduated sovereignty still drives state violence but it has taken on more of a gendered dimension, with women particularly vulnerable to the violence and economic insecurity promoted by land dispossession for development projects and the informal economy. The political demands of armed groups have been replaced by the social justice discourse of marginalised actors seeking land security and protection from state and non-state violence, making the Panglong peace process targeted at political power-sharing much less relevant to the reality of conflict in Myanmar. The grand clash of civilisations narrative that drives the neoliberal global order has also produced new boundaries of inclusion/exclusion that cross the ethno-territorial divisions created in colonial Myanmar. Anxiety surrounding the Islamic Other was manipulated by religious elites to incite Buddhist on Muslim communal violence across the country.

The case of Colombia similarly involved a Cold War era rebel group – the FARC – who became ensconced within the informal drug economy. The FARC rebellion has always been based on a Marxist social justice platform of rural land redistribution reform. They have fought against the inequitable concentration of land ownership in the hands of elites as well as the dispossession of peasants for commercial development projects. With their increasing reliance on the informal economy, FARC rebels began to exhibit some neoliberal logics of inclusion/exclusion by displacing peasants in the interests of their economic activities. The FARC's criminal activities reduced the legitimacy of their social justice agenda and provoked a strong liberal security discourse against them. The informal economy attracted a plethora unconventional violent non-state actors and the state and conservative elites deployed militia to undermine the FARC's criminal activities and take land for commercial development. In a pattern that mirrored Myanmar in some respects, the Colombia conflict had morphed from a rebel guerrilla war on the state to a fragmented, violent form of everyday neoliberal governance that had a devastating impact on civilians. In Myanmar, identity-based exclusions were focused on an

Islamic Other. Religious actors were intricately involved in manipulating the liberal security narrative in Colombia too. In Colombia, the Catholic Church and the military constructed the Colombian identity in terms of a hyper-hetero masculinity and in opposition to a gendered, racialised, criminal, Communist Other. As a result, female activists invoking a social justice discourse in protest against the dispossession of their lands are particularly vulnerable to gender-based violence. Urban-rural migration, the emergence of small land-owners in FARC held territories, and the 'terrorist' activities of the FARC in Colombian cities have also, like the Myanmar case, reduced the relevance of the territorial dimensions of the civil war. The interplay of liberal security and social justice discourse promotes violence in cities as well as the countryside. Small rural landowners and new unconventional violent non-state actors also cut across the traditional rural/urban, peasant/oligarch divisions in Colombia.

In Mali, the informal economy has always funded the Tuareg ethno-nationalist rebellion against the state and the governance of Northern communities neglected by the state. Cold War era and immediate post- Cold War era Tuareg uprisings aimed for a share in democratic state governance of Mali. Competition between new armed groups and traditional local elites over control of the Northern drug-trafficking routes have reduced the relevance of liberal political narratives of a bi-party conflict based on the grievances of ethnic Tuareg against a black African government. Fighting now predominantly coheres around control of the security apparatus as a means to control the drug-trafficking trade, with these hidden criminal agendas undermining the Bamako peace process. The subaltern slave class of Fulani nomads of Central Mali have traditionally been left out of conflict narratives, given their erasure from colonial and post-colonial imaginaries of Malian citizenship. However, the Fulani alliance with global Islamist groups and the framing of their demands for social justice within a global Islamist discourse has also changed the character of the Mali conflict and the nature of the international peace-making response. Discourses of fear have emerged in response to the Fulani social justice discourse, prompting self-securing state and quasi-state neoliberal subjects to violently massacre and dispossess the Fulani as a matter of neoliberal survival. Again, the neoliberal conflict zone in Mali is less a direct civil war with the state and more a conglomeration of violent, localised patterns of neoliberal governance by state, quasi-state and an array of violent non-state actors. In 2012, the violent non-state actors formed a rare

alliance to overthrow the state, but have since returned to the status quo of shared formal and informal governance.

In San Salvador, the neoliberal logics of economic deregulation and welfare state devolution created conditions conducive to gang formation in the city. While the other three cases contain elements of civil war era conflict to distract from violent patterns of neoliberal governance, the San Salvador case can only be viewed as an example of the protracted, everyday violence of neoliberalism that does not fit neatly into the war/peace binary imagined by the liberal peace. The gangs have no interest in a formal share of state power, but have emerged as a governance response to state neglect, providing welfare, security and a sense of belonging. They have adopted a loose discourse around their rights of citizenship, but are not a cohesive social or political armed movement. The San Salvadoran state employs liberal security discourse to criminalise the gangs and justify their continued social exclusion as well as state violence against them. As with the other three cases, religious elites play a key role in the dissemination of the liberal security narrative.

