

STRENGTHENING THE STATE BY MEANS OF GOVERNANCE BEYOND STATE

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Abstract

The concept of governance has become omnipresent since 1980s. There were several issues in the world which attracted people to be aware to this governance notion. Beforehand, it could be described as social and political processes which exist only in hierarchical and formal institutions. Nowadays, it is related to all processes of governing which is not only carried out by hierarchically set of actors, but also by the other actors such as market and informal organization. Both of them can govern, produce coordination, and make decision. Governance concept emphasizes on the steering society by decision-making process for a collective problem and the interaction among actors involved behind it. As a result, governance lead to the production, enforcement, or recreating of norms to control the community included in those particular social norms and institutions. Interest in the notion of governance is mostly originated from the reforms in public sector which is began in the 1980s. There are several new forms of governance which has arisen to replace the state-centred management policy making and its implementation. Although, according to Torfing et al. these new governance forms still have general conception with respect to steering and controlling society and economy, there is a shifting in the style of steerage. The shifting occurred is from legal rigid approach to more interactive governance; from formal state actors and governmental procedures to the routes where individuals and various organizations work together. In other word, the form of governance beyond state started to emerge in both theoretical and practical. More than thirty years have elapsed since the reforms in public sector started. The new governance involves many stakeholders in the governing process. The apparent of non-state actors following upon these reforms. It is indicated by the interdependence between formal and informal authority which are able to constitute, supplement, and supplant each other. Thus, it can be a challenge to the state which has become the only central on governance. Thus, with the weak distinction between states and other domains of social order makes it relevant to raise the question whether or not the new governance (beyond state) undermines the state itself. The primary argument of this essay is state will not be disrupted by the existence of the new governance beyond state. This argument relies on two theoretical reasons. First of all, in order to gain legitimacy on its power, nation state must embody three distinct elements according to Beetham. These three elements can be achieved by state through using the new form of governance. The essay will use the dynamic on global climate governance as an example to bolster this argument, specifically for the legal conformity element. Secondly, the state can play four different faces of power from Torfing et al. in exercising its power over other actors in interactive governance to control the agenda to match with state interest.

Keywords: Collaborative Governance, Interactive Governance, Power

1. INTRODUCTION

The concept of governance has become omnipresent since 1980s. There were several issues in the world which attracted people to be aware to this governance notion. Beforehand, it could be described as social and political processes which exist only in hierarchical and formal institutions. Nowadays, it is related to all processes of governing which is not only carried out by hierarchically set of actors, but also by the other actors such as market and informal organization. Both of them can govern, produce coordination, and make decision (Bevir, Mark, 2012: 3-4). Governance concept emphasizes on the steering society by decision-making process for a collective problem and the interaction among actors involved behind it (Torfing et al, 2012: 3). As a result, governance lead to the production, enforcement, or recreating of norms to control the community included in those particular social norms and institutions.

Interest in the notion of governance is mostly originated from the reforms in public sector which is began in the 1980s. There are several new forms of governance which has arisen to replace the state-centred management policy making and its implementation (Ansell & Gash, 2008: 543). Although, according to Torfing et al (2012: 2) these new governance forms still have general conception with respect to steering and controlling society and economy, there is a shifting in the style of steerage. The shifting occurred is from legal rigid approach to more interactive governance; from formal state actors and governmental procedures to the routes where individuals and various organizations work together. In other word, the form of governance beyond state started to emerge in both theoretical and practical.

More than thirty years have elapsed since the reforms in public sector started. The new governance involves many stakeholders in the governing process. The apparent of non-state actors following upon these reforms. It is indicated by the interdependence between formal and informal authority which are able to constitute, supplement, and supplant each other. Thus, it can be a challenge to the state which has become the only central on governance. Thus, with the weak distinction between states and other domains of social order makes it relevant to raise the question whether or not the new governance (beyond state) undermine the state itself.

