# Bougainville Report

**Project: Addressing legitimacy issues in fragile post-conflict situations to advance conflict transformation and peacebuilding**

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1. **Introduction**

This report presents the findings of the Bougainville case study of the Berghof project on legitimacy issues in fragile post-conflict situations. The Bougainville case was chosen for this project, alongside the cases of Somaliland and East Timor, because it is a case of a protracted and relatively successful process of conflict transformation and peacebuilding under fragile socio-political conditions. This fragility expresses itself first and foremost in the co-existence and interaction of different types of legitimate authorities.

The observation which stood at the outset of this research was that state institutions on the island of Bougainville, Papua New Guinea, are relatively weak and are struggling to achieve (rational-legal) legitimacy, while non-state actors from the sphere of local custom and culture are relatively strong and enjoy considerable (traditional) legitimacy, with another type of non-state actor (warlords left behind from the times of violent conflict, leaders of social-spiritual movements) also playing significant roles in the overall governance configuration because they can refer to a certain degree of (charismatic) legitimacy.

This initial observation which was informed by a theoretical-conceptual recourse to Max Weber and his ideal types of legitimate authority suggested that a detailed exploration of the types of legitimacy, their interaction and their impact on conflict transformation and peacebuilding on Bougainville would .be instructive. In the course of the research this assumption was confirmed, and at the same time the initial observation had to be refined; more detailed research led to a more complex and diversified assessment of the configuration of legitimate authority on Bougainville. The interface and mutual permeation of different sources and types of legitimacy proved to be the most fascinating aspect of this configuration and most significant for peacebuilding and governance. Ongoing processes of hybridisation of legitimacy rather than static distinct types of legitimate authorities characterise the Bougainville situation. These processes result in a governance configuration based on hybrid legitimate authority which differs considerably from statehood in its Western Weberian form, but nevertheless provides the framework for conflict transformation and the non-violent conduct of conflicts. In other words: what might look like an irrational and contradictory messy mix in the eyes of (Western) outsiders does make sense and works for the people and the political leaders on the ground. The emergence of a home-grown form of political community on Bougainville is closely linked to the continuous hybridisation of legitimacy.

Fieldwork on Bougainville was at the centre of research. In the course of two research trips to Bougainville interviews and conversations as well as focus group discussions were conducted with leaders from various political and societal spheres: with members of the Autonomous Bougainville Government (ABG), including the ABG President and Vice-President and several ministers, with high-ranking public servants, members of the Bougainville House of Representatives, state representatives at the district level, members of several Councils of Elders, local chiefs, leaders of international and local NGOs and community-based

organisations, personnel from international organisations, church leaders, women and youth leaders, high-ranking representatives of 'rebel' Meekamui factions, with businessmen, (ex)commanders of armed groups and other personalities with an influence on politics in Bougainville. During the second round of fieldwork a workshop was conducted in Bolave in Bana district, a remote region in southern central Bougainville. Fieldwork was carried out with the support of two local research assistants (Dennis Kuiai and James Tanis) and further assistance by Bougainvillean friends (in particular Sr Lorraine Garasu, director of the Chabai Nazareth Rehabilitation Centre). Fieldwork built on previous research carried out on Bougainville, in the course of which close relationships with Bougainvilleans have been established and the trust of people and authorities has been won.

In addition to the fieldwork, this report builds on the analysis of primary written sources such as legal and policy documents (e.g. the Bougainville Peace Agreement, the Bougainville Constitution, the reports of the Bougainville Constitutional Commission, the Bougainville Councils of Elders Act, the interim agreements of the peace process), reports by donors and international organisations, newspaper coverage and other media reports, as well as on an extensive and thorough review of the literature about Bougainville from the fields of political science, peace studies, development studies and anthropology (see list of references at the end of this report).

The report is guided by the theoretical-conceptual framework as laid out in the framing paper for this project.[1] It takes a Weberian approach to legitimacy issues as starting point, with Max Weber's differentiation of the ideal types of rational-legal, traditional and charismatic legitimate authority at its core, and with legitimacy understood in an empirical sense, as the belief in the right to govern. It further differentiates between legitimacy derived from process and legitimacy derived from performance, and between domestic and international legitimacy. Finally it situates the exploration of legitimacy issues in the conceptual context of hybrid political orders and conceptualises the hybridisation of legitimacy as the dominant feature of legitimacy in fragile post-conflict situations and as a constituent element in processes and outcomes of conflict transformation, peacebuilding and state formation (see in more detail Boege, Brown and Moe 2010).

The report is basically structured according to the analytical framework which had been elaborated for the research purposes of this project (see the appendix in Boege, Brown and Moe 2010). The report begins with an overview of the cultural, socio-economic and political context as well as the causes and course of the violent conflict on Bougainville and the main features and stages of post-conflict peacebuilding. After a brief sketch of the current situation an overview of the actors involved in conflict transformation, peacebuilding and governance is

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[1] See for a more comprehensive and elaborated description of the approach used for this case study and this project in general Boege, Brown and Moe 2010.

given. This is followed by a thorough analysis of types and sources of legitimacy, with a focus on processes of hybridisation of legitimacy. Next strengths and weaknesses of different legitimate authorities are scrutinized, their interactions explored and options for positive mutual accommodation assessed. The role of external actors and their engagement with different types of legitimate authority is given special attention. Finally, an assessment of the prospects for successful conflict transformation, peacebuilding and state formation based on the constructive interaction of the various legitimate authorities leads to some policy-relevant recommendations for the next stages of these processes on Bougainville. The report closes with some brief reflections on the research process, highlighting some supporting and impeding factors as well as research gaps and areas for future research.

## 2. The historical and political context

After almost a decade of war (1989-1998), the bloodiest violent conflict in the South Pacific since the end of the Second World War, the island of Bougainville over the last decade and a half has gone through a comprehensive process of conflict transformation and post-conflict peacebuilding. In fact, Bougainville presents one of the rare success stories of peacebuilding in today's world. However, challenges remain. Peacebuilding is not over yet. In the current phase, it is closely linked with state formation (be it as an autonomous region within Papua New Guinea or as an independent state). Based on the relative success of peacebuilding, prospects for state formation look promising. State formation will have decisive effects for conflict transformation because a new state order will provide the framework for the non-violent conduct of conflicts in the future. Legitimacy issues have played and are still playing a crucial role in conflict transformation, peacebuilding and state formation on Bougainville. Before addressing these issues in detail, this chapter will provide some basic information about the historical and political context of conflict, conflict transformation and legitimacy on Bougainville, and the following chapter will introduce the main societal and political actors involved in Bougainvillean peacebuilding and state formation.

### 2.1. Background: place, people, society and history

Bougainville is an island in the South Pacific, with an area of approximately 9,000 square kilometres. Geographically it belongs to the Solomon Islands archipelago. Politically, however, it is part of the state of Papua New Guinea (PNG). Today's 'Autonomous Region of Bougainville' consists of the main island of Bougainville, the island of Buka in the north, and several small islands and atolls. The Autonomous Region has approximately 250,000 inhabitants. Bougainville is covered with coastal plains, mountain ranges and tropical rainforest. It is believed that it was first inhabited some 30,000 years ago. People on Bougainville lived a rather

remote life for thousands of years, but there was also exchange with the outside world by canoe voyages for trade and raiding, and new social groups came to settle on the island over time so that a complex web of cultures, languages and social systems evolved. Today, more than 20 different languages are spoken on Bougainville and adjacent islands.

People's lifestyles are based upon subsistence agriculture, supplemented by fishing, hunting and gathering as well as some cash cropping (mainly cocoa and copra). People live in small settlements (hamlets) or villages. Segmentary, highly egalitarian societies consist of social groups of different sizes and with different functions (clans, sub-clans, lineages), with descent being the primary organising principle. Matrilineal descent is widespread. This provides an important role for the women in the social life of the groups, particularly as rights to land and other resources are based on descent. Women are in control of the land, and they administer food gardens. Women usually remain in their kin's village, and their husbands join them after marriage. Gender relations tend towards complementarity rather than hierarchy. Balanced reciprocity governs relations between and within social groups (Regan 2005: 419). People believe in a variety of spirit beings, especially spirits of the ancestors (Ogan 2005: 50). Spirits form part of the community and care for the wellbeing of the living. On the other hand, sorcery was (and still is) an integral part of life.

Lineages and clans interact via exchange of people in marriages and exchange of precious goods such as pigs or shell money. Upholding of exchange systems is an important dimension of life and much time and effort is put into it. Feasts which include the slaughter and eating of pigs are at the centre of exchanges. Shell money and other valuables (e.g. strings of flying-fox teeth) are used in social transactions such as bride price payment or dispute settlement, and it is the leaders of the groups (chiefs, but also women) who kept and controlled these valuables (Sagir 2005: 4).

It was and still is today through membership in a lineage "that the individual finds a sense of belonging, by knowing which portion of land he or she owns and is entitled to, who is his or her leader, and with which people he or she is expected to interact and to cooperate" (Kenneth 2005: 375). Access to land depends on membership of a social kin-based group; the group and the land are closely interwoven, the people belong to the land as much as the land belongs to the people. Land is at the heart of life on Bougainville, providing not only livelihood and the most reliable security for the group, but also the source of its cultural and spiritual wellbeing. Land belongs to the whole group (including the spirits of the dead and the unborn generations). There is no concept of individual ownership or of land as a commodity that can be bought and sold. There is a whole variety of primary, secondary and further land use rights, which complicate the notion of land 'ownership'. Boundaries of certain areas of land are often not clearly defined.

As land is at the heart of the entire social, cultural and spiritual order, loss or scarcity of land does not only pose economic problems, but has far-reaching effects on the social structure, the spiritual life and the psychic conditions of the affected groups and their members. Conflicts and

warfare have mostly revolved around land disputes. Localised inter-group warfare was a common feature of pre-colonial societies on Bougainville.

Reciprocity was the guiding principle of social relations in traditional Bougainville societies. This holds true for peaceful exchanges within and between social groups today, and it holds true for conflict, violent conduct of conflict and conflict resolution. The exchange system creates mutually binding obligations to give, and these obligations tie people together in reciprocal relationships. This system provides for social order and harmony. If obligations were not met, the harmony is disturbed, and conflicts arise. This can lead to violence. Violence was traditionally not perceived as being in contrast to order. It also could contribute to restoring it – if it was pursued according to the rules of reciprocity. It was another form of exchange. Other than in modern Western societies with their state monopoly over the legitimate use of physical violence, in these segmentary societies there was no such monopoly. Rather, the right of recourse to violence and the capacity to use violence was vested in every single community, which means that the potential for violence was widely dispersed. Each social group had the capacity and the right to resort to violence. Communities were forced and entitled to help themselves by violent means whenever they perceived their rights as being challenged. This violent self-help was legitimised and regulated by unwritten customary law. One may speak of 'orderly' violence – violence that aimed at restoring order and was highly ritualised, following very strict customary rules of fighting. Nevertheless, vicious circles of violence could evolve, as violence followed the logic of retribution - or 'pay back' as it is often called. Violent conflict was terminated by a return to peaceful exchange. Then the exchange of gifts substituted the exchange of violence, upholding the principle of reciprocity. Reciprocity was sustained, but also transformed: the reciprocity of violent revenge, of tit-for-tat, was replaced by the reciprocity of gifts.

Violence could take various forms. It was not only physical violence. Insulting behaviour, swearing and various forms of sorcery were also means of violence. They necessitated a violent response in the same way as physical violence. Land was the most contentious issue that was likely to trigger violence. There could also be fighting over a variety of other issues (e.g. adultery, theft, swearing, sorcery, stealing of women). So it "would be a mistake to believe that the traditional village was an earthly paradise" (Howley 2002: 22).

It was only in the 19th century that Europeans came to Bougainville – whalers, traders and blackbirders who – often forcibly – recruited labourers for white plantation owners in Queensland and elsewhere. In the colonial era Germany and Britain competed over this part of the world, and in 1886 these two European powers set a boundary that divided Bougainville from the other Solomon Islands, with Bougainville allocated to German and the latter to British rule. In 1899, Bougainville was added to the German colony of north-east New Guinea and the Bismarck Archipelago. In the course of World War One the Australians took over the German colony, including Bougainville, so that the island in colonial times was always governed together with territories which in 1975 were to become the independent state of Papua New Guinea

(PNG). Bougainville became PNG's North Solomons Province (NSP), together with the neighbouring island of Buka and some smaller islands and atolls.

Although some colonial administrators, plantation owners, tradesmen and missionaries had settled in Bougainville from the beginning of the 20th century and some copra and (later) cocoa plantations had been established, external impacts on the traditional lifestyle of the people remained very limited over the first decades of colonial rule. However, the framework for the conduct of violent conflict and the attitude towards violence underwent a decisive change. After the establishment of colonial rule (and later state rule) violent self-help in relations between communities was forbidden by the new statutory law and negatively sanctioned - ironically, by the use of violence, namely the violence of colonial administrators, the police and the prisons. The colonial rulers and the state authorities monopolised the use of violence in their hands and sanctioned the use of violence by the communities. Furthermore, the Christian missionaries who descended on Bougainville in considerable numbers preached the gospel and taught the Christian faith as a non-violent religion, thus delegitimizing the use of violence on ethical and religious grounds. As most Bougainvilleans turned to Christianity they adopted this repulsion of violence. Of course, these developments did not lead to an ultimate and complete end to any violence, but the attitude of people towards violence changed (Regan 2005: 442). It now was seen as morallyreprehensible.

Through military violence on a large scale, however, the outside world massively intervened in the lives of the local people. In the Second World War the formerly rather tranquil colonial backwater of Bougainville became a major battleground for Japanese and Allied forces, and locals people were utilized by both sides for auxiliary services and had to suffer severely from the fighting on their island.

## 2.2. The violent conflict: causes and course

After WWII, the Australian colonial administration was not particularly committed to the reconstruction and development of the island because Bougainville was the district most distant from the colonial administrative centre Port Moresby on mainland New Guinea. Things began to change dramatically in the 1960s when large deposits of copper and gold were discovered on the island and a British-Australian mining company (Conzinc Riotinto of Australia, a subsidiary of Riotinto Zinc) etablished a huge copper mine. The Panguna mine in the Crown Prince Range in central Bougainville started production in 1972. It was a very large mine by world standards in terms of both production and size, ranking among the biggest copper mines in the world at that time. Panguna was an extraordinary success story for the company and the central government in Port Moresby, revenues deriving from it were enormous. On the other hand, mining also caused massive environmental degradation and social disintegration.

The mine, which operated without any environmental restraints, was polluting land and rivers, destroying forests, damaging fertile lands and depleting wildlife and fish stocks in the rivers and coastal waters. Loss of land on a large scale and environmental degradation posed a serious threat to the land-based way of life of the people (Boege 1998).

Environmental degradation was accompanied by social disintegration. The establishment of the Panguna mine led to population growth and urbanisation at an unprecedented scale. The majority of the urban population were young male non-Bougainvillean mine workers, mostly from other parts of PNG. An upsurge of law and order problems ensued: rape, assault, rascalism, prostitution, alcohol abuse and traffic accidents. Bougainvilleans blamed the mine and the subsequent increase in the number of outsiders for this rise in crime and social problems – all the more so as these outsiders were considerably different from the Bougainvilleans and had different customs. Bougainvilleans, who are very black-skinned people, referred to those outsiders from other parts of PNG as 'redskins' because of their lighter skin colour, whereas Bougainvilleans are often called 'blackskins' by people from other parts of PNG. Often 'redskin' workers brought in their *wantoks* (relatives) and squatted on land without asking. Squatter settlements became a widespread phenomenon. The 'blackskin-redskin' difference contributed to rising tensions in Bougainville.

Moreover, the mining project also led to the development of social inequality within the formerly rather egalitarian local communities, e.g. between those with a job at the mine and those without, between those indigenous landowners receiving compensation and those who were left out, between the older generation whose representatives had struck a deal with the mine operators and the younger generation who had not been included, likewise between men who negotiated with the miners and women customary landowners etc. This led to unrest and infighting within and among communities. In other words: "Development" brought by the mining project put pressure on the traditional social fabric from outside and at the same time caused internal frictions and division within the local communities.