Conflict in each case stemmed from the politics of inclusion/exclusion that circulates through society, producing artificial spaces of formal and informal governance, suggesting that the aim of peace-making in the neoliberal era should be to transform neoliberal security logics. Social actors play a key role in the production of both dominant liberal security and resistant social justice discourses. Because ethno-religious identity is the political organising feature of the neoliberal global order, religious actors feature prominently in the legitimation of the liberal security narrative that sustains it. Just as the military strength and grievances of armed groups once drove resistance to authoritarian governments, it is now predominantly social actors who engage in resistance to the biopower of inclusion/exclusion discourse. As conflict in the neoliberal era is a product of the biopower of discourse of entire conflict populations, rather than an armed groups military challenge to sovereign power, the object of peace-making necessarily shifted from the design of state institutions to the control of the behaviour and attitudes of conflict populations. The following sections outline the biopolitical tools used to engage the conflict societies considered in this thesis, drawing on empirical evidence to show that peace-making was an instrument of the dominant discourse in each case, rather than a

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catalyst for resistance. It pays particular attention to how 'inclusivity' was interpreted and implemented in each case, as it is the primary means of engaging social actors.

8.4 Peace as Resilience

This section outlines how the biopolitical tools of peace-making – the four legitimate peace and conflict narratives – operated to demobilise the resistant social justice politics of the social sphere and disable contestation of the boundaries of political citizenship in each of the peace processes considered. In Myanmar, the liberal political narrative – structured by governmental practices of ethno-territoriality, the norm of political participation and realist armed group conflict analysis – excluded social actors altogether by limiting the politics of the peace process to the armed group expression of affiliation with an ethno-territorial identity. Issues of land insecurity, identity division, and gender-based violence that stem from neoliberal governance were all relegated to 'inclusive' local resilience mediation. Because the liberal political narrative, which is strongly associated with the liberal peace of the 1990s, was irrelevant to reality of shared formal and informal governance in Myanmar, the Panglong peace process served merely to barricade public space from the politics of marginalised actors. In Mali, the liberal security narrative – structured by identity-based discourses of fear, the norm of legality and armed group security classifications – criminalised and excluded the social justice discourse of marginalised actors because it was couched by the Fulani in terms of a global Islamist struggle. The criminalisation of the violent consequences of state neglect in Central Mali justified their persecution and the dispossession of their lands by the self-securing neoliberal subjects produced by the peace process. Local resilience narratives supported the liberal security narrative by managing fragmented identity and crime-based conflict at the local level. In San Salvador, the resilience narrative sought to achieve peace defined as the social inclusion of the previously securitised gangs by turning them into healthy, productive, individualistic neoliberal subjects. The gang truce focused on providing gang members with skills and livelihood training so they could exhibit more peaceful adaptations to the neoliberal status quo. The local resilience mediation took place within a discrete bounded sphere of informal gang governance, without input or access to state structures. Resilience narratives therefore worked to protect the neoliberal political-economy from class struggle by depoliticising or cutting the gangs and their allies off from the formal political sphere of social

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justice claim making. Resilience narratives of peace and conflict emerged in Myanmar, Mali and San Salvador as a key adaptation of the peace-making architecture to the fragmentation and localisation of conflict produced by neoliberal logics. It is particularly well suited to the dynamics neoliberal conflict zone because it works at the direct biopolitical level of local and individual behavioural change. Furthermore, the emphasis of the narrative on local ownership and participation obscures the role of the international intervener in the production of depoliticised neoliberal subjects, making it appear as if 'local' actors are finally agents of their own social change. As discussed above, given the prominence of resilience mediation in responding to the realities of neoliberal conflict, including identity, criminal governance and land insecurity, the trend across these three cases is that peace-making is increasingly associated with social inclusion and local resilience. The Colombian case diverged from the trend towards the depoliticization and social inclusion, with negotiators seeking the political inclusion of marginalised actors and their class politics. However, the international discourse on inclusivity, which is based on the international norm of political participation that only recognises identity, not class-based, barriers to formal politics, limited the politics of social actors in the peace process to expressions of affiliation with a singular social identity. The inclusive design mechanisms structured discourse around gender equality and criminal justice for victims at the expense of the issues of land insecurity and redistribution that concerned both the negotiators and marginalised actors in conflict territories. The key bio-political tools to preserve the neoliberal status quo across the cases are: 1) the norm of political participation which limits the scope of politics, 2) a culturalist understanding of an illiberal local sphere which permits discrete resilience mediation in the informal sphere and 3) the fundamental structuring effect of inclusion/exclusion discourse over peace process design which ties peace-making practice to artificial constructions of formal and informal governance. The following section summarises the consequences of the dismantling of the politics of inclusion/exclusion of neoliberal societies in each case. The demobilisation of social justice discourse allowed the liberal security narrative to dominate and undermine or overshadow the peace processes.