The primary argument of this essay is state will not be disrupted by the existence of the new governance beyond state. This argument relies on two theoretical reasons. First of all, in order to gain legitimacy on its power, nation state must embody three distinct elements according to Beetham (2013). These three elements can be achieved by state through using the new form of governance. The essay will use the dynamic on global climate governance as an example to bolster this argument, specifically for the legal conformity element. Secondly, the state can play four different faces of power from Torfing et al, (2012) in exercising its power over other actors in interactive governance to control the agenda to match with state interest.

2. GRANTED LEGITIMACY BY USING NEW FORM OF GOVERNANCE

This section will explain how state can use governance beyond the state in order to gain legitimacy of its power. Speaking about the capability of state cannot be separated with the concept of power. Not to be failing, a state must have capacity to influence the conduct and behaviour of its society. Thus, the acceptance of a government power is required to have successful public policy of state. Thus, legitimacy is very crucial for a country.

A legitimate power is power that is obtained and exercised rightfully (Beetham, 2013). In political science, the term authority is often used for power perceived as legitimate by social order (Luthans et al, 2015: 290). A state must possess a strong authority, otherwise it will be undermined. Lack of legitimacy in a state will cause no emergence of trust from its own society. Even worse, a government might lose an engagement with society who could arrange a protest against the state on the street.

On his book, Beetham (2013: 64) elaborates the three-fold structure of legitimacy as rule-derived validity, the justifiability of power rules, and expressed consent. It is sum up into a notion of normative democratic legitimacy (Beetham, 2013). Making power legitimate is possible to be done with these three recurrent elements and state can use new form of governance to make it happen.

Firstly, legitimate power is granted by conformity to established rules. A state which has an interest to other actors can achieve it through establishing a certain legal basis such as convention. Karlsson and McGee (2013:56) analyse this as a normative legitimacy. The dynamic of global climate governance is an example of how state can use the beyond state governance to gain legitimate power which match its interest. For example, the United States which rejected the Kyoto Protocol attempted to create alternative approaches to global emission reduction in order to get legitimate power on its interest in economics (Hoffman, 2011). I

argue that some alternatives such as Major Economic Meetings (MEF) and Forum (MEF) organized by G8 became arenas where leader of a country, particularly the U.S. could play with various constellations of actors and then shape global climate governance based on their needs and interests.

Secondly, the state legitimacy can be achieved if it is justifiable. To increase the justification of its power, a state needs to establish accountability structures. Thus, accountability is urgent for legitimizing state power. It has to be perceived as a relationship between actor and forum in which the actor is obliged to justify its conduct, while the forum can deliver consideration and evaluation, and the actor may encounter consequences (Bovens, 2007).

The better accountability of state establishes in society, the more legitimacy granted to the particular state. In other words, a state is more legitimate when it manages the relations with the society by giving justification of its conduct and receiving feedback from its society. Furthermore, Bovens (2007: 460) comes with three forms of accountability which are vertical (more hierarchical relations), horizontal (equal standing relations), and diagonal (two-step relation with a forum) accountability. State will get an advantage by using collaborative governance to account for themselves to general public and gain horizontal accountability. Through a governance arrangement where public agencies directly engage with non-state stakeholders (Ansell & Gash, 2007), a state government will easier establish public accountability.

The last element of gaining legitimacy is by the consent of the subordinate. The power of state can be exercised rightfully if there is an affirmation from people which is usually resulted by elections or deliberations. The most common source of legitimacy in contemporary societies is the people (Beetham, 2013: 75). The legitimacy of state normatively rests on the quality of the consent of its people. However, this consent can be conceptualized in various ways (Dunn, 1993). Besides electoral authorisation the direct citizen participation also may become a tool to assess legitimacy (Lucardie, 2014). Well-grounded participation of citizen is possible to be achieved by holding a collaborative governance. Citizen can participate directly to governing process by means of NGO, local or national company, and indigenous group. With the participation of people in governing process, the deliberation and consent of citizen will be easily attained by state.