The benefits and costs of mine-induced development were perceived by many on Bougainville as extremely unevenly divided, with the bulk of the mining revenues flowing to outsiders, and the local communities left with the negative environmental and social effects.

Both the mining company and the PNG government disregarded the concerns of the Bougainvilleans. The people who felt economically exploited, socially marginalised and treated with contempt, demanded meaningful environmental protection measures, compensation for environmental damage and the loss of land and a larger share of the revenues generated. The company and the government rejected these demands, and this triggered the longest and bloodiest violent conflict in the South Pacific since the end of World War Two.

It started when young members of the local clans in the mine area brought the mine to a standstill by acts of sabotage in late 1988. As the police riot squads were unable to cope with the activities of the protestors, the central government sent troops to the island in March 1989. Members of the clans in the mine area established the Bougainville Revolutionary Army (BRA) and began fighting the government forces. Fighting that started in central Bougainville soon spread across the whole island. The BRA adopted a secessionist stance and called for self-determination and political independence for Bougainville, pointing to ethnic differences between the Bougainvilleans and the rest of Papua New Guineans and stressing historical and cultural ties with the neighboring Solomon Islands, thus repeating calls for secession that had already been made in the 1960s and 1970s. The BRA managed to over-run and shut down the Panguna mine at a very early stage in the fighting (1989), and the mine has remained closed ever since; even today it is in the hands of a faction of the secessionists.

In its war against the BRA the Papua New Guinea Defence Forces (PNGDF) were supported by local Bougainvillean auxiliary units, the so-called Resistance Forces. In fact, over time it was the Resistance that bore the brunt of the fighting on the government side. This changed the character of the conflict. From being a war of Bougainvilleans against "foreign" government troops, it became a war among Bougainvilleans themselves. From then on traditional conflicts between different groups and clans were also fought under the umbrella of the "great" war of secession. Parties entangled in local conflicts either joined the BRA or the Resistance. At times Resistance units would wage their own "private" wars against BRA units over merely local issues, especially land disputes. On the other hand, it was not unusual for individual BRA or Resistance units to change sides, or for BRA to fight other BRA or Resistance to fight other Resistance. It would be misleading to think of the BRA or the Resistance as unitary actors. Rather, those entities were made up of largely independent units. There were no clear and efficient lines of command and control. The leadership had only rather limited influence on the activities of the local fighting units on the ground, and fighting did not only follow the logic of a politically motivated war, but also the logic of localised customary violent conflict. This to a large extent determined the main features of the war, with the logic of 'pay back'of overwhelming significance: revenge had to be taken for losses to one's own side by violent attacks on the clan or the family whose members had caused the losses. The security forces of the central government also often operated independently from their political and military leadership, fighting their own 'private' smaller wars that also followed the logic of 'pay back' more consistently than instructions from the government in far away Port Moresby.

A vicious circle of violence was the consequence. Fighting itself became a cause of ever more fighting, and with the protraction of fighting a culture of violence developed, and this culture of violence by far exceeded the forms of violence that were common in the traditional societal context.

While the traditional type of violence and warfare was highly ritualized and thus well controlled and could relatively easily be brought to an end by using the principles of reciprocity, it was much more difficult to maintain the customary rules of warfare and the enshrined limitations to the conduct of violence in the context of the large-scale war which involved modern actors like state security forces or militias. So it was not only the availability of modern weapons that led to an unprecedented escalation of violence, but also the change of attitudes under the influence of factors including political and economic interests, strategic and tactical considerations of state security forces, not to speak of drugs and alcohol.

Given the entanglement of the political war of secession with the multitude of localised violent conflicts, it is no wonder that over time the war became more and more complex, and the frontiers blurred. There were no two clear-cut sides fighting each other over one single distinctive issue as in conventional wars. It was not only 'the' state (of PNG) against 'the' secessionists (of 'the' BRA). Rather there was a host of parties entangled in various overlapping conflicts. Coherence of the fighting parties was not so much based on factors from the 'modern' sphere – such as ideology, politics or profit – but on traditional social ties – of kinship, clan and village. The Bougainville conflict was not a war in the conventional sense of the term.

Rather, one has to comprehend the Bougainville conflict as a hybrid social-political exchange, with the motivating factors representing a mixture of interests both from the local customary sphere and the sphere of the state and politics. The overlap of these spheres with regard to the causes of conflict, the issues at stake, the perceptions, values and motives of the conflict actors as well as the forms of their (violent) behaviour and activities gave the war its specific features, which made it neither a 'classical' nor a 'new' war.[2]

The main victims were the civilians, who became subject to massive atrocities, massacres, torture, murder, arbitrary arrests, looting of property and destruction of houses and villages, mass rapes and other gross human rights violations. They suffered from the collapse of basic services such as health and education and the breakdown of infrastructure and public administration. More than half of the population were forced to flee their homes or were forcibly resettled during the war, and up to 20,000 Bougainvilleans lost their lives.

## 2.3. Peacebuilding: the local-liberal interface[3]

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[2] On 'new wars' see Kaldor 1999; Duffield 2001. Given the complex mixture of issues and actors involved in the Bougainville violence it is tempting to use the 'new wars' terminology to comprehend what happened, and in fact, the Bougainville conflict is exhibiting several features of so-called 'new wars'. However the Bougainville story also comprises dimensions that cannot be grasped by the concept of 'new wars', see Boege 2006.
[3] This sub-chapter is based on Boege 2012.

After almost ten years of privation and bloodshed a stalemate had developed in which neither side believed there was anything to be gained by continuing the war. The avenue for a peaceful solution to the conflict opened in 1997.

The history of the successive steps and stages of the political peacebuilding process, starting with talks in New Zealand in 1997 and culminating in the establishment of an Autonomous Bougainville Government (ABG) in June 2005, shall not be recounted here. Suffice to say that an agreement in January 1998 provided for a "permanent and irrevocable" cease-fire. Since then a stable process of political peacebuilding ensued, with the Bougainville Peace Agreement (BPA) of August 2001 and the adoption of a new constitution for the Autonomous Region of Bougainville in November 2004 representing the most important political results.

The BPA has as its two core political provisions: firstly, the establishment of the 'Autonomous Region of Bougainville' as a special political entity within the state of PNG; and, secondly, a referendum on the future political status of Bougainville—either complete independence or autonomy within PNG. The referendum is to be held ten to fifteen years after the establishment of an autonomous government for Bougainville. Bougainville will thus become a completely independent state in the future (with autonomy as a transitional phase) or will remain a widely autonomous political entity within PNG (Bougainville Peace Agreement 2001).

At first sight, it appears that the political process 'at the top' followed a typical international liberal template familiar from other post-conflict peacebuilding theaters – negotiations facilitated by an external third party, a cease-fire, a peace agreement, a constitution, elections etc. These high-level activities were indeed largely influenced by international liberal agendas; at the same time, however, they were also imbued with local ways of operating, and they were closely linked to processes at the bottom which were conducted much more according to local understandings of making peace; and it was this peacebuilding on the ground in the local context which laid the basis for the success of the high-level activities. Although grassroots peacebuilding followed local ways of operating, it was to a certain extent also shaped by 'foreign' introduced patterns. In other words, hybridization was the key feature of peacebuilding processes in post-conflict Bougainville at all levels.

 As the conflict was not just a war of secession, but a complex mixture of such a political war and localized sub-wars between traditional entities (clans, villages,…), , peacemaking had to address not only the 'higher' political level, but also the 'lower' level of (inter-)communal conflicts. Negotiations and agreements between political and military leaders at the top would have not been sufficient. Agreements and reconciliation at the grassroots were of similar importance. This (inter-)communal peacebuilding was largely based on local customary approaches.

During the war the state institutions had been forced to withdraw from Bougainville, leading to a situation of statelessness. The PNG government was no longer able to maintain a monopoly over the legitimate use of force, nor did the secessionist movement manage to establish one. This had opened the space for a resurgence of non-state customary institutions. In many places elders and chiefs once more became responsible for regulating conflicts and organizing everyday community life. In doing so, they referred to customary norms.

Chiefs and Elders including women leaders were also entrusted with an important role when violent conflicts had to be settled in the transition phase from war to peace. "In many areas the dispute settlement role of the chiefs was of great importance to the peace process. It reduced the tensions that were often the driving force in violent localised conflict, including that between BRA and Resistance Forces. In some cases the roles of chiefs in promoting peace went much further. Some exerted control over local BRA or Resistance Forces, limiting them to defensive roles. Some played major parts in initiating reconciliation between groups in conflict" (Regan 2000: 297). Chiefs and elders were widely successful in achieving reconciliation at the intra- and inter-communal level, applying customary ways of conflict resolution. Many customary peace processes have taken place at the local level between enemy villages and clans all over the island since the end of the war, some of which have not been concluded even today, and more are still to come.[4]

Customary local peace processes were 'modernized' in various forms. Local 'peace committees' or 'district reconciliation steering committees' were formed, and local mini 'peace treaties' were elaborated, put into writing and signed. Local peacebuilders also took over 'foreign' conflict resolution knowledge and adjusted it to their specific needs. For example, the NGO Peace Foundation Melanesia (PFM) commenced training of locals as mediators, facilitators and negotiators as early as 1995, at the height of the war. Over time, PFM has conducted mediation courses for several thousand participants. Several hundred village leaders have been trained as facilitators, and several dozen as trainers. PFM's village-based courses built on the customary indigenous experiences, in particular by heavily referring to the concept of restorative justice, revitalizing customary ways and adapting them to contemporary needs, e.g. by introducing more 'modern' training techniques (Howley 2002).

Peacebuilding in the various locales on Bougainville thus was a local-liberal hybrid, with a clear preponderance of local agency.

Based on their successful work for peace in the local context, traditional authorities also claimed a role in the public and political realm. They managed to be included in the 'high-level' approaches of finding political solutions to the Bougainville crisis and of building peace and new structures of governance. Their presence and their way of operating had a deep impact on how

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[4] For a detailed account of customary conflict resolution on Bougainville see Boege and Garasu 2011.

peacebuilding in the 'high-level' political arena was pursued, e.g. with regard to conceptualizations of (long-term) time-frames and (all-) inclusiveness.[5] It is mainly due to their presence and agency that the pace and content of the political peacebuilding process was determined by the locals, and that the time frames were their time frames. As a consequence, high-level peacebuilding on Bougainville was a liberal-local hybrid, following a liberal international template, but significantly imbued with local ways of operating.

Although the success of peacebuilding in Bougainville is rooted locally, external support has to be acknowledged. Mention has to be made of the activities of the New Zealand government, the United Nations observer mission and the everyday routine operations of first an international Truce Monitoring Group (TMG) and later an international Peace Monitoring Group (PMG).

New Zealand played a positive part initiating the peace process. It was only because the New Zealand government acted as a facilitator and provided logistical assistance, hosted the initial rounds of talks and offered an open and warm atmosphere to participants that the peace process got off the ground.

The UN sent a small, but highly effective and highly regarded Observer Mission (UNOMB). Its symbolic value, demonstrating the international community's interest in events on Bougainville, as well as its contribution to conceptualising and implementing weapons disposal should not be underestimated. The UN personnel on the ground proved to be patient, culturally sensitive and committed. The engagement was long-term, it was only at the end of June 2005, after the ABG elections, that the observer mission came to an end.

Neighbouring countries provided the personnel for first a Truce Monitoring Group (TMG) and later a Peace Monitoring Group (PMG), which over time won the trust of all sides.[6] Co-operation with the conflict parties ran smoothly, and in many places cordial relations with villagers, elders and chiefs were established. Given the significance of personal relationships in a Melanesian cultural context this relationship building was of utmost importance.

The make-up of the international TMG/PMG deserves special attention: it was an unarmed unit, comprised of both military and civilian personnel, men and women, from Australia, New Zealand, Fiji and Vanuatu. Of major importance was the participation of women. Bougainville women had female counterparts among the outsiders of the TMG/PMG. The participation of personnel from Fiji and Vanuatu was relevant because of the common Melanesian cultural background. Fijians and Ni-Vanuatu had obviously an advantage over other PMG members because of their cultural affinity to the Bougainvilleans.The willingness and capability of the

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[5] For more details see Boege 2012.

[6] For a comprehensive account of the TMG and the PMG see the contributions in Wehner and Denoon (2001) and in Adams (2001).

PMG to accept local traditions and behave with appropriate cultural sensitivity laid the grounds for its success.

The Bougainvilleans managed to control the extent and content of the activities of the external actors at all times. This was mainly due to the fact that the local actors were successful in their insistence on having an unarmed intervention. This arrangement was carried through by the locals against considerable initial concerns of the interveners who felt unease about being unarmed in a volatile post-conflict situation, and it meant that the interveners were dependent on the locals for their security and protection and not capable of enforcing anything against the locals' wishes or interests.

To briefly summarize, the Bougainville peace process owes it success to a combination of activities at the top and at the bottom as well as to a combination of liberal introduced and local customary ways of operating. While the peace process 'at the top' followed more the international liberal peacebuilding template, the processes 'at the bottom' were dominated by local agency and customary practices. However, the logic of local customary peacebuilding also permeated the 'top' processes, and the liberal approach coloured and re-formed processes at the 'bottom'. What ensued was a liberal-local hybrid. And it was due to the permeation of liberal forms with local practices that the negotiations at the 'higher' political level led to a comprehensive peace settlement while the sustainability of this settlement depended on the maintenance of everyday customary conflict resolution practice in the local context.


## 2.4. The current situation: challenges and prospects

Bougainville has become a success story of peacebuilding because it takes into account the hybridity of the socio-political order on the ground and because it is based on positive mutual accommodation of local indigenous and introduced liberal institutions and procedures, thus bringing about a unique Bougainvillean form of 'post-liberal peace' (Richmond 2011), and demonstrating that "alternative versions of peace to the liberal peace can have legitimacy" (MacGinty 2008, 159).

Having said that, it has to be acknowledged that the Bougainville peace is far from perfect. The ABG has not (yet) established a monopoly over the legitimate use of force in the entirety of Bougainville. There are still a large number of weapons in the communities. This contributes to a general feeling of insecurity. Some areas of Bougainville are still controlled (to varying degrees) by armed groups that have not (yet) joined – or have not remained in - the peace process.

In parts of southern Bougainville there are still some (relatively small) armed groups involved in localized violent conflicts the causes of which can be found in land disputes or issues dating back to the war of the 1990s (pay back). Dozens of people were killed in these conflicts in the years

after the formal end of the war, and hundreds displaced (Regan 2010, 114-126). At the end of 2011 efforts to find peaceful solutions to these conflicts have started to bear fruit. Some reconciliations between conflicting parties in the south have taken place since, but at the time of writing it is too early to assess whether peace can actually be restored in the confined conflict-ridden areas of southern Bougainville.

Not only in those areas, however, but also in various other regions of Bougainville there are still reconciliations outstanding or not fully completed between families, clans and villages. All over Bougainville reconciliations in the local context have to be continued. This is a particularly pressing and sensitive issue in the Panguna mine area in central Bougainville where a very peculiar situation persists.

The area around the Panguna mine in central Bougainville is in control of the so-called Meekamui movement, a faction of the former BRA which has not yet joined the peace process officially (for more details see 3.4 below.). Meekamui has some support among the people in the area under its control (and beyond) and insists on being recognized by the ABG as an equal partner. For a few years now a complicated and slow process of rapproachment between ABG and Meekamui has been underway. Some kind of 'reunification' of ABG and Meekamui or formal inclusion of Meekamui into the peacebuilding and state-building processes will be necessary for securing a stable peace.

This will also require finding ways to negotiate the most conflict-prone problem on Bougainville today, namely the question of the re-opening of the Panguna mine. This issue has to be addressed by means of a well organised and all-inclusive debate, as this is the most important single issue for the maintenance of peace and further development; consensus on the future of the Panguna mine is crucial for the future of peace on Bougainville.