8.5 Inclusive peace process design

The case studies reveal weaknesses in the current engagement with social actors through the concept of 'inclusive' peace process design. In San Salvador and Colombia, the 'inclusive'

mechanisms only engaged social actors within discrete informal conflict territories. Given the exclusion of the liberal security narratives of the formal parts of the conflict societies and the demobilisation of social justice discourse under resilience and international inclusivity narratives respectively, dominant liberal security understandings of the conflict were left unchallenged and allowed to undermine the peace processes. In San Salvador, the government withdrew support for the truce and in Colombia the public voted against the first peace agreement with the FARC. The 'spoiling' of both peace processes occurred after concerted media campaigns by social actors invoking the liberal security narrative. In Mali and Myanmar, where politics of formal peace processes was intimately tied to ethno-territorial boundaries, international inclusivity discourse became synonymous with the right of ethno-religious armed groups to political participation. With the demobilisation of social justice under resilience narratives and restriction of politics to identity politics, the politics of inclusion/exclusion was left to play out in the social sphere. In Myanmar it was the liberal security clash of civilisations discourse against Islamic communities that overshadowed the liberal peace process. In Mali, it was the social justice discourse of social actors that undermined the peace. The cases show that neoliberal peace-making lacks legitimacy because it attempts to impose political boundaries in societies where the politics of inclusion/exclusion not only shapes conflict but is constantly contested in the public sphere. A multi-scalar and intersectional approach to inclusive peace process design, based on a political-economy reading of the norm of political participation and a de-territorialised view of the political, is required to capture public debate regarding the boundaries of political citizenship.

8.6 Future Directions for Peace and Conflict Studies: Critical Cosmopolitanism

The above sections have argued that peace-making needs to find a way to address conflict that is increasingly transnational in nature by engaging with global social justice discourse. The final part of this thesis highlights the excellent work being developed in the field of peace education within the framework of 'critical cosmopolitanism', which is starting to allow critical engagement with transnational discourse on social justice at the local level, connecting conflict societies to the broader politics of resistance in the neoliberal global order (Golding 2017). Unlike the cosmopolitanism that has informed use of force and humanitarian intervention

doctrines, peace educators work with conflict societies themselves to explore and articulate understandings of the universal norm of social justice (Cremin 2015). It is therefore described as cosmopolitanism from below, rather than above. The borderless cosmopolitanism of peace education encourages comparative dialogue and local meaning-making to decolonise the top-down Western centric knowledge production that typifies traditional peace-making. It focuses on realisation-focused justice informed by Sen and Nussbaum's capabilities approach, which defines social justice as equal access to functionings ('doings and beings') required to lead a fulfilling life. Each individual retains the agency to define for themselves which functionings are achievements significant for their life to be fulfilling. It is not necessary to reach a universal agreement on what fulfilment is. The capabilities approach to justice accounts for both the individual freedom to define for oneself what liberation entails and for the cultural autonomy to define what human functionings are most valuable and fundamental. It is realisation-focused in that justice is evaluated in terms of what is realised in actual lived experience instead of institutionalised ideals. Rather than being prescriptive or universalist, critical peace education therefore gives space for dialogical understandings of contentious concepts like peace and justice. Furthermore, it develops a critical consciousness of the multiple forms of violence present in the lives of participants. Theories of violence and oppression are not imposed from outside sources but are instead developed by the participants themselves as part of a living praxis. The process is designed to give participants the tools to pursue social and political action themselves against the forms of structural violence first articulated by Galtung.