3. CONTROLLING POLITICAL AGENDA IN INTERACTIVE GOVERNANCE

One of the concerns about the process of steering society (governance) involving many actors (interactive governance) is it could be too many agendas in the forum, thus state is unable to achieve their interest and as a result be undermined. This section argues that to prevent this state weakening process, it can use four different faces of power based on theory from Torfing et al, (2012). Controlling the agenda in interactive governance is possible to be done by state through taking into consideration the four faces of power in interactive governance and its social context in the arena.

The first face of power is direct power which can be defined as “power over” in open conflict between two actors. It is pointing to attempts of A to influence the actions of B in order to secure a certain outcome in open sphere (Lukes, 1974 in Torfing et al, 2012). Exercising direct power will be uneasy since the unique process of recreating norms in interactive governance. The actors on this arena tend not to voting, but continue their negotiations until decisions appear (Sørensen, 2007). However, state still can use its sovereignty, resources (military and economics), and authority in the long stretched and relatively informal process of interactive governance.

There will be some obstacles in force the other actors directly due to the uncertainty when to mobilize its power in the blurred decision-making process. In this situation, timing is important (Torfing et al, 2012). The timing of deploying power is crucial because the weaker actors are free to leave the network (Lake and Wong, 2009: 130). Therefore, state agents must have the ability of reading the game in the arena in order to be successful in achieving state interest.

Furthermore, direct power of state is supplemented by the following indirect powers which are the next three faces of power. The first indirect power is agenda power that refers to how the state can control the political agenda. The state can reach their interest in the agenda by regulating the arena (Torfing et al, 2012). This regulation is made by state if they have an authority to lead the forum. The state can hide some not important agendas and limit the possibility of other actors to lead the agenda which is not match the state’s agenda.

The next indirect power is the ideological power which refers to an ability of state to deliver its power to another actor by manipulating the perception of its interest in order to align them with state’s objective

interest (Torfing et al, 2012: 55). To make it works well, the state government agents need to search for common reference points which will ensure the same storyline and creating mutual understanding of problems and solutions with other actors.

Nevertheless, the actions of actors in interactive governance are structured and shaped by institutionalized meaning systems. The actors may try to influence each other and advance their interests. The power games are often framed by discourses which define what is considered as valid, what can be talked about how, when and by whom (Torfing, et al, 2012: 57). It is the opportunity of state to exercise discursive power and shape the actions of other actors. The state agent must consider and accept the role of social and political agency because other actors are also capable of exploiting the ambiguities in discursive rules (Torfing, et al, 2012: 58).

In order to make these efforts success, the state agents must accept the critical role of social and political agency. They must have the ability to assess the participating actors' resources so that create strategy to win in open conflicts, control the agenda, influence perceptions, and invoke different interpretations of discursive rules and norms (Torfing et al, 2012). Through good assessment of other actors' strength, state can have better bargaining power position which is also related to the higher trust it will gain.

4. CONCLUSION

The concept of governance has become very familiar in social issue since the last four decades. As a consequence, there are many kinds of actors which want to involve in governance process. It is not only about the state-centric process anymore, but also about the multi-stakeholder process leading to production of norms in the community in order to steer the society. In other words, the form of governance is not only referring to state hierarchical process, but also to the new form of governance beyond the state. Therefore, it becomes relevant to raise question whether or not the state be undermined by this new governance form.

This essay has attested that, even with more interactive and collaborative governance, the state was not weakened. The state even can get benefits from the particular forms in order to be more legitimate in exercising the power. To support this argument, the theory about three elements of legitimacy from Beetham is provided. A state can form new arena or forum in global governance to create legal conformity which can be seen in global climate governance case. Through collaborative governance, a state can obtain accountability from public by involving them into decision-making process. Last but not least, state can enhance the people consent by participating them actively into deliberation process.

In addition, this essay uses the four faces of power theory in interactive governance as glasses to see how state can control agenda in the interactive arenas. The complex interest and interaction between actors can be controlled by state agents in those arenas by understanding the social and political agency. Moreover, through using the ability to make assessment and building relation to other participants, state can prevail in open conflict (direct power), deal with different point of view (ideological power), shape the agenda (agenda power), and manage various discursive norms (discursive power).

5. CLOSING REMARKS

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