The creation of all-inclusive political unity among Bougainvilleans, that is: bringing everybody on board for peacebuilding and state formation, including those stakeholders who have not yet formally joined the processes, is the main challenge for the stabilisation of peace and political order on Bougainville. Closely related to this is the issue of some kind of 'nation-building': to develop a national Bougainville identity, based on the joint culture, history and customs of Bougainvilleans, at the same time acknowledging and preserving diversity.

In parallel to forging such a 'national' Bougainville identity, it will be also necessary to establish partnerships between Bougainvilleans and outsiders: development partnerships, reconciliations, dialogue and exchange of experiences. This includes the need to have reconciliations with the PNGDF, the PNG government, BCL/Rio Tinto and other non-Bougainvillean stakeholders. The Bougainville people live in a globalised interconnected world, they will have to build good and peaceful relationships not only among themselves, but also with the outside world. So far, peacebuilding on Bougainville has had major difficulties with dealing with difference, it very

much operates along the lines of inclusion and exclusion. It is focussed on reconciliation among 'us', restoration of relationships between 'us', peace for 'our' land and people.

Healing the trauma of perpetrators and victims is far from over, and trauma still impacts on the everyday life of the people. Moreover, domestic violence against women and children is a widespread feature of 'peaceful' life in Bougainvillean communities (as it is, one might add, in liberal democratic states). Domestic violence and other forms of everyday violence can be traced back to the culture of violence that emerged during the war. Moreover, although violence has been outlawed by modern state law and ethically discredited by Christianity, a notion of violence as a 'normal' part of life, dating back to the pre-colonial past, still exists despite the fact that under current circumstances it has become much more problematic and dangerous. It is not controlled, ritualised and confined fighting any longer, but random and excessive violence, particularly under the influence of alcohol and drug abuse.

These outstanding peacebuilding issues are currently closely interwoven with issues of state-building. Actually, the political focus has currently shifted from peacebuilding to state-building. Bougainville today is in the phase of state formation which will provide for either a completely independent state in the future (with the current autonomy status as a transitional phase to independence) or for a widely autonomous political entity in the framework of the state of PNG. Both options necessitate the establishment of new state institutions as the period of the war was a time of statelessness in Bougainville.

As local customary institutions have proven to be effective in peacebuilding over the last years, there is a case for their utilization in the current state formation as well. In fact, a strong desire to "marry" customary and introduced institutions and processes for the purposes of state-formation can be felt in all quarters of the Bougainvillean populace. This commitment points in the direction of a political order and forms of governance in Bougainville which do not simply copy the Western Weberian model of the state. Rather, a home-grown variety of the state seems to be in the making, based on the hybridity of political order on the ground.[7] State-building on Bougainville today has to take into account the realitiy of multiple layered and segmented de facto sovereignties (Hansen and Stepputat 2006, 309; Monsutti 2012, 589) – of which Bougainville is a classic example.

## 3. The actors

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[7] The concept of hybrid political orders has been elaborated by a research team at the University of Queensland over the last few years. This concept flowed from a critique of the current mainstream discourse on so-called fragile states and situations as well as its corollary, the promotion of conventional state-building along the lines of the western OECD model state. It is an analytical instrument to grasp the realities of governance in fragile regions of the Global South. See Boege et al. 2009.

## 3.1. State institutions

Bougainville has a well-established and functioning political system, grounded in the principles of liberal democracy. The formal state system is based on the Bougainville Peace Agreement (BPA) and on the Bougainville Constitution. The BPA of August 2001 paved the way for the establishment of the Autonomous Region of Bougainville (within the state of PNG), with its own constitution and government. The provisions regarding autonomy are very far reaching, granting a political status 'short of independence' for Bougainville (and with an option for full independence by means of a referendum in 10 to 15 years time after the establishment of the ABG). The ABG was given comprehensive governing competencies, with certain exceptions regarding defence, foreign relations and international trade (Bougainville Peace Agreement 2001).

The ABG was to be established on the basis of a new constitution for Bougainville and elections for a Bougainvillean parliament. According to the respective provisions of the BPA, the constitution was drafted by a Bougainville Constitutional Commission between 2002 and 2004 and was adopted by the Bougainville Constituent Assembly in November 2004. It was endorsed by the PNG central government in December 2004 and came into force on the 15th of January 2005.

Adoption and endorsement of the Bougainville Constitution paved the way for elections of a Bougainville parliament and president in May and June 2005.. Five years later, in 2010, elections were held a second time. On both occasions, the election campaigns and the elections themselves ran smoothly, without any major disturbances. A small group of international observers assessed the elections as quiet, free and fair. Besides the president, 40 members of the Bougainville parliament, the House of Representatives, were elected, with three seats for women and three seats for ex-combatants reserved. ABG government ministers are selected and appointed from within the parliament by the president. The ABG is supported by the Bougainville Administration.

The governance structures below the level of the ABG consist of Regional Commissioners for the three regions North, South and Central and 10 districts, with a district administrator and some support staff. However, these are rather weak administrative structures. At present the most effective governance institutions below the ABG level are the Councils of Elders (CoEs). Bougainville is divided into 41 CoE areas. CoEs are formed on the basis of so-called "census villages" which comprise people living closely together in small hamlets and isolated homesteads and sharing the same language and custom. There are more than 500 census villages

in Bougainville.[8]  The chairmen and clerks of CoEs hold fully paid positions. The work of the CoEs is financed by ABG grants, head taxes and fines. The activities and expenditures of the CoEs are audited by the ABG Ministry for Local Level Government (LLG). The people of each CoE area have the right to choose "whether the members of the COE should be chosen by election, or according to *kastom*, or by some mixture of those methods, as defined in the COE Constitution" (BCC 2004: 196). Each of these methods is in use, with the 'elections' being more 'selections' as there is no competition of candidates. Members of CoEs are usually selected in a consensual manner. An Elder is defined as a person who "by custom or tradition is regarded by a clan or sub-clan as a hereditary leader of that clan or sub-clan; or by virtue of education, wealth, business acumen or political involvement is considered by a clan or sub-clan or by person resident in the area as suitable for selection to the Council of Elders" (Bougainville Council of Elders Act 1996, Part 1.2).

The most important aspect of the (s)election/nomination of CoE members is that all clans in the CoE area are represented. The number of members can differ widely, from about 20 to more than 40. CoEs usually include representatives of church, women and youth (which does not necessarily means that women or young people are actually CoE members; they can be represented by old men) and normally have a five year term of office. The composition, capacities and effectiveness of CoEs today vary considerably in the different parts of Bougainville. Each CoE has its own constitution. In some areas the CoEs are relatively well established already, with full membership, functioning presidency and management, a written constitution, action plans in line with the ABG's Bougainville Strategic Action Plan, procedures of operation and accountability, well-established links with the ministry for LLG , and the capacity to raise head tax and to spend the revenues in a meaningful way. This, however, seems to be the exception. Most CoEs still are in a formation stage, and in some areas there are no functioning CoEs at all. The Ministry of Local Level Government provides training and advice for the CoEs, assists with finance management and the establishment of services, and it functions as the auditing and supervisory body.

Whereas today the CoEs are the lowest level of the formal state structures, the village assemblies are at the very bottom of the governance architecture. They operate outside the formal system. The village assemblies seem to function well in many places, and there are efforts to align them closer with the various levels of the formal system.

The ABG and its ministries and core administrative bodies lack capacity. The ABG mainly blames financial constraints and impediments stemming from the relationship with the PNG government. The PNG government is regularly criticized for not complying with its financial

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[8] This system goes back to the Council of Elders Act of 1996 which – at least on paper – introduced CoEs in the areas under the control of the Bougainville Transitional Government (BTG), which was the Bougainville provincial government that cooperated with the PNG central government (Bougainville Council of  Elders Act 1996).

commitments towards Bougainville. The ineffectiveness of the Joint Supervisory Body, the ABG-PNG institution which is politically responsible for the implementation of the BPA, is also lamented, as are the poor relationships with NACOBA(National Co-ordinating Office of Bougainville Affairs), the institution responsible for Bougainville affairs on the side of the PNG government. The delay in the draw-down of powers from the PNG government to the ABG as provided for in the BPA is seen as another major impediment to the effective functioning of the ABG.

The ABG is well aware that its leadership will only be recognised by the people in the long term if it is successful in delivering on its promises with regard to economic and social development and political self-determination. There are concerns that the ABG is alienating itself from the people on the ground, and there is some frustration about the deficiencies in the deliverance of basic services that are urgently needed (particularly with regard to health, education and infrastructure). General support for the ABG in the wider populace still seems to be strong, but there are signs of growing impatience and discontent.

People are concerned about deficiencies of state actors with regard to the security situation, the maintenance of peace and order and the continuation of the peacebuilding process. The ABG is aware of the necessity to further improve security on Bougainville. The most important issue is the remaining weapons in the communities. Although there had been a politically successful process of weapons disposal in the years between 2001 and 2005 that paved the way for the establishment of the ABG, there are still considerable numbers of weapons in the hands of community members and groups which have not yet joined the peace process officially. This is an obstacle to reconciliation. People are afraid of the weapons and therefore not willing to reconcile, but they also often cling to weapons out of fear of weapons in the hands of others. The government is committed to the aim of a 'weapons free Bougainville' but so far has not found ways to actually achieve this aim.

Of particular concern are those areas in Bougainville that are not under ABG control – the Meekamui-controlled 'no go' zone in Central Bougainville and some areas in the south of the island where armed groups – Bougainville Freedom Fighters (BFF), factions of Meekamui, Noah Musingku and his group– reign. The main approach to this problem from the side of the ABG consists of dialogue and negotiations with the aim of bringing these groups into the peace process. There seems to be consensus between the government and the people that the issues of weapons and armed groups outside the peace process has to be addressed, but that it cannot and should not be addressed by the use of force. Rather the groups and individuals still holding on to weapons should be involved in dialogue and given incentives, e.g. economic opportunities, to lay down arms. The Panguna Communique that was signed by the ABG and one major faction of Meekamui in central Bougainville in August 2007 was the start of a meaningful dialogue between the ABG and Meekamui. This dialogue has gained momentum over the last months in particular. Furthermore, there are also promising developments with regard to the armed groups

in southern Bougainville. The ABG is willing to make its contribution to the solution of these critical issues, but at the same time it is aware of the fact that there also have to be customary reconciliations. Outstanding reconciliations in several regions of Bougainville, particularly in southern and central Bougainville (not least the Panguna area), and between various factions, are seen as the reason for the incompleteness of the peace process.

Apart from these political peacebuilding issues, state institutions also have problems with the maintenance of peace and order in the local everyday context. The capacities and effectiveness of the law enforcement agencies and the justice system are underdeveloped.

Although the BPA allows for the establishment of a genuine Bougainville court system and the Bougainville Constitution includes provisions for such a system, only little progress has been made so far in its actual implementation. One reason is the high cost of operating the institutions of such a system, and another reason is the deliberate strategic decision not to rely primarily on the formal court system but to allow comprehensive space for customary law and traditional means of dispute resolution (see below). In fact, the formal court system is weak (and relatively far away from the people and costly to access); the (four) district courts sit only very seldom, and the courts travel to district centres very irregularly. The higher levels of PNG courts do not play a role in the lives of ordinary Bougainvilleans.

The Bougainville police force is similarly weak.[9] In the peace negotiations with the central PNG government, establishing an independent Bougainville police force had been one of the most crucial concerns for the Bougainville side . The BPA provides for such an autonomous force, the Bougainville Police Service (see BPA, clauses 211-241, and BC, clauses 148-150). Members and units of the PNG police force may only be deployed to Bougainville on the request and with the consent of the ABG. Today in Bougainville the aim is to make the police "an integral part of a Bougainville system of justice based on our kastomary practices of restorative justice" (BCC 2004: 233). The current status of the police on Bougainville is highly ambiguous. Police only have a chance to function relatively effectively when working together with the chiefs and communities. In some areas there is competition between chiefs and police, in other areas their cooperation runs smoothly, with the chiefs as the dominant authority. Although the community auxiliary police (CAPs) are generally appreciated, the police are not really seen as an important provider of law and order. Large areas of Bougainville are no-go zones for the police. Moreover, there seem to be instances in which the police and other state institutions have a tendency to liaise (too) closely with armed groups that do not recognize the state's monopoly over the legitimate use of violence. Sometimes they have no choice other than to collaborate with such 'illegal' actors as these actors control territories and populations beyond the reach of the state.

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[9] At present the police comprises 170 regular police officers (12 female) and 375 community auxiliary police .

There are numerous inconsistencies in the application of the law by the police, and there is widespread awareness about its limited capacities. It is acknowledged that the police can only be effective in cooperation with the chiefs. While some seem to find this deplorable and would prefer a more powerful police, others think that this 'outsourcing' of everyday policing in the local context is the cheapest and most effective way to uphold law and order in areas where state sovereignty never was really effective anyway. Government representatives point to the fact that police usually can only access a village after invitation by the chiefs (although this is not a legal provision, it is the reality on the ground).

To summarize, the state on Bougainville does not have de facto sovereign control over people and territory, and is fragile, meaning that it is characterized by a "lack of a basic legitimate monopoly over the means of large-scale violence, the absence of control over taxation, the failure of state organisations to operate in significant territories of the country and the existence of rival rule systems that take precedence over the state's rules" (Putzel and John 2012, v). Hence, state institutions are compelled to enter into deliberative policies of exchange, accommodation and negotiation with other – non-state -actors who claim public power according to their own norms, rules and regulations. Sovereign power on Bougainville today does not rest in the state alone. The state has to share sovereignty with other authorities, and this results in an unsettled configuration of "multiple and segmented sovereignties" (Hansen and Stepputat 2006, 305).

## 3.2. Societal customary actors

In its final report, the Bougainville Constitutional Commission stated: "The majority of our people in rural communities live under traditional rather than the formal system of government" (BCC 2004: 202). This has far-reaching consequences for issues of governance, dispute resolution and understandings of political community. In the everyday lives of most 'ordinary people' it is not so much the state and its institutions that matter, but non-state 'traditional' authorities and the rules and obligations of culture and custom/'kastom' upheld by them.[10] The

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[10]The terms 'custom','customary institutions', 'customary law', 'customary order', etc. are used here to conceptualize the 'other' in relation to 'western' or 'modern' societal and cultural structures and practices. These terms expose specific local indigenous characteristics that distinguish them from introduced institutions that originally belong to the realm of the western state and society. However, there are no clear-cut boundaries between the realm of the exogenous 'modern' and the endogenous 'customary'; instead processes of assimilation, articulation, transformation and/or adoption in the context of the interface of the global/exogenous and the local/indigenous prevail (Rumsey 2006). Custom, therefore, is not unchangeable and static. Rather, it is in a constant flux. It changes over time and adapts to new circumstances, being exposed to external influences. Today's 'customary institutions', 'customary ways' etc. are *not* the institutions and ways of the pre-contact and pre-colonial past. Societies everywhere in the world have come under the influence of the powers of – originally European – capitalist expansion, colonialism, imperialism, evangelism and globalisation. This holds true also for Bougainville,

Bougainville Constitution makes comprehensive reference to customary forms of governance and leadership and formally recognises traditional systems of government and the role of chiefs and other 'traditional' leaders. The strengthening of traditional authority is particularly prominent in the Constitution's 'objectives and directive principles' (BC, clauses 11-39). Of course, this reference to *kastom* is politically motivated; it is an important dimension of a modern political agenda, and should not be confused with a re-orientation towards 'pure' pre-colonial custom. Accordingly, the Constitution tries to circumscribe the area of responsibilities of 'traditional authorities'. Their responsibilities primarily (but not exclusively) are determined as referring to land, the environment, family, dispute resolution and maintenance of peace and good order in the local community context (BC, clause 51). In fact, however, traditional authorities are the actual governing bodies in many Bougainville villages with authority well beyond these constitutional confinements.