Peace educators are taking peace and conflict studies far from its European centre and its dominant concepts of liberal democracy, 'illiberal' 'local' identity and resilience, offering a practical and constructive way to decolonise peace and conflict scholarship by embracing the politics of people living in conflict societies. The pursuit of a critical cosmopolitanism by using the skills of peace educators in facilitation and consensus building is one possible path forward for peace and conflict studies in a world where there is little appetite for democracy imposed from above, an over-emphasis on the illiberal values of non-European ethno-religious groups is not only inaccurate, but could prove dangerous and the increasingly frustrated 'working' or 'informal' class across the globe is tired of growing inequality and the continued decimation of their life chances. Governments across the world are now taking their working class at home

into consideration when forming their foreign and trade policy. Class politics has always and will continue to be treated as a very serious issue amongst policy-makers. No one talks about it 'just to become known'. That is why thinkers from Hayek to Galtung spent so much time writing about class. At the very least, the reality of global conflict requires peace and conflict studies as it exists in Europe to stop being so tone deaf to the politics of social justice in neoliberal conflict societies.

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Appendix A

Interview Number	Interview Date	Affiliation	Location
1	April 2018	INGO	New York
2	April 2018	INGO	New York
3	April 2018	UNDPPA	New York
4	April 2018	UN	New York
5	April 2018	INGO	New York
6	April 2018	INGO	New York
7	April 2018	NYU	New York
8	April 2018	INGO	Geneva
9	April 2018	UN	Geneva
10	April 2018	UN	Geneva
11	April 2018	INGO	Geneva
12	April 2018	INGO	Geneva
13	April 2018	INGO	Geneva
14	April 2018	INGO	Geneva
15	April 2018	UN	Geneva
16	April 2018	UN	Geneva
17	April 2018	INGO	Geneva
18	April 2018	OAS	Washington
19	April 2018	INGO	Washington
20	April 2018	INGO	Washington
21	August 2018	INGO	Bamako
22	August 2018	Civil society	Bamako
23	August 2018	Civil society	Bamako
24	August 2018	Religious organisation	Bamako
25	August 2018	Islamic scholar	Bamako
26	August 2018	Civil society	Bamako
27	August 2018	Government	Bamako
28	August 2018	Government	Bamako
29	August 2018	Government	Bamako
30	August 2018	Civil society	Bamako
31	August 2018	INGO	Bamako
32	August 2018	Religious organisation	Bamako
33	August 2018	UN	Bamako
34	August 2018	UN	Bamako
35	September 2018	INGO	Yangon

36	September 2018	INGO	Yangon
37	September 2018	Urban resident	Yangon
38	September 2018	Urban resident	Yangon
39	September 2018	Civil society	Yangon
40	September 2018	Civil society	Yangon
41	September 2018	Civil society	Yangon
42	September 2018	INGO	Yangon
43	September 2018	INGO	Yangon
44	September 2018	Civil society	Yangon
45	September 2018	Civil society	Yangon
46	September 2018	Donor country	Yangon
47	September 2018	Donor country	Yangon
48	September 2018	Civil society	Yangon
49	December 2018	Political party	San Salvador
50	December 2018	Business	San Salvador
51	December 2018	Urban resident	San Salvador
52	December 2018	Urban resident	San Salvador
53	December 2018	Religious organisation	San Salvador
54	December 2018	Civil society	San Salvador
55	December 2018	Political party	San Salvador
56	December 2018	Catholic priest	San Salvador
57	December 2018	Civil society	San Salvador
58	December 2018	Civil society	San Salvador
59	December 2018	Academic	San Salvador
60	December 2018	Business	San Salvador
61	December 2018	Urban resident	San Salvador
62	July 2019	Government	Colombia
63	July 2019	Government	Colombia
64	July 2019	Government	Colombia
65	July 2019	Civil society	Colombia
66	July 2019	Religious organisation	Colombia
67	July 2019	Religious organisation	Colombia
68	July 2019	Civil society	Colombia
69	July 2019	Civil society	Colombia
70	July 2019	Urban resident	Colombia
71	July 2019	Business	Colombia
72	July 2019	Urban resident	Colombia
73	July 2019	Civil society	Colombia
74	July 2019	Government	Colombia
75	July 2019	Business	Colombia