What Works?

Towards a theory of change for enhancing legitimate order

Or

“Getting to Botswana”

Dr. Rachel Kleinfeld
Carnegie Endowment for International Peace
rkleinfeld@ceip.org  |  202-320-2918
Rule of law requires functional state with:

- Monopoly on legitimate violence
  - How do weak states establish legitimate control over state & non-state violence?

- But functional bureaucracies gen. established by autocrats
  - How do functional bureaucracies (non-corrupt, fulfilling public purpose) get established in weak democracies?

How do weak democracies establish functional institutions serving publicly-stated purposes in order to provide legitimate control against state & non-state crime and violence?
Need to look at corruption and violence because they are linked.

Corruption can control violence of elites & major violent groups.

But:

It delegitimizes gov’t.

This catalyzes and enables violence while corrupting institutions, reducing govt’s ability to fight.
INTERACTING WITH MULTIPLE LITERATURES

- **Statebuilding**
  - Weber: Patrimonial/Neopatrimonial
  - North, Wallis, Weingast: Limited Access – doorstep conditions
  - Acemoglu and Robinson: Extractive – political institutions
  - Tilly, Olson, Mann: State as Organized Crime, Stationary Bandit, Forms of state strength

  How do limited/extractive orders evolve into open access orders?

- **Democratic Quality/Good Governance**
  - Diamond, Levi
  - Rothstein: Legitimacy created by output, not input
  - Andrews, Pritchett, Woolcock; Practitioner Literature

  How do you help weak governments deliver?

- **Development/Nation-Building/Empirical Violence**
  - Empirical scholarship/practitioner literature; Collier; WB 2011

  How can functional institutions/governance be built?
METHODOLOGY AND CASE SELECTION

- **Democracies**: Not autocracies
- **Political unit level**: Not “enclaves of excellence”
- **Positive deviance based on change**: Not on end point
- **Starting from low point**: Not “good & getting incrementally better” – Getting to Botswana
- **Significant movement** that has been sustained or shows patterns of sustainability – (will return to this)
- **Violence/Corruption**: Not rule of law as a whole
WHAT DOES “SUCCESS” LOOK LIKE?
U.S. MUNICIPAL POLICE REFORM
HIGHLY PRELIMINARY NOTIONAL FINDINGS
Violence/Corruption not flaws in system – they ARE the system; state not “weak” – designed that way

Need to change system: Reforms holistic, not enclaves

These are issues of politics and power, not expertise: Solutions are not best practice; not always open-access – people self-interested

Civic engagement matters: Broad coalition & elite

Iteration towards solution, multiple battles
NEW METHODS OF MEASUREMENT NEEDED FOR THIS KIND OF REFORM TRAJECTORY

- Non-linear: Tipping points, punctuated, not steady
- Windows of opportunity/critical junctures: Idiosyncratic
- Opponents: Backlash and counter-reform
- Side Effects: Success often sets stage for next problem

When do you measure? What methodology is suited to measurement? What metrics?

Look for “Phase Space” or Space of the Possible:
- Patterns
- Baskets” not singular metrics
EXTRA SLIDES IF NEEDED TO ANSWER QUESTIONS
WHAT DOES “SUCCESS” LOOK LIKE IN CASES OF POLITICAL CHANGE?

- **1857**: Dred Scott Decision
  Slaves, not citizens

- **1870**: Reconstruction
  1,000 elected to office

- **1892**: Reversal
  Jim Crow, lynchings peak

- **1968**: Civil Rights Act
  Voting Rights Act

- **2014**: New Equilibrium?
  Prison, Employment, Murder