One has to be aware, however, not to misinterpret the term 'traditional'. Today's 'traditional' authorities are not the same as those of a distant pre-contact, pre-colonial and pre-statehood past. 'Tradition' is not static, it changes over time. Today's 'chiefs' and 'elders' are rather 'modern' social categories which emerged in the course of interaction between local indigenous societies and external actors, namely first missions and the colonial administration, later the institutions of the 'modern' state. As a consequence, there were different types of 'chiefs' (e.g. chiefs that drew their legitimacy from pre-contact customs, chiefs installed by the missionaries, chiefs appointed by the colonial administration), and these types overlapped and mixed in the course of time. In pre-contact and pre-colonial societies the abstract category of 'chief' was absent. Rather, there was a wide range of indigenous leadership types holding different degrees of authority in their communities.

The category of 'elder' is even more vague and ambiguous than 'chief'. It is not necessarily linked to old age, every respected member of an extended family, lineage, clan or local community can be an 'elder'. With the formalization of the 'Councils of Elders' (see above), all members of the CoEs are 'elders', but not all elders are members of CoEs. While chiefs are usually male, elders can be both male and female. Given the matrilineal structure of most communities on Bougainville, however, the fact that chiefs are men, does not mean that 'traditional authority' is a solely male domain. Women hold their own forms of traditional

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and has led to the emergence throughout Melanesia, including Bougainville, of what is often called *kastom,* a Pidgin derivative of 'custom' (Moore 2004: 27). The Bougainville Constitution, for instance, makes a lot of references to *kastom.* It can be said that *kastom* has developed since the times of first contact and colonisation, incorporating exogenous influences into pre-colonial custom and adapting custom to those influences. *Kastom* is nowadays often referred to by both politicians and 'grassroots' people in Melanesia in order to stress their cultural heritage and the distinctiveness of their own ways in comparison to introduced ways, often depicting *kastom* as rooted in ancient pre-colonial traditions. The Meekamui are the most prominent actors on Bougainville who use *kastom* in this sense for their own political purposes.

authority. To complicate things further, it has to be kept in mind that 'traditional' authority varies considerably from community to community, even in a relatively small place like Bougainville.

Traditional actors and *kastom/*customary institutions and norms are themselves hybrids. In the following the terms 'traditional' or 'customary' actors or authorities are used nevertheless in order to differentiate them from other actors (state or civil society actors and others). This follows the terminology used by people and leaders in Bougainville themselves (in official documents, public political speech and everyday conversations). At the same time, however, it will be shown that these terms and the social institutions they refer to are not well defined and static, but contested, fluid and constantly hybridized. This can be demonstrated, for example, with reference to the above-mentioned 'Councils of Elders'. The CoEs are without doubt institutions of the 'modern' state governance structure, but at the same time they make reference to tradition/*kastom* and claim to be customary institutions. This, however, is contested.

As has been stated before, some chiefs are members of CoEs (and hence have a role in the formal system), but other chiefs are not, and many deliberately abstain from membership in the CoEs. The reasons given for that are manifold:

- their status does not allow them to be members of a formal political body in which they can become subjects of public criticism,

- their customary style of leadership does not fit with the formalised processes of the CoEs,

- they do not want to work together with non-chiefs in a formal institution,

- they would have preferred Councils of Chiefs (CoCs) over CoEs,

- they want to confine themselves to the village level and only want to work in the village context.

In the view of the chiefs who stay outside the CoEs, the CoEs are only 'talk shops', whereas they, the chiefs, do the real work on the ground, in close cooperation with the people. In this context, it is usually stressed that chiefs cannot govern in an authoritarian manner and that they cannot take decisions on their own; rather they have to maintain ongoing consultation with their people in the village. Village assemblies rather than CoEs are seen as of major importance for consultation and decision-making in the local context.

There are the voices of those who prefer to keep the chiefs outside the formal state system, because chiefs cannot be put under the rules of the alien (western) system and because there is the danger that chiefs get entangled in politics and as a consequence lose respect and legitimacy. There are others, however, who would prefer to have the chiefs included in the formal system as the 'real' local level government (via a Village Governance Act, including acknowledgement of village assemblies, allowances for chiefs etc.).

In fact, one is confronted with a genuine dilemma: "Efforts to formalize traditional leadership in councils of chiefs have the potential to link customary modes of authority with state institutions. They also have the potential to make flexible forms of egalitarian leadership rigid and hierarchical" (White 2006: 14).

The debate about the pros and cons of the establishment of an Advisory Body of 'traditional authorities' in the government structure of Bougainville, complementing the ABG, is another expression of this dilemma. The expectation is that an Advisory Body could be used to integrate governance in Bougainville firmly in customary ways and values. The provision for an Advisory Body in the Bougainville Constitution is the result of a debate during the Constitution-making process about the idea of an Upper House (of chiefs and other traditional authorities). There was support for the idea of such an Upper House "as a place where the traditional chiefs could play a major role" (BCC 2004: 172), in particular as custodians of custom and culture. The opposing view was "that it would not be appropriate to have chiefs and other traditional leaders actually sitting in formal political and governmental roles (…). The roles of chiefs are at the local level, with the community, where they exercise authority because of stature, not law. It would be potentially demeaning to chiefs and the chiefly system of power, to bring them into the formal system of government in such a direct way" (BCC 2004, 172).

In fact, if customary actors were incorporated directly into centralised state structures, this could distort custom as the traditional authorities would be subjugated to the alien logic of state procedures, and at the same time it could distort the state structures as the traditional actors would follow their own logic of action and hence challenge the limits and rules of state institutions. Experiences in other Melanesian countries such as Fiji with its Great Council of Chiefs and Vanuatu with its National Council of Chiefs demonstrate the difficulties. Customary institutions that fit the local context cannot simply be up-scaled to the 'national' level. There is the danger that traditional authorities become 'like politicians' and then lose their traditional legitimacy. For traditional authorities it therefore can be dangerous to take over roles in state and government.

Finally, the decision was taken against an Upper House, and in favour of the establishment of an Advisory Body of chiefs and other traditional leaders. Even this Advisory Body, however, has not been established yet. The main reason given to date are concerns with regard to the costs of such an additional constitutional body, but the contradictory views on its desirability are without doubt another reason for lack of progress. Interestingly, the most articulated opposition against an advisory body of traditional authorities comes from explicitly 'modernist' forces on the one pole (those who do not want a political role for traditional authorities in a modern democratic state at all) and intransigent 'traditionalist' forces on the other pole (who do not want 'traditional' authority being tainted by 'modern' alien influences).

A prerequisite for a more formalised role for chiefs, be it in an Advisory Body or Councils of Chiefs or otherwise, would be the identification of 'genuine' chiefs. This might present a difficult issue and a source of conflict. In some places people know exactly who the chiefs are. In other places, however, there is confusion and competition. The idea to have a Bougainville-wide 'register' of chiefs was put forward in order to tackle this problem. This register of chiefs could form the basis for the establishment of the 'Advisory Body', but it could also lead to conflicts and the loss of flexibility of 'traditional' authority. Finally, there was a widely held view that chiefs need additional training so that they can cope with the challenges of the 'modern' world.

At present, chiefs and elders and other 'traditional' authorities are still widely recognized by the vast majority of 'ordinary people' and the political elite alike as significant actors who have an important role to play in local governance, peacebuilding and forming and maintaining political community. At the same time, however, forces who are interested in disempowering and marginalizing the chiefs often portray them as 'uneducated'. There is no doubt, however, that chiefs and other 'traditional' authorities will continue to play an important role in Bougainville for the foreseeable future.

## 3.3. Civil society actors

On Bougainville today, we do not find a wide range of active political parties, trade unions, employers` associations, media, NGOs etc. which constitute "civil society" in the western sense of the word. Civil society in that sense is rather weak, however in the transition phase from war to peace and the post-conflict peacebuilding period a small but relatively lively and locally distinct kind of civil society has emerged in Bougainville. Many of the Non-governmental Organisations (NGO) and Community-Based Organisations (CBO) on Bougainville are home-grown. At some point in time some of them managed to get support from external actors such as donors, international organisations and International NGOs (INGO). Some 'local' NGOs are actually creations of such external actors and completely dependent on them, and many of the originally home-grown CBOs and NGOs are increasingly dependent on external assistance (funding, technical support etc.). This external assistance has led to a situation in which NGOs sometimes are better equipped and staffed than state institutions. The offices of ABG ministries are generally in a much poorer state than the offices of well-established NGOs. The technical and personal capacities of NGOs allow them to work rather effectively. They have problems, however, to secure the continuity and sustainability of their work and its quality, given their insecure funding which is often project-related and relatively short-term. This can lead to high fluctuation rates of staff and frequent changes between periods of high activity and of dormancy, enforced upon them due to a lack of resources.

NGOs and CBOs on Bougainville are active in a variety of areas, from conflict transformation and peacebuilding through community development, health and education to capacity-building for good governance at various levels. In the following overview we focus on the area of conflict transformation and peacebuilding.

Civil society organisations in the modern sense of the word played and are playing a role in peacebuilding by way of assisting customary conflict resolution and adding certain "modern" aspects to it. However, it is only by accepting custom/*kastom* as the starting point of any peacebuilding activities that NGOs could and can make a contribution to the peace process. Most prominent in this respect are the churches and women's groups.

Most Bougainvilleans are strict believers. The churches are the most significant institutions of civil society as they virtually reach out to every village. Churches are embedded in the indigenous Melanesian culture so that they combine custom and Christianity. This makes them effective peacebuilders at the grassroots level. In many cases local and regional peace processes were and are set in motion by church people. During the war the churches through their own networks organised relief supplies in terms of medicines, clothes and household items. Furthermore, the three mainline churches on Bougainville (Roman Catholic, United Church, Seventh Day Adventists (SDA)) hosted churches renewal programs to bring about healing and reconciliation. In the Catholic Church a program called "Healing of Memories Retreats" (HMO) started as early as 1992, initially facilitated by the Congregation of the Sisters of Nazareth, with the help of Lay Workers. The HMO seminars aimed at mutual forgiveness and reconciliation and were well attended by the people from all the churches and the combatants from both the BRA and the Resistance. Several ex-combatants became Lay Workers on the HOM Team.

The women from the churches have been especially active in building peace. Women's groups associated with the churches are active all over Bougainville. Given the high societal status of women in the mostly matrilineal societies in Bougainville, women are in a position to negotiate peace in their communities and to use their influence as go-betweens with the warring factions to initiate and maintain dialogue. During the war, women's groups and individual woman leaders organised peace marches, peace vigils, peace petitions and prayer meetings for peace. In July 1995 the Bougainville Inter-Church Women's Forum (BICWF) was established, uniting women from all denominations. The BICWF organised a Women's Peace Forum which was held in Arawa in August 1996. It was attended by about 700 women from across the island. That peace conference was an important step on the road to the peace process which started a year later. BICWF was the most important peacebuilding civil society institution in the first phases of the Bougainville peace process.

Women still bear the major burden of work in many NGOs today. Civil society opens new avenues for women to get into leadership positions that they neither have in the customary sphere (where women traditionally play decisive roles in the background, not in public) nor in

the sphere of state and politics (which is very much male dominated, not least under the influence of the former colonial powers and current Western models of state and politics). As women are confined to a largely non-public 'behind the scene' role in the traditional context of community life, and as they are still massively under-represented in the sphere of formal politics and government, they turn to the realm of civil society as a means to become engaged in public life and make their voices heard. Most NGOs and civil society organisations today are led by women, and women keep them going in everyday life. Civil society provides an avenue for women to become leaders. Some women even say that it makes more sense to focus on civil society work than to try to get involved in politics directly, because in civil society a woman can work much more effectively and can really make a difference, whereas in parliament and party politics she would only waste her energy. In fact, the leadership capacities of women in civil society are widely acknowledged by men both from the state political sphere and the customary sphere, but at the same time it seems that male politicians are not particularly fond of the idea of female colleagues, and chiefs would like to preserve traditional roles of women (Garasu 2002).

Women's NGOs such as the Bougainville Women for Peace and Freedom or the Leitana Nehan Women's Development Agency (LNWDA) are contributing valuable work to the peace process. LNWDA offers a range of services for women and youth such as counselling and a programme to combat violence against women. Since 2000 it has been running a very successful project under the title 'Strengthening Communities for Peace' (Jenkins 2006a). LNWDA has broadcast a weekly program on peace issues ('Peace Talk') on Radio Bougainville since 1999.[11] The radio program complements the workshops conducted by LNWDA in the field, as does LNWDA's Hihatuts Theatre Troupe, which conducts village and street theatre (Jenkins 2006a: 42; Jenkins 2006b: 87).

BOCIDA (Bougainville Community Integrated Development Assistance), which was the lead agency delivering humanitarian assistance during the war, later focused its work on critical literacy, reproductive health and education. The BICWF shifted the focus of its work to critical literacy, small business training and capacity building for women and local women's organisations. The Chabai Rehabilitation Centre of the Sisters of Nazareth has its focus on trauma counselling for victims of violent conflict (in particular women and children) and for ex-combatants, and it works on issues of domestic and other forms of everyday violence, organising 'safe houses' in various regions of Bougainville. It is also involved in the training of community auxiliary police.

Particular mention should be given to Peace Foundation Melanesia whose members worked for peace in Bougainville even in times of fiercest warfare (see above 2.3). At the core of the

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[11] A list of the radio program topics from 2000 to 2005 can be found in Hakena, Ninnes and Jenkins 2006, pp. 160-163.

foundation's activities were workshops to train grassroots people as mediators in conflicts at the local level.[12] PFM succeeded in revitalizing customary ways and adapting them to contemporary needs. PFM (or more precisely: its Bougainville successor organization) is still very active on Bougainville today, running basic training courses on Community Justice (including Peoples Skills and Conflict Resolution), Community Development, and Restorative Justice. On the initiative of PFM, Peace and Good Order Committees have been established in many Bougainvillean villages. They often substitute for the judicial and police institutions of the state.

The courses of PFM, BICWF, Nazareth Rehabilitation Centre and LNWDA have considerably contributed to spreading the idea of peaceful conflict resolution at the grassroots level. The fact that hundreds and thousands of Bougainvilleans have participated in these courses and similar endeavours of other groups cannot be overestimated.

Another important area of civil society activity is education. Community support for schooling and education is strong in present-day Bougainville, and indeed, people point out with pride that before the war Bougainville had the highest standard of education in PNG. Today illiteracy is an issue in some remote regions, especially for those young people and adults who grew up during the war period.[13]

Bougainvilleans are struggling hard to develop forms of learning that contribute to peace-building in their communities. Chiefs, village elders and other customary authorities generally demonstrate a great interest in providing decent formal education for the children and the young as well as for those adults who missed out on school because of the war (UNDP 2007, 35). At the same time, they are keen to make the point that there is not only one form of education, the western education taught in the formal school system, but also customary education which has served the people well from times immemorial, and as customary institutions have proven to be remarkably resilient and of major importance for communal peacebuilding, teaching and learning *kastom*, customary ways and indigenous knowledge are given high priority. Customary leaders are concerned because many young people have not only missed out on formal education during the war, but also on customary education. They are afraid that customary wisdom may get lost as many young people are very mobile today and cannot be taught by the elders in the village any more. Government officials and officials from the education department also strongly advocate the more meaningful inclusion of custom into the curriculum; at present there are some

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[12] For a comprehensive account of PFM's peacebuilding work see Howley 2002.

[13] The UNDP presents a relatively positive picture of literacy and numeracy levels. The adult literacy rate in Bougainville according to UNDP in 2006 was 80 per cent, with female 83 per cent and male 77 per cent (UNDP 2007, 22), compared to 57 per cent in PNG in general (ibid., 25). These figures are one example of the "gender equality in education" (UNDP 2007, 48) which has been achieved on Bougainville. Others, however, are more skeptical, pointing to the ongoing effects of the severe disruption of the education system during the war.

provisions for teaching custom, but this seems to be implemented only rarely and superficially. The necessity to teach custom is clearly prioritised by the ABG. "In particular, the President and his senior ministers insisted that they were not interested in replicating the formal education systems of industrialized states. They are interested in learning programmes that combine elements of proven value in indigenous knowledge systems with relevant international pedagogies" (UNDP 2007, 30). The establishment of 'schools of culture' is therefore seen as necessary to preserve custom and, along with it, peace and harmony in the communities.

Informal schools and training centres that operate outside the state system are held in high esteem because they are focussed on village-based applied education and make use of customary teaching methods. Examples are the Paruparu Training Centre, the Trade and Human Development Resource Centre in Panam village, the Arawa Womens' Training Centre, the Mabiri Training Centre or the Tunaniya Open Learning Centre. The latter explicitly focuses on adult literacy "for the young people who have missed out on formal education because of the ten years of war in Bougainville" and on life skills training in order to enable young adults to participate in "the developmental activities that take place in the communities" (Sirivi 2007: 1). It operates four schools that take adult students from several dozen villages in Central Bougainville. The Development Resource Centre in Panam village in the Nagovis region focuses on applied village-based skills, food security and culture and custom. The centre operates deliberately outside the formal system, without any government or donor funding. The same holds true for Paruparu which operates on similar lines. It has a long history of informal education given that it was the main educational hub of the BRA-controlled areas during the war and served as the BRA's 'high school' and 'university'.

Furthermore, there are some distinct 'custom schools' that operate completely outside the formal education system. An example is the school of the 'Indigenous Society' in the Aropa area. Learning here has its focus on custom, local languages, indigenous mathematics, genealogy, dance and songs. These 'custom schools' utilize story-telling, dancing, singing, painting and visual communication. Story-telling continues to serve important functions in local peace negotiations and reconciliation processes. Songs and dances are important too as they model relationships - among people, with the environment and with the spiritual world. By performing song and dance people are taught and learn social skills, attitudes and values.

All these informal educational institutions which belong to the realm of the specific form of Bougainville civil society (linked to local indigenous custom and culture) play an important role for building and sustaining peace and for socialising people into non-violent forms of conflict transformation, in particular at the local level; but they are also of significance for sustainable peace at the pan-Bougainville level. This also holds true for NGOs that work in other areas not directly linked to conflict transformation and peacebuilding, for instance health.

An example of a successful health-focused NGO with outreach into remote communities and with positive peacebuilding impact is the Bougainville Healthy Communities Programme (BHCP). It works in alignment with the Division of Health and is funded by NZAid. It started dealing with health issues (in particular leprosy) in an isolated manner, but over time has adopted a more holistic approach, integrating health issues in more general issues of governance, leadership, development and dispute resolution.

To summarize: civil society institutions and their members acknowledge the governance and leadership roles of actors in the formal state sphere and of traditional authorities in the customary sphere. They act as watchdogs and advocacy groups that try to influence (state) politics and to bring about change in the village context. Accordingly, at times they do criticize politicians and chiefs, oppose their decisions and urge changes in attitudes and politics. Their power to actually influence the attitudes, behaviour and politics of leaders from the state and the customary sphere varies considerably, according to the issues at stake and to personal relationships. Altogether the churches seem to be the most influential civil society groups; their leaders are usually in a position to exert considerable influence on politicians and chiefs.


### 3.4. Other societal actors

Some politically influential groups so far have abstained from formally joining the peacebuilding process and participating in state-building along the lines of the BPA. Most importantly this is the so-called Meekamui movement (Meekamui means 'Holy Land' in one of the local languages). In 1998 an intransigent faction split from the BRA and established the Me'ekamui Defence Force (MDF) at the beginning of the peacebuilding phase. Its members did not join the weapons disposal process and the overall peace process. On the other hand, they never disturbed or undermined that process and tacitly adhered to the ceasefire provisions.

Meekamui in principle holds to the BRA's Unilateral Declaration of Independence of March 1990 and argues that Bougainville has been independent ever since (although that declaration was not recognized by any other state or any international organization) and that, accordingly, there is no need for any further negotiations with the central government of PNG or any other external actors. The MDF is still in control of an area around the Panguna mine in central Bougainville. An estimated 40,000 people live in the Meekamui controlled areas (UNDP 2007, 19).

Meekamui territory was declared a "no-go zone" for outsiders, in particular representatives of the state of PNG (and initially also of the ABG). Until his death in July 2005, the Me'ekamui movement was led by Francis Ona, a charismatic personality, who had been instrumental in inciting the protest against the Panguna mine in 1988 and who had become President of the "Republic of Bougainville" in May 1990. In his view there was no need for negotiations with the

PNG central government, autonomy, elections, an ABG and all the rest of it. In April 1998 Ona proclaimed himself President of the Independent Republic of Me'ekamui and later on he even crowned himself 'king'.

The Me'ekamui people have their own structures of governance in the no-go zone, they control access to that zone by means of roadblocks and reject any interference of PNG institutions within their area of control. Over time though, relations with the ABG have eased, and the Me'ekamui people on specific occasions have cooperated with the ABG. The "border" between the no-go zone and the rest of Bougainville is rather porous, and there is considerable exchange. People from the no-go zone participated in the elections for the Bougainville parliament, Me'ekamui combatants provided security for the elections in the no-go zone, and Me'ekamui representatives even ran as candidates. "Ordinary" Bougainvilleans are free to travel between the no-go area and other parts of the island. Me'ekamui combatants and representatives move freely in all parts of Bougainville and in practical terms accept the authority of the ABG institutions.

A special state of shared sovereignty and para-state governance has developed with regard to the Me'ekamui region. On the one hand it is covered by the general provisions of the peace- and state-building processes: the PNG and ABG authorities claim that those provisions apply to the whole of Bougainville, but these provisions are only implemented partially. On the other hand Me'ekamui is a 'state' – or rather a very specific political entity – of its own. Over the last years, Meekamui authorities gradually have intensified cooperation with the ABG, especially with regard to the maintenance of order and the delivery of basic social services, but they still insist on their 'independence'.

On Me'ekamui territory *kastom* is strong and highly appreciated. Order is upheld, violence is controlled and disputes are settled according to customary ways. Traditional authorities are held in high esteem, and the 'holiness' of Bougainville culture forms the core element of Meekamui ideology. On the other hand, Me'ekamui also has its state institutions. It has a government with a prime minister and other ministers, it has its own security forces and other administrative bodies, and it claims to have its own treasury and finances. Hence Me'ekamui is not a territory where pre-colonial customary ways have been re-established. Rather, some kind of mixture and amalgamation of introduced and customary local institutions can be found. Me'ekamui is another form of a home-grown governance structure which tries to keep the customary institutions and at the same time meet the challenges of outside influences. Hybridization and institutional bricolage are characteristic of Meekamui governance. The result of the blending of foreign and local customary institutions might look rather strange and odd for external observers. However, it clearly appeals to a lot of people on the ground And the ensuing political entity is obviously capable of maintaining order and securing legitimacy (see below 5.1). Hence, although this state of shared sovereignty with two overlapping political entities – the Autonomous Region of Bougainville and the Independent Republic of Me'ekamui – covering the same territory and people is far from what conventional wisdom wants a 'proper' state to look like, this

arrangement appears to work, and any efforts to change this state of affairs from the outside could invite renewed violent conflict).

The existence of Meekamui, its security forces and its 'no-go zone' (or 'Independent Republic') is the most obvious proof that the monopoly over the legitimate use of physical force has not been established in the whole territory of the Autonomous Region of Bougainville. The situation is one of dual rule and shared sovereignty; and this seems not to be a big problem, it works on an everyday basis– at least as long as neither of the two powers tries to establish itself as the one and only legitimate political entity. In fact, having started in 2007, over the last years a complicated process of exchange between ABG and Meekamui has been underway which might lead to some kind of formal 'reunification' in the future (Regan 2010, 115). Meekamui representatives are in permanent communication with ABG authorities, they have demonstrated their interest in becoming official parties to the peace process and their willingness to join talks about the highly contentious issues of re-opening the Panguna mine and a new round of weapons disposal. The exchange between the no-go zone and the rest of Bougainville is increasing constantly, and institutions of the ABG have established themselves in the no-go zone; for example, a district office for the Panguna area was established in late 2007.

One has to acknowledge, however, that some sections of the population do not recognise the ABG as the (only) rightful government.

The situation is further complicated due to a split in the Meekamui movement and due to the fact that some armed groups in the south of Bougainville claim to be Meekamui, but are not recognized as such by the original Meekamui in the centre around Panguna. After the death of Francis Ona, the Meekamui split into two factions each with its own government: the Meekamui Government of Unity, which is in control of the Panguna mine, and the Original Meekamui which controls the access roads to the Panguna area (Regan 2010, 114-116). Both factions have established relationships with the ABG, and they are currently working on their reunification and try to develop a common stance towards the ABG and other 'outsiders'. The Unity Meekamui pursue a more moderate and pragmatic course, while the original Meekamui can be seen as more dogmatic or hardline. Reunification of the two factions is seen as a prerequisite for the development for a united stance in negotiations with the ABG and for maintaining a role as a major player in Bougainville politics in the future.

The most influential warlord in the south of Bougainville is Noah Musingku, a notorious criminal by Western standards. Years ago, Musingku established financial pyramid schemes in Solomon Islands and Papua New Guinea and swindled thousands of people of enormous amounts of money.[14] He is under criminal charges for fraud in these countries. He managed to flee to his home in Bougainville where he again convinced many people to give him their money

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[14] On Musingku's U-Vistract scheme see Cox 2009.

and where he established a territorial base in the southern part of the island, protected by a group of well-armed militants left over from the prior violent conflict, and protected by the trust and support of a rather large group of followers. The authorities of the state cannot get hold of him because any such attempt would risk the re-emergence of violent conflict. In his area of influence he has established a 'kingdom' - The Kingdom of Papaala - declaring himself King David Peii II and installing a 'royal government'. He founded the 'International Bank of Meekamui Royal Bank for Bougainville Reconstruction, Restoration & Rehabilitation' as a continuation of his fraudulent activities. While Musingku presents himself as part of the Meekamui movement, the other Meekamui factions have distanced themselves from Musingku.

Other warlords in the South have formed shifting and contemporary alliances with Musingku or Meekamui factions in central Bougainville. At times they present themselves as Meekamui, at times they use other brands for their gangs. They usually only have a few dozen men under their command and they control only rather small pockets of territory (usually their home villages and surrounding areas). Their presence and activities, however, triggered the formation of anti-Meekamui militias (usually more or less loosely connected with the ABG) which claim to defend their own communities against those warlords. This led to a rather unstable situation and at times open violent conflict in certain areas of the south over several years. At the end of 2011 a big reconciliation ceremony brought the major warlords and militia-leaders of the South together (with the exception of Noah Musingku), and they committed themselves to the cessation of hostilities and disarmament (the latter has not happened yet). Since then the situation is calmer and more stable.

Finally, mention has to be made of several socio-cultural spiritual movements, so-called cargo-cults, which have a certain degree of influence on conflict transformation, peacebuilding and governance. Some of those movements were closely linked to the BRA and were strong supporters of the independence movement. Today they have links to Meekamui. Of particular importance is the 'Meekamui Pontoku Onoring, Daita Karakeni '(also called the '50 Toea' movement ), founded and led by Damien Dameng. This movement challenged the authority of first the colonial administration and later of the newly independent state of PNG. It opposed foreign education systems and Christianity as well as the Panguna mine and the market economy because they destroyed Bougainville land and culture (Tanis 2005). Damien Dameng was a genuinely charismatic leader who had considerable influence on large parts of the population and also on the leaders of the BRA. He died in 2011. Today there are some similar movements around, but with much less influence, confined to remote areas and with leaders who are unknown beyond the confines of their immediate locality and constituency.


**3.5. External actors: donors, international organizations, INGOs**

As has been said before, external actors played a positive role in the transition from war to peace and in early peacebuilding on Bougainville. The TMG/PMG and the UNOMB are widely seen as exceptionally successful. This view is held both in the international discourse about peacebuilding and locally on Bougainville. Most people and leaders on Bougainville would have liked the PMG and the UNOMB to stay longer. A genuine partnership had developed between these internationals and Bougainvilleans, with the latter steering and controlling the collaboration processes. This positive experience paved the way for other external actors to come in; at the same time it has led to high expectations with regard to external actors' behaviour, operations and performance - expectations which have not been met all the time and by all actors.

After the cease-fire and the stabilisation of the security situation on the ground a considerable number of foreign development agencies, international NGOs and United Nations programmes and institutions became active in Bougainville, trying to assist in reconstruction, rehabilitation and peacebuilding. AusAID, the Australian government's development agency, has become the largest donor, spending considerable amounts of money on large projects such as the building of hospitals and schools and reconstruction and improvement of the material infrastructure (in particular main roads and wharfs), but also delivering small grants for community projects, NGOs and CBOs. The New Zealand development assistance was geared towards the re-integration of ex-combatants through vocational training; and the New Zealand police is very active in the training of the Bougainville police and community auxiliary police. The European Union assists in re-building of infrastructure and cash crop rehabilitation. Japan has conducted a major reconstruction program, rebuilding the many bridges on the main coastal highway on Bougainville. The United Nations Development Programme (UNDP) has been funding a Rehabilitation, Reconstruction and Development Programme, assisted by the USA and Canada. It has a permanent office on Bougainville and is the most active and visible UN agency on Bougainville, supporting numerous local peacebuilding and reconciliation initiatives. Other UN agencies like UNICEF, UNWomen, UNHCR are also present. The Asian Development Bank and the World Bank give financial and technical support to the ABG. A considerable number of Australian and other foreign NGOs run programmes on Bougainville in areas like literacy, food security, agriculture, health, water and sanitation (e.g. Save the Children, World Vision, Oxfam). World Vision, for example, has in December 2012 started a literacy program (Basic Education Improvement Plan) in remote areas of Bougainville.

Whereas there are many positive examples of international assistance to the Bougainville peace process and to development and capacity-building of state and civil society institutions, one cannot gloss over the fact that external intervention also has detrimental effects. Sometimes one almost gets the impression of "too much": too much money, too much outside interference, too much foreigninfluence. There is the danger of suppressing local indigenous initiatives and of paternalistic attitudes. Already some international organisations and INGOs have become the target of disgruntled locals. Those organisations set up their own offices and infrastructure at

considerable expense and in visible contrast to the lack of resources available to local groups and state institutions. The display of their comparative wealth has caused resentment, apparent in their targeting by youths who have stolen vehicles and supplies. External NGOs are not always prudent in choosing local partners, and outside assistance is spread unequally, for example preferring coastal areas to the mountainous interior or former government-controlled areas to former BRA-controlled regions. Local groups often feel sidelined by the richer and more powerful international NGOs and criticise them for establishing programmes without prior consultation, and bypassing existing local initiatives. The imminent danger exists that external assistance creates dependency and that external models of "development" again contribute to conditions that were causes of the war in the first place.

External actors bring with them their own norms and values, their own ideas and concepts of 'proper' (that is Western liberal) peacebuilding, state-building, capacity-building, accountability and transparency, good (enough) governance, development, human rights, democracy, effectiveness etc., accompanied by their own programmes and procedures of implementation. They often do this without much reflection on the fact that these norms, values, ideas and concepts, programmes and operational procedures are culturally bound and not necessarily shared by the 'target population' which is the object of their well meant efforts. Talk about 'empowerment', 'participation' and 'ownership' often remains superficial, constrained by the notion that the locals should be empowered to do and to own what the internationals think is best for them, namely the implementation of the internationals' norms and values, ideas and concepts according to the internationals' programmes and operational procedures. Cross-cultural dialogue and real partnership cannot work like this, particularly not in a place like Bougainville where through the war and especially the post-war period of reconstruction and reconciliation the people have developed a strong self-confidence, have learnt to trust their own strengths and are both willing and capable of taking care of their own affairs and to remain in control of their own destiny. External actors have to engage with the locals on an equal footing, and be prepared for local-international exchanges that might take on forms and lead to results that do not fit the presupposed expectations, programs and aims.

### 3.6. Relationships between actors from the various societal spheres

Members of the ABG are aware that it only represents one type of political leadership and that there are other types. Be it the President, members of the House of Representatives, ABG ministers, senior public servants – they all acknowledge the authority of traditional leadership.[15] They themselves remain members of their respective communities and retain close ties to customary village life so that they know about the importance of the leadership provided by

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[15] Interviews conducted in July 2011.

these traditional authorities; apart from that, some of the politicians are chiefs in their villages themselves. Smooth cooperation with the customary leaders is seen as of major importance for effective governance. The customary sphere of leadership is perceived as a decisive element of administering the public affairs in Bougainville. Politicians point to the Bougainville Constitution which makes comprehensive reference to customary ways of governance and leadership.

The officially proclaimed aim is that "the relationship between formal government and the chiefs should be one of complementarity rather than competition" (BCC 2004: 191). Whether this can actually be achieved, remains to be seen. Only the everyday practice of governance and administration will tell. It is mainly a problem of forging links between the community level of government (more informal, customary) and the Bougainville-wide level of government (more formal, modern state). Politicians in Bougainville are aware of the danger of competition; as the areas of competence of state and customary institutions cannot be marked off exactly, there is considerable overlap. On the other hand they also stress the chances: complementarity can be achieved on the basis of mutual trust and respect and understanding of the respective roles. But complementarity is not a given, it will have to be worked for, and this will not be without problems.[16]

The most difficult issue for the ABG in an everyday context is the relationship between the CoEs and the chiefs. As has been said before, in some CoEs chiefs are (nominated) members, in some they are not – either because they were not (s)elected or - more often - because they deliberately abstained from membership. Although according to the legal provisions (Constitution and Council of Elders Act, see above 3.1.) the CoEs are the local level government, in fact the chiefs are still the main community leaders in many places. There is much talk in communities about competition between 'educated' CoEs and 'un-educated' customary chiefs. The fact that CoE members receive allowances, whereas chiefs don't get paid at all, adds to the competition. Some 'progressives' are in favour of the imposition of CoEs regardless of the attitudes of chiefs, while some 'traditionalists' have the desire to abolish the CoEs altogether and establish Councils of Chiefs (CoCs) instead. The old divide of the war years between PNG/BTG-controlled areas with CoEs and BRA/BIG-controlled areas with CoCs seem to have an after-effect in this respect.[17]

These debates demonstrate that many political leaders and people struggle with the question of how to build institutions that are actually all-inclusive (or at least sufficiently inclusive) and both

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[16] Before the war power struggles between traditional authorities and state based institutions which were run by more educated younger leaders had been a common feature of political life on Bougainville ( Sagir 2005: 4). It cannot be ruled out that this will occur again.

[17] Some interviewees pointed to the fact that the original idea (of the late BTG-Premier Theodore Miriung) had been to have 'Councils of Elders and Chiefs'.

reflect custom/*kastom* and meet the needs of contemporary local level government structures. To get this right will be decisive for governance in Bougainville. It looks like the level of the areas of CoEs is the key level of intersection of formal state institutions and 'traditional' local non-state institutions, and it is important to find ways how that intersection can be improved, perhaps by going back to the original idea of combined CoEs/CoCs.

The ABG and CoEs as they are today are often perceived as being too far away from the people. 'The government' is still seen as an alien force by many people in the villages (e.g. there are continuous complaints about elected leaders who do not visit their constituencies). The ABG and many CoEs still have to prove that they can provide effective leadership.

Traditional leadership, on the other hand, has proven to be rather effective in the village context. There is doubt, however, whether this kind of effectiveness can also be achieved at higher levels of governance and with regard to the challenges implicit in major social change. Some sectors of the population, mainly youth and women, already have begun to question traditional authority. Customary leadership will have to adapt to social change. A particularly important case in point is the problem of customary leadership in 'urban' areas: there are squatter settlements developing in Buka (and to a lesser extent in Arawa), and it is difficult to identify the leaders of the people in these squatter settlements.[18]  For this and other reasons, the vast majority of local traditional leaders are aware that they have to engage with and cooperate with the ABG and other societal actors in the interest of the wellbeing of their people. Only a very small minority sees the outright rejection of state and civil society actors and the 'return' to stateless forms of governance as a livable option. By contrast, most chiefs and elders would like to be more included in collaborations with state and civil society. They complain about too little support and a lack of recognition of their role and work by other actors.

This openness to collaboration can also be found in civil society. CBOs and NGOs see themselves to a certain extent as critical watchdogs and advocacy groups and therefore at times they are in conflict with state and traditional authorities, but in general they are interested in constructive conduct of such conflicts. They see their work as complementing and improving the efforts of state institutions and traditional authorities in areas like peacebuilding, dispute resolution or community development. More acknowledgement of their work, more support for it and more collaboration is what they generally want. The churches in particular are well positioned to facilitate collaboration between authorities from the different societal spheres.

External actors like donors, international organisations and INGOs define their role as supporting civil society and state institutions. Given the substantial financial and other material resources at their disposal they are much sought after partners. In the course of cooperation they can make

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[18] For example, approximately 3000 squatters from Southern Bougainville currently live in the wider Buka area. It is difficult to engage with them because they do not have clear leadership structures.

mistakes – due to lack of understanding of the local social, cultural and political context or due to limitations of their own bureaucratic constraints and operational procedures -, but in general their supportive roles are appreciated by most other actors, with the exception of particularly 'traditionalist' and 'nationalist' forces, e.g. among the Meekamui or traditional authorities who are opposed to any outside interference. On the other hand, most external actors lack competence, understanding, mandate and willingness to engage with local actors beyond the 'comfort' zone of ABG state institutions and civil society organisations.

Finally, the Meekamui movement is to a certain extent torn between a willingness to collaborate with other actors, in particular the ABG, but also civil society and international actors, and insistence on its independence and self-sufficiency, which also comprises the refusal to recognize the legitimacy of those other actors. Hence at times the Meekamui complain about too little assistance and collaborative efforts from the ABG and others and demand more support, and at times reject meaningful interaction. On these grounds, the relationship between Meekamui and the ABG is characterized by a mix of conflict, competition and collaboration, with the collaborative aspects becoming more and more dominant. Whereas the relationship with the ABG is problematic (but improving), the relationship with traditional authorities is good, given that Meekamui builds its whole raison d'etre on defending and maintaining Bougainville customs and the cultural identity of the Bougainville people.

To summarize, it can be said that in general the various actors prefer policies of exchange, accommodation and negotiation and only resort to contestation very selectively, thus avoiding relapse into major (violent) conflict and opening avenues for the further improvement of governance, development and peacebuilding on Bougainville. Largely inclusive policies have good prospects of success.

The only potential spoilers are certain 'wild cards' like Noah Musingku and other minor warlords who so far have been excluded from collaborative efforts. At the same time, they have not shown much willingness to compromise in ways that would make inclusive policies easier for the other actors. Hence they are subject to processes of marginalization and self-marginalisation. It remains to be seen whether strategies of sufficient inclusion will enhance efforts to bring those actors in from the cold (or better: the wild) or can further sideline them to such an extent that they lose their capacity to spoil peacebuilding and state formation and can be dealt with as a manageable 'law and order' issue.

## 4. Types and sources of legitimacy[19]

### 4.1. Rational-legal legitimacy (sort of): the ABG and state institutions

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[19] This chapter is mainly based on interviews, focus group discussions and participant observation during fieldwork, conducted in 2011 and again 2012.

Members of the ABG and the Bougainville House of Representatives present themselves as legitimised through formal democratic process, notably elections. They are convinced of their legitimacy in a normative sense. Elections are enshrined in the Bougainville constitution as the legally proscribed way of deciding on legitimate political leadership, and in reality elections in post-conflict Bougainville so far have been astonishingly free and fair and well managed, both in comparison to other post-conflict countries in the Global South in general and the rest of PNG in particular. This is a point of considerable pride among the political elite in Bougainville. Moreover, the elected peak bodies of the state seem to function relatively well and smoothly, with regular sittings of parliament and the government, functioning parliamentary committees etc. And the electorate, the people on the ground, acknowledge the democratic processes and their outcomes. They appreciate the right to vote, make use of this right in numbers that are comparable to well established democracies and recognize the elected members of the ABG and House of Representatives as their representatives, as their legitimate leaders.

The instrument of 'recall of members' gives voters additional control over their elected representatives. It comprises "the capacity of the voters of a particular constituency to recall their member if in their view he or she is not doing their job as the people wish. This procedure effectively allows the voters to sack their sitting member and replace him or her with another between elections. This provides a level of participation unheard of in most other democracies" (BCC 2004: 217).[20] The instrument of 'recall of members' echoes the position of traditional leaders in a customary context. They have to prove their leadership capabilities on a daily basis, and their leadership role is accepted by the people only if and as long as they provide genuine leadership. Hence the status and legitimacy of a leader can never be taken for granted, it can be challenged at any time.

Problems arise with regard to the performance dimension of legitimacy of the government and state institutions. Capacities and effectiveness of the ABG and the state institutions are limited. They do not deliver what the people expect. And this impacts negatively on their legitimacy, given that "… the provision of local needs is central to generating internal, local legitimacy, which in turn is a key to stability and peace" (Roberts, 2011, 411).

For the people on the ground it is not so much the fact that parliament and committees meet regularly and have lively debates, that ministers of the ABG and their staff keep themselves busy in their (very modest and often dilapidated) offices that matters, but that there are only very limited effects of these activities visible in everyday life. As a consequence, people are content

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[20]The mechanism for recall of a member of the House of Representatives is in two stages (BC, clause 58). The initial step is a recall petition that has to be signed by no less than one third of the voters in the relevant constituency. In a second stage voters would have to vote on the issue of recall and the election of a new member. The process cannot be initiated in the first 12 months after an election and in the last 15 months of a normal term. A recall of the President of Bougainville is not possible.

with having elected leaders and do appreciate their right to elect their leaders, but at the same time are frustrated with the performance of those leaders.[21]. At the end of the day, for ordinary Bougainvilleans it is performance that matters. Their mood can be described as: well, these people in the ABG and parliament are our leaders, we elect them, and that is fine, but they do not really care for us, they do not do what real leaders are supposed to do, namely look after their people. This is why people are only too happy to elect new people in the next elections (the turnover of elected members in parliament is usually very high), and, even more importantly, whenever they have a serious concern and want things to get done, they turn to persons in government, parliament or the public service not only because of the official position these people hold, but because they are kin or fellow locals. The expectation is that office-holders utilize their official position in favour of their kin. And office-holders tend to behave as expected, because of the social network of obligations they are bound into, and in order to enhance their chances to maintain their position or to get re-elected.

Providing for their people does not necessarily focus primarily on the delivery of services that are supposed to be developmental goods, such as a health post, equipment for schools, a water tank for the village or a better feeder road, but also payment of school fees for children from the extended family, sumptuous presents on occasions like weddings or birthdays, payment for funeral costs or provision of money, food and other goods for reconciliation ceremonies. The legitimacy that comes with this kind of behaviour is obviously not rational-legal legitimacy in the Weberian sense. It can easily be interpreted as corruption, clientelism and nepotism from a liberal rational-legal perspective. The view of locals, however, might be quite different. Clientelism and corruption can be legitimate – as long as they do not serve purposes of personal enrichment (only), but benefit a wider societal group (of kin), that is as long as they are perceived as forms of customary reciprocity and redistribution – "redistributive corruption" (Kolstad et al 2008, 26). This provides a rationale for the re-election of 'corrupt' politicians, who – in the ideal world of rational-legal legitimacy – would have been de-legitimised, but who still enjoy legitimacy - exactly because of their 'corrupt' behaviour. What might be perceived as de-legitimising corruption in the context of rational-legal authority can be an extension of reciprocity and exchange of gifts and thus confirm traditional legitimacy. Whether corruption is legitimate in an empirical sense is thus context-dependent, it can be legitimised as an extension of customary social practice (Kolstad et al. 2008, 27).[22]

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[21] The ABG on the other hand points to the fact that the people do not fulfill their obligations as 'citizens', in particular with regard to the payment of taxes. So what forms the core of the state-citizenship exchange in an environment of rational-legal statehood - the exchange of services and taxes – is to a large extent lacking in the Bougainville case.

[22] Corruption nevertheless can also be illegitimate in the customary context whenever it transgresses customary boundaries relating to excess, selfishness and personal greed. These boundaries, however, are fluid.

## 4.2. Traditional legitimacy (sort of): chiefs

Non-state customary actors draw on various sources of legitimacy. The picture varies considerably in different localities in Bougainville; there is no universal pattern of legitimate authority of non-state actors from the customary sphere. Traditional leadership was and is often based on a mix of inherited rights and personal abilities and achievements, with no fixed ownership of e.g. chiefly title. Hence there can be – and often is – a lot of uncertainty and disagreement about who is a 'real' leader or chief, meaning that legitimacy is contested. The strict dichotomy of 'chiefs' and 'big men' that used to inform earlier anthropological literature, is challenged by more recent research findings which contradict previous over-generalised polarisations and support a more nuanced picture (Ogan 2005, 51). Legitimate leadership can be both hereditary 'ascribed' (chiefs) and 'achieved' (big men), and often there are combinations and various mixes of ascribed and achieved, as well as different degrees of formalization of customary leadership roles, and different ways to formalize these roles. Traditional authorities can have different areas of authority and responsibility, for example with reference to locality (village chiefs) or with reference to social relations (clan or lineage chiefs). Only in a minority of communities there are 'pure' hereditary chiefs (e.g. the Haku chiefs on Buka, see Sagir 2005). In most cases, even hereditary chiefs have to perform well and have to deliver to their people in order to maintain their status; a chief's son who fails in this regard cannot be sure to simply inherit his father's status. On the other hand, big men who perform well can pave the way for their line to sustain leadership positions beyond their individual achievements. In any case, leadership roles can be challenged at any time and must be reinforced through continuous efforts in the economic, political and cultural spheres.

Forms of leadership and expectations with regard to good leadership are in flux too. In the Siwai area in southern Bougainville, for example, chiefs and a chiefly system were established during the times of the violent conflict, with the new chiefs those persons who were best suited to deal with the challenges of the violent conflict, that is "those who were seen to be both knowledgeable in 'modern' ways but with clear respect for Siwai 'traditions' and who combined both authority and a sense of direction" (Connell 2007, 141). Leaders are expected to establish and reinforce their status by means of knowledge (of history, genealogy, kinship ties, customs), generosity (giving large feasts, distributing food and other goods), industry/entrepreneurship (rallying followers to conduct economic and social activities that benefit the community, entrepreneurial skills) and conflict resolution skills (mediating in conflicts within and between communities). Links to other-worldly powers, the spirit world, can also improve the status of leaders (magic, sorcery), as the ancestral spirits play an important role in the life of communities. In other words: a leader in the customary local sphere has to establish and hold together a constituency of followers through outstanding capabilities and achievements. Above all he must be capable of distributing gifts to his followers on an on-

going basis, so as to forge and reaffirm links of obligation from their side. As he has no other means at hand to secure his status – in particular, no means of enforcement and coercion – his legitimacy rests on these capacities.

This means that in the output or performance dimension, legitimacy primarily rests on the allocation and redistribution of wealth and the maintenance of the wellbeing of the community, provision of security for the community and its members, upholding order and dealing with conflicts. Performance in these areas of social life forges relationships between leaders and members of the community and establishes the community members' belief in the leaders' right to govern. If leaders neglect their obligations, they lose legitimacy and their leadership will be challenged (by aspiring alternative leaders, or by intervention of other-worldly powers like the spirits of the ancestors, or by charismatic personalities).

In the process dimension, traditional legitimacy partly rests on well-established sacrosanct rules (like heredity of chiefly or other status) that are perceived as having been installed by supernatural powers and having been valid since time immemorial. But the process dimension also has more secular, pragmatic and changeable aspects. Permanent communication and consultation with the (eligible) members of the community (and with the supernatural powers) is necessary to maintain legitimacy. Leaders have to organise inclusive consultation and to achieve consensus. In other words: although chiefs or elders are not elected and not subject to formal mechanisms of accountability, they have to make sure that their decision-making processes are inclusive and consultative, geared towards achieving a high degree of consensus within the (eligible members of the) community.

The issue of legitimate customary leadership is further complicated due to the matrilineal descent systems of most communities on Bougainville. This means that besides the more visible 'public' male leadership roles there are also less visible female (or male) leadership roles which are linked to matrilineal descent andinheritance of ranks ant titles in the female line.

Finally, outside 'modern' factors come into play which also have an influence on legitimate leadership in the local customary context; a good formal education, business success in the cash economy, positions in government or public service or in the church or in civil society organisations can enhance legitimacy of leadership in the customary sphere.[23] A big man or chief who is at the same time a successful businessman or politician can improve his status and

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[23] These external influences on legitimate leadership in the customary sphere go back to colonial times. Colonial administrators and missionaries who picked and appointed 'leaders' among the locals (on the basis of foreign concepts of leadership) clearly changed the dynamics of legitimate leadership in the customary sphere, e.g. appointment of village chiefs (*luluai*) and assistants (*tultul*) by the German colonial administration (Sagir 2005, 357).

legitimacy on the basis of access to additional resources which make it possible to demonstrate generosity at a scale impossible and unprecedented in the local context (e.g. distribution of cash or material goods bought by cash, provision of roads or schools or health posts). The capacity to amass wealth and redistribute (at least part of) it to his kin is the basis for gaining and maintaining performance legitimacy. In such a way traditional legitimacy in the customary sphere is enhanced, although the sources of this legitimacy are clearly non-traditional.

Traditional legitimacy today is not unchallenged. People are well aware of the existence of other forms of legitimate authority and of the weaknesses of traditional leaders, e.g. because they are 'uneducated' in the formal system of education. Members of the younger generation in particular question traditional legitimacy, be it on the basis of better formal education or on the basis of experiences during the violent conflict. With many young people the "violence and the power of armed groups undermined respect for, acceptance into, and the practices of, customary leadership in villages. For young men, traditional lines of authority became less legitimate" (Barnett and Kent 2012, 38); for them, the military commanders of armed groups often became a new type of legitimate authority.


## 4.3. Performance legitimacy: civil society actors

As has been said earlier, Bougainville has an emerging civil society beyond the state structures and the customary sphere. It has gained strength and importance particularly in the transition phase from violent conflict to post-conflict. Actors and institutions from civil society are involved in peacebuilding and governance on Bougainville. Therefore issues of legitimacy also are of concern with regard to them. Civil society organisations like women's groups, peace groups, environmental or educational groups were founded by particularly engaged and pro-active Bougainvilleans, mostly women, who identified the need for civil engagement due to the weakness or shortcomings of state and customary institutions. Support from external actors, donors, international organisations and international NGOs was and still is often crucial for the establishment and sustainability of these civil society organisations. Their legitimacy and the legitimacy of their leaders very much rests with their performance, it is dependent on what services they can really provide for the people (with 'services' comprising a broad range of activities, from local conflict resolution through trauma counselling to literacy and vocational training to housing and lobbying for special interests). Only if these services are seen as useful and of a kind and quality that actors from the state and custom sphere cannot provide, people perceive civil society actors as legitimate.

The process dimension in comparison is of minor relevance. The process of establishing CBOs and NGOs is usually rather ad hoc and voluntaristic (a group of concerned people come together to address specific issues); their everyday internal operations are often not visible and

also not of particular interest to outsiders (who are much more interested in the output of those operations); democratic internal processes, transparency and accountability are strived for (and more or less fully achieved), but seem to be more important for achieving and maintaining legitimacy in the eyes of the donors than in the view of the locals.

Support by donors, which is often crucial for the survival of NGOs and CBOs, is a double-edged sword for their legitimacy. On the one hand, external recognition can enhance legitimacy (due to the fact that organisations like UNDP have a 'good name' among Bougainvilleans). On the other hand it can also diminish legitimacy because externally-funded organisations are seen as directed and controlled by foreign (e.g. Australian) interests and as alien to indigenous Bougainville society. The respect that leaders of CBOs and NGOs as individuals enjoy helps to enhance their legitimacy. This respect, however, is originally based on the status of those leaders in the local customary context. Often women have leadership positions in civil society organisations. This has to be seen in the context of the relatively strong societal status of women in the matrilineal communities of Bougainville. Although women leaders' legitimacy as heads of CBOs and NGOs originally stems from the local societal sphere, it is confirmed and enhanced on the basis of their performance as leaders of their organisations and networks. The crucial role women played in peacebuilding is not forgotten on Bougainville, respect and legitimacy was largely built in this context. The personal courage and aura of women leaders that became so obvious in the times of the transition from war to peace is a major source of their legitimacy today.

This is not to say that legitimacy of civil society organisations and their leaders is not put into question from various quarters. Representatives of state institutions can see civil society organisations as interfering with functions and responsibilities which genuinely belong into the realm of the state, and they can question the democratic legitimisation of CBOs and NGOs. Jealousy comes into play here too, given that NGOs and CBOs are often better equipped than state administrations due to their good connections to external donors. Traditional authorities can also question the legitimacy of civil society organisations on the grounds that they are alien to local kastom and culture. Hidden behind these arguments put forward by (male) representatives of the state and the customary sphere is an uneasiness about the emergence of a new type of (often female) legitimate leadership which to a certain extent challenges and competes with older established types of leadership. These reservations notwithstanding, it also occurs that people move from positions in the state to civil society organisations or that traditional authorities join those organisations, mainly because of the superior material resources provided by them, due to their effectiveness and also due to their reputation and legitimacy. Such 'conversion' can enhance the legitimacy of the civil society organisations (based on the respect enjoyed by the 'converts'), and on the other hand it can also add legitimacy to the 'converts' (due to their new or additional status in a well respected civil society organisation with good connections to external actors and external sources of funding).

Very special and important kinds of civil society organisations in Bougainville are the churches. As has been mentioned before, the churches are of major significance for societal life on Bougainville and for the everyday governance of the lives of ordinary Bougainvilleans. As the activities of the churches are not confined to the religious sphere, but also cover other societal arenas and expand well into the realm of politics and governance, their legitimacy is an issue of political significance.

Church representatives enjoy a high degree of legitimacy (of course particularly with the members of their respective denominations, but also across denominational boundaries). The legitimacy of church leaders flows from their position within an institution of utmost cultural, psycho-social and spiritual importance. It is firmly grounded in the deep belief of Bougainvilleans in god and the church(es) as the expression of god's will on earth. The Catholic church is the biggest and most influential. The special status of Mary as the mother of God in Catholicism fits with the matrilineal system of most Bougainvillean communities; Mary was "easily accepted due to her role as a mother, an important status in the matrilineal societies of Bougainville" (Hermkens 2007, 276). Furthermore, the performance of the churches in various areas of everyday needs (particularly health and education, counselling and dispute resolution) adds to their legitimacy.

In contrast to other civil society organisations their legitimacy is hardly challenged by actors from the state and the customary sphere.[24] Personal standing, aura and performance influence the legitimacy of individual church leaders. As a considerable number of church people have played important roles in the transition from war to peace and in peacebuilding they can build on the legitimacy which emerged in that context. This is very similar to the legitimacy of women leaders; in fact, female church leaders enjoy particularly high degrees of legitimacy.

While mainline churches such as the Catholic church strive for (and usually realise) a constructive relationship with state institutions and customary institutions, the newer pentecostal and fundamentalist churches which are constantly gaining more influence in Bougainville (and throughout Melanesia) have a much more critical stance. They often denounce customary institutions as 'heathen', challenge the legitimacy of traditional authorities, and they criticise state actors as morally corrupt. In fact, "populist forms of Charismatic Christianity have provided the moral authorising language for criticising state officials who are widely regarded as corrupt and lazy" (Lattas and Rio 2011, 17).

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[24] There are some adherents of a strict and 'pure' interpretation of kastom who complain about the influence of the church. In their view, the introduction of Christianity has taken away the power of the ancestral spirits and led to the demise of kastom and to social, cultural and psychological confusion. The majority of people, however, do not see a contradiction between Christianity and church on the one hand and kastom and the ancestral spirits on the other , but pose that they go well together, with Christianity becoming part of kastom and kastom being incorporated into Christianity.

**4.4. Charismatic legitimacy (sort of): Warlords, prophets and self-proclaimed kings**

At the other end of the spectrum of legitimate non-state societal leaders there are 'wild cards' such as (ex-combatant) military commanders or leaders of social-cultural-spiritual movements (so-called cargo cults) who enjoy legitimacy among considerable parts of the population and who to a certain extent compete with and challenge the other types of legitimate authorities.

While most of the former commanders of the armed groups on Bougainville have either given up (or lost) their leadership positions or have transformed themselves into legitimate leaders in the state context – as politicians, ministers of the ABG, members of parliament – or have become (rather successful) businessman, there remain a few who still maintain their status as commanders, often in combination with new roles as entrepreneurs/businessmen. They build on the legitimacy they obtained as outstanding warriors during the war (plus, in several cases, their outstanding roles as negotiators in the peace process). This charismatic warrior legitimacy is today supplemented by performance legitimacy: they provide for their followers and constituencies with both immaterial goods (security, identity, societal status) and material goods (based on e.g. extraction of money at roadblocks or various informal 'shadow' business activities that they can pursue because they control certain areas with exploitable resources, e.g. scrap metal at the Panguna mine site or alluvial gold in rivers downstream of the mine). Some of them openly maintain their status as commanders of armed groups (in particular the various factions of the Meekamui movement, but also other locally bound militias), others have 'retired' into civilian life, but nevertheless are tacitly acknowledged as leaders by their former fighters and, based on their charismatic legitimacy, can easily mobilise their 'boys' if the necessity arises. Although these leaders have aligned themselves with political institutions and leaders (either the ABG or the Meekamui government(s)), they enjoy legitimacy in their own right and therefore have to be taken into account as a specific type of legitimate authority in post-conflict Bougainville, with their charisma denoting a relationship between leader and followers, not an individual personality attribute.

Furthermore, in addition to charismatic leaders of the military kind there are also charismatic leaders of the prophetic type. As has been mentioned before, Bougainville (as many other islands in the South Pacific) has a rich history of so-called cargo cults, indigenous socio-cultural spiritual movements and networks led by charismatic personalities who regularly challenged the legitimacy of state, church and other alien institutions. While some of those movements and their leaders who had played major roles in the build-up to the war and during the war have widely lost their influence today (in particular Damien Dameng and his 50 Toea movement, see above 3.4.) there still are some smaller areas under the influence of cargo-cults and their leaders. Their legitimacy is confined to very small segments of the populace, and they do not pose a real challenge to the ABG or other legitimate authorities – with one notable exception, namely Noah

Musingku (see above 3.4.). He is a prophetical type of charismatic leader who has to be reckoned with. His charismatic legitimacy is grounded in the cargo-cult tradition. He has promised several times already that large amounts of money would be distributed to the people who invested in his U-Vistract scheme, announcing precise dates when airplanes loaded with the money (at times accompanied by Queen Elisabeth II or then President George Bush) would land at certain airstrips in the south of Bougainville. These dates all have passed without the delivery of the money. This negatively affected Musingku's performance legitimacy, and he lost followers. But so far his legitimacy has not collapsed. He tried to transform charismatic legitimacy by establishing a 'kingdom' in his area of influence (The Kingdom of Papaala, see above 3.4.) and declaring himself King David Peii II. This can be seen as an example of the routinization of inherently unstable charismatic legitimacy. His coronation was attended by thousands of his followers, which is evidence of his empirical domestic legitimacy. He also lays claim to international legitimacy, positing that his kingdom and government has the recognition of the UN, IMF and other international organisations as well as a couple of similar 'kingdoms'. Finally, he also refers to religious sources of legitimacy.[25] He and other actors of his kind often refer to the sphere of magic and to occult forces to legitimise their authority. They claim to have access to the power of spirits and to the supernatural world and gird their legitimate authority with secrecy and sorcery/witchcraft. Sorcery – as a force for good or bad – plays a role in everyday life and politics in Bougainville today, it can legitimise or delegitimise. And it is not only the 'wild cards' that refer to this other-worldly dimension of legitimisation, but also Meekamui, traditional authorities and even members of the ABG and the public service (although the latter would not acknowledge this publicly).

## 4.5. International legitimacy: external actors

As has been said before, external actors play a role in peacebuilding, governance and state formation today. Therefore they have to be briefly addressed with regard to their legitimacy. They do not only support other actors and institutions (state and civil society) through funding and otherwise providing resources (and thus impacting on the performance legitimacy of those actors and institutions), but they pursue activities in their own right. They legitimise their presence and activities with reference to international standards and agendas of peacebuilding, development assistance and state-building and with reference to their invitation by and collaboration with state institutions. In other words, they refer to international rational-legal legitimacy. The fact that these outsiders are bestowed with international and rational-legal legitimacy does not matter much for the locals though. What really counts for them is that

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[25] "The biblical name of Bougainville Island is Ophir. King Solomon got his gold and valuable wood from here. Bougainville Island is a devout Christian Nation…" (website of the International Bank of Meekamui).

internationals have made an important contribution to peacebuilding on Bougainville, and that they have committed themselves to supporting Bougainvilleans in state-building and development. Based on the reputation internationals gained due to their role in peacebuilding and due to their current development and state-building assistance they enjoy a certain degree of performance legitimacy. This, however, does not apply to all external actors alike. There are some who are seen with much more suspicion, in part because of former negative experiences, in part because of uncertainties surrounding future ambitions and agendas. The former refers in particular to Australia because of its pro-PNG stance during the war, the latter to Chinese engagement which has considerably intensified over the last few years. In other words: while external actors take their legitimacy for granted (due to their 'good intentions' and due to their endorsement by state and international bodies), locals have a different view. The internationals' presence and activities might be perfectly legal, but this does not automatically translate into local empirical legitimacy. The internationals' legitimacy in the local context is not a given; they have to permanently legitimise their presence, mainly by way of performance that satisfies the needs of the locals.

## 5.Hybridization of legitimacy

### 5.1. Meekamui – kastom, Generals and the Virgin Mary

The Meekamui movement understands and presents itself as traditional, embodying the customs of the people that have guided their lives since time immemorial. The reality is far from that. A closer look reveals a much more complicated picture. In the same way as today's kastom is different from the customs of the pre-contact past (see above 3.2.), so is today's traditional authority People acknowledge and appreciate the reference to kastom in legitimising Meekamui leadership. This has to be seen in the context of the generally positive attitude towards kastom among the Meekamui constituency. Kastom is utilized as an ideology by Meekamui in order to shape and strengthen a distinct Bougainville identity. As such, it can be seen as an important means of nation-building, although the concept of 'nation' is far from pre-contact and pre-colonial Bougainville customs.

In this ideological context, the concept of Meekamui (which means Sacred or Holy Island in one of the local languages) does not only refer to the sacred places of the ancestors, but also alludes to Christianity, and this combination is presented as being special to Bougainvilleans and serves as the means of distinction between them and their Holy Land on the one hand and all outside forces on the other (Hermkens 2012, 166). In its 'Human Rights Declaration' the 'Government of Meekamui' presents a myth of origin of the people of Bougainville with reference to the Bible's King Solomon who sent the forefathers of contemporary Bougainvilleans to their island in search of gold, with the Bougainvilleans being a lost tribe of

the ancient Hebrews and given the "biblical obligation to safeguard the gold, copper and minerals for the time when they receive the command from the Holy One to supply the precious metals in the rebuilding of the Holy Temple".[26] Thus the Meekamui movement is legitimised through "a combination of custom, Christianity and nationalism" (Hermkens 2007, 278), with nationalism to be understood as pointing to indigeneity (place of origin, place of birth, connectedness to the land). The supreme leader of the Meekamui movement, the late Francis Ona, founded the Marian Mercy Mission as an expression of his devotion to Mary (Hermkens 2007, 280), thus legitimising his movement with reference to Christianity. Accordingly, the struggle for Bougainville independence is presented as a 'holy war', with the BRA/Meekamui as a 'holy army' supported by Mary and God (Hermkens 2007, 281), and with Francis Ona not only a charismatic political, but also spiritual leader.[27] In other words: The Meekamui leadership is to a certain extent built on charismatic legitimacy, all the more so as among the Meekamui leadership a considerable number of people can be found who cannot refer to traditional legitimacy (e.g. as chiefs) in their communities. These people have attained leadership roles in the context of the secessionist movement, the BRA and Meekamui. They wrap themselves in the cloak of tradition, but this is at best one element of their legitimacy. Other sources of their legitimacy are their performance during the war (as outstanding military commanders with charismatic authority, like the Meekamui 'general' Chris Uma) and/or during the establishment of an indigenous realm of governance after the war (e.g. as advisers of the late Francis Ona, the charismatic leader of the secessionist movement and the BRA). Their legitimacy is shaky and contested, exactly because it is not – as proclaimed by them – deeply rooted in the customs of the olden days.

As a consequence, Meekamui also borrows from 'alien'/foreign/external legitimising concepts: Meekamui has its own 'government(s)', a 'House of Lords', and a 'general' of its Defence Forces. These references to obviously non-indigenous institutions are a clear indication of the diversification of sources of legitimacy. Meekamui legitimacy is in constant flux and composed of various elements (with tradition only one among others). Meekamui leadership legitimacy is best understood as hybrid legitimacy. In the mix, the elements that most closely resemble rational-legal notions of legitimacy are particularly weak, e.g. the Meekamui 'government' and its 'ministers'. This is a non-elected, self-proclaimed government, and people are well aware that there are other governments that can lay claim to legitimacy on the basis of elections, and the ABG challenges the Meekamui government exactly on these grounds. As a consequence, Meekamui leaders do not so much enjoy

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[26] Government of Meekamui. Human Rights Declaration, 1 January 2011, at htpp://governmentofmeekamui.net.

[27] A few weeks before his death in July 2005 Ona proclaimed himself His Royal Highness King Francis Dominic Dateransy Domanaa, King of the Royal Kingdom of Meekamui. This can be seen as an attempt to stablise and routinize the legitimacy of his leadership, similar to Musingku's proclamation as king (Hermkens 2012, 179).

legitimacy as members of the Meekamui government(s), but due to their personal standing and their past achievements.

Their legitimacy is all the more precarious as they do not have to show much in the performance dimension. Due to lack of resources and capacities the Meekamui government(s) cannot provide basic services like health and education, therefore this kind of performance cannot be used to legitimise Meekamui rule; in this regard Meekamui is dependent on outsiders, most notably the ABG, that is, their main competitor for legitimate authority.

In the fields of security provision and identity formation, however, Meekamui leadership has performance legitimacy, with people saying: Meekamui protects us against threats from the outside, maintains order internally and nurtures our own distinct (kastom) identity as Bougainvilleans ('us' against the rest, as distinct from the 'others'). This legitimisation by way of an elaborated identity discourse is of major importance, given the recent Bougainville history which was shaped by the struggle for self-determination against outside forces.

As the processes that brought Meekamui leaders into their positions do not fit into the rational-legal realm (in particular no elections, no established procedures for governance and administration) nor the traditional realm (people without chiefly or other traditional status), but were outside of any regular frame (hand-picked by the late Francis Ona as the charismatic leader, co-optation by other leaders) they very much depend on their personal standing to secure legitimacy. The importance of this personal aspect of legitimacy comes to the fore when people talk of them as 'natural leaders' (in contrast to elected or traditional leaders). As this legitimacy is rather shaky, they strive for formalisation and routinization of unstable legitimacy. This is why they permanently look for and try to generate new sources of legitimacy, e.g. by inventing such institutions as 'Lords' and a 'House of Lords'.

Hence Meekamui is a striking example for the composite character and the fluidity of legitimacy in contemporary Bougainville. Meekamui legitimacy is work in progress, it is constantly re-negotiated and re-composed from different elements. It is not a 'given', it is never 'achieved' or 'arrived at', rather it has to be thought of as being in process mode. Elements of traditional, charismatic and rational-legal legitimacy become enmeshed, and legitimacy is hybridised. This hybrid legitimacy is not static, but in flux, never 'done' and 'present', but 'emerging' (and also fading) all the time.

This hybridisation of legitimacy and its composite character is particularly obvious and visible with regard to Meekamui, but it can be also traced with regard to the other legitimate actors in post-conflict Bougainville.

**5.2. The ABG – President, Chief, Warlords**

For the ABG it is very easy to question the legitimacy of the Meekamui government(s). Meekamui leadership was not elected, it cannot point to transparent and accountable forms of governance or a well-established legal framework (as laid down in writing in a constitution and state laws), and it cannot show much in terms of performance for the wellbeing of the people (if understood narrowly as the delivery of services). In comparison, the ABG fares much better (even if, as has been explained earlier, there are clear shortcomings in its performance). The problem is, however, that this does not really bolster the empirical legitimacy of the ABG. Apart from the fact that there are sections of the population (albeit a minority) that see Meekamui as more legitimate than the ABG, even in the eyes of those Bougainvilleans who accept the ABG as the legitimate government, this acceptance is neither undivided (many people see the ABG as legitimate besides Meekamui and/or other actors who also claim legitimacy) nor is it (merely) grounded in the rational-legal sphere. In reality, the empirical legitimacy of the ABG and its state institutions also stems from various sources and is constantly hybridised, similar to Meekamui legitimacy, although this is less visible than in the case of Meekamui.

The hybridised character of ABG's and the state institutions' legitimacy becomes obvious when one takes a closer look at its constituent elements. It is not only the rational-legal elements (elections, rule of law, accountability,..) that count, but also status in the customary sphere and personal charisma. People usually do not draw sharp distinctions between the status of chief and the status of elected parliamentarian or government official. The ABG President John Momis, for example, is not only the elected president of the Autonomous Region of Bougainville, but he is also a chief. In public he is regularly referred to as President Chief John Momis. His chiefly status was reconfirmed and uplifted in a reconciliation ceremony of supreme importance which took place in November 2012. In this ceremony Momis and the chiefs from his home area reconciled with ex-BRA members and their chiefs, and Momis was declared Paramount Chief (which of course is a 'modern' and not a traditional title and institution).[28] This ceremony and declaration enhanced his legitimacy. Furthermore, it is worth mentioning that Momis began his career as a Catholic priest (old people still talk about Father John Momis), and this is also of relevance for his legitimacy. So although John Momis himself

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[28] The reconciliation ceremony was necessary because Momis had been kidnapped by the BRA in 1997 and kept prisoner for several weeks. During this time he had had conversations with the BRA-leader Francis Ona who eventually released Momis. It took the chiefs from the involved parties (from Momis' area and from the areas of the BRA combatants who had kidnapped him) years to prepare this reconciliation. At the ceremony, which was attended by high-ranking Meekamui representatives and former BRA leaders and was witnessed by around 5000 people, Momis forgave his kidnappers and his (former) adversaries recognized his status as President and Paramount Chief. See New Dawn on Bougainville 2511/12 'Recognize Leadership', ibid. 24/11/12 'Momis forgives' and 'Ishmael on Reconciliation' and Post-Courier 26/11/12 'Ex-BRAs say sorry to Momis'

sees and presents himself as an elected president bestowed with rational-legal legitimacy (he is in fact one of the grand old men of PNG politics and one of the fathers of PNG's constitution), for the people on the ground there is more to his legitimacy than just that – and Momis is well aware of this (and he makes use of it).

In another example, the current Regional Member for Bougainville in the national parliament of PNG, Joe Lera, was initiated as a paramount chief in his home district in Bougainville after his election to parliament in 2012. A news report on this event gives an instructive insight into the way legitimacy is hybridised:

> The people of Tokunotui in the Haisi area of Siwai district, South Bougainville, elevated themselves during a historical ceremony at the Haisi Catholic Mission Station to support their son, the newly elected Regional MP for Bougainville, Joe Lera, in his five years of politics in the 9th PNG Parliament. The ceremony began from Chief Lera's birthplace at Sumikatume village, where prayer warriors bestowed him God's Blessing, then his mother's relatives led him in a procession to the Haisi Catholic Parish and handed him over to the father's relatives who initiated him as paramount Chief. Clan Chief Aloysius Luku performed the initiation ceremony and presented the Hon. Chief Joseph Lera to the people of Bougainville. He said the people of Haisi had pride in their victory and pledged to support Joe Lera in providing leadership in the Autonomous Region of Bougainville and Papua New Guinea as a whole (*New Dawn on Bougainville* 10/10/12 'Lera initiated paramount Chief').

In another news report, more details are given:

> The procession started from the village and went to the parish area where the community witnessed the traditional ceremony in which he had to climb the traditional platform (lauku) for him to be ordained by the chief Aloysius. The ceremony included traditional singing and dancing. At the end of the 30 minutes procession, students of Haisi Primary School sang the national and Bougainville anthems as the two community policemen present raised the flags (*New Dawn on Bougainville* 7/10/12 'Chief Lera supported').

One can be sure that all the members of his family and clan will have voted for Lera in the national elections and thus bestowed him with legitimacy in the rational-legal sense. But this was obviously not enough, he needed further legitimisation in his new role by way of becoming a traditional chief. In the initiation ceremony various legitimising narratives come together: the traditional (the role of family members from mother's and father's side, the climbing of the traditional platform, the initiation by another chief,…), the Christian (the event took place at a Catholic Mission Station, 'prayer warriors' (themselves traditional/Christian

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hybrids) gave God's blessing,…), and the modern state (singing of national anthem, flag raising,…). Lera's legitimacy is clearly hybrid legitimacy; he is a legitimate leader not only because he is an elected parliamentarian but also because he is a chief, and the elements of his legitimacy are inextricably interwoven: he is not only chief for his local people, but his people bestow him with chieftaincy to serve the whole of Bougainville (and PNG) and what he does in this wider 'political' context is legitimised by his chiefly status, and he only became chief because he was elected as parliamentarian before, and what he does in the local context is legitimised not only by his chiefly status, but also his status as MP.

In a similar way, other members of the ABG and the Bougainville House of Representatives also can refer to sources of legitimacy beyond the rational-legal realm, not only from the traditional sphere (e.g. chiefly status, as with Momis and Lera), but also from the context of Bougainville's recent history: quite a substantial number of them were leaders of the conflict parties during the war and the post-conflict process of peace negotiations, as military commanders of the BRA or the Resistance. It is the status and personal prestige that they have accumulated in the past that bestows them with (additional) legitimacy in the present.

However, these sources of legitimacy are not uncontested – a former BRA commander may enjoy legitimacy with his former comrades and their kin, but not necessarily in the eyes of the members of a younger generation that grew up after the war. Legitimacy thus has to be permanently re-confirmed, not least based on performance. As has been said before, however, the ABG has problems to build legitimacy on performance, and good performance in general is attributed to individual members of the ABG who make use of their status in the state context in order to look after their kin and place; the legitimacy ensuing from this practice, however, is legitimacy of the person, and not of the office and the office-holder.

To summarize: legitimacy of the ABG is not just clear-cut rational-legal legitimacy as a static given, but it is a fluid hybrid, constantly re-negotiated and re-arranged. Furthermore, the ABG and the state institutions are not the only actors who lay claim to legitimate authority, but they have to contest with other actors who also enjoy legitimacy. Hence the legitimacy of the government and the state institutions is only relative, and it can be relatively weak at times and with people in certain places.

## 5.3. Others: Kings, businessmen, prophets

What has been said about the hybrid character of the legitimate authority of the Meekamui and the ABG applies to other governance actors in a similar way. Chiefs and elders refer to custom as their source of legitimacy, but it is not merely traditional legitimacy anymore; elections (or selections) to councils of elders, education in the formal system, positions in state or business all can be elements that contribute to the legitimacy of 'traditional' leaders today (or, the other

way round, if these elements are lacking this can also lead to a lack of their legitimacy). So it is often a mix and combination of genealogy, personal charisma, education, position in church, experience in business (including donor-funded development projects) and the ability to negotiate the different worlds of the village, the state and the (international) civil society that make somebody a chief or elder as a 'traditional' legitimate leader of the community. Leaders of civil society organisations can not only refer to rational-legal sources of legitimacy, but often also have a background in the customary sphere or are charismatic personalities, and this adds to their legitimacy (or, again, if these elements are lacking this can also impede their legitimacy). (Former) military commanders do not only have charismatic legitimacy, but they enhance their legitimacy by getting elected into or appointed to positions in the state context or by establishing their own quasi-state structures, well aware that charismatic legitimacy alone is precarious and can be challenged relatively easily. Even a personality like Noah Musingku legitimises his leadership by reference to a mixture of sources: he presents himself as 'king/emperor' and at the same time as embedded in an overarching Bougainville governance structure, with him as the king, John Momis as the ABG President and a Meekamui representative as the Prime Minister forming a kind of triumvirate at the top of this structure.[29]

The ABG is in the difficult position having to maintain its claim to be the only legitimate government on Bougainville on the one hand and not to formally recognize the Musingku 'royal government', and on the other hand maintain communication with Musingku because he enjoys legitimacy with its followers.

Even with external actors which at first sight clearly belong to the sphere of rational-legal legitimacy, things can be more complex. In the context of 'cargo' thinking, for example, their access to an abundance of resources and their successes in delivering goods and services can be interpreted as due to their connectedness to other-worldly spheres and hence bestow them with spiritual legitimacy. Certain members of foreign international organisations present on the ground in Bougainville can enjoy charismatic legitimacy because of their personal performance. And these legitimising aspects which do not count in the formal/official mandate

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[29] See Musingku's Facebook presence under 'Bougainville Reconstruction'. Here he gives detailed information about his kingdom of Papaala, which even has an 'International Bank of Meekamui' and a 'Royal University of Papaala', which teaches 'Theocracy, Divinity, UVistracracy, Masterplan, Mysteries, Omniscience'. He also refers to other similar 'kingdoms' around the world which his kingdom forms an alliance with, thus laying claim to a kind of international legitimacy (and also pretending to have "received the full recognition from the conventional World Authorities, viz. the UN, IMF, ISO, SWIFT, EU & ECB" (see News Release of the U-Vistract System, the Central Bank of Bougainville & the International Bank of Meekamui. 25th of Amethyst/June, the Year 0014/2012). This might all look totally ridiculous in the eyes of enlightened outsiders, but it resonates with his followers and legitimizes his reign. The Facebook presence as such is a telling way of 'modernising' legitimacy which claims to be rooted in ancient pre-colonial customs.

of these organisations flow into their overall legitimacy which, consequently, is not merely rational-legal, but hybrid.

## 5.4. Summary: hybrid legitimacy

A result of all these processes is the permanent hybridisation of legitimacy of all actors involved in maintaining political order on Bougainville. Based on their interaction with each other, the actors constantly change. Hybridisation "means that they change themselves through their interaction with other actors, and as they steer a course through the issue agenda created by multiple actors" (MacGinty 2011, 208). This also means that their legitimacy, or the composition of the elements which constitute their legitimacy, is undergoing constant change. It may be said that the ABG's legitimacy is more of the rational-legal type, the legitimacy of chiefs more of the traditional type, the legitimacy of Meekamui leaders more of the charismatic type, but none of those types is pure, they are all hybrids.

The ABG, the Meekamui, chiefs and elders, leaders of churches and NGOs, (former) warlords and charismatic personalities all enjoy legitimacy (and at the same time their legitimacy is contested), and the distribution of legitimacy and its components are constantly re-negotiated and re-arranged in the course of the interaction among those actors and between them and the grassroots people who legitimise them in ways that might look contradictory and illogical from the outside, but nevertheless do make sense to the people involved.

Hybrid legitimacy thus is not another – static – ideal type of legitimacy, but it has to be thought of in the process mode, as ongoing hybridisation of legitimacy.

Hybridity is not only the main feature of the legitimacy of all the actors on Bougainville, but the overall ensemble of governance on Bougainville, which is a bricolage/patchwork, composed of the more rational-legal ABG, the more traditional chiefs and so forth - that is: of elements and relations that  do not fit together  from a rational-legal point of view-, is also characterised by the ongoing hybridisation of legitimacy. And because of this hybridisation this governance arrangement works. It does not work all the time, it does not work smoothly, it does not work without frictions and hiccups, it is edgy, slow and fragmented, but the way it operates and the outcomes it generates are sufficient to  establish and maintain a considerable degree of  empirical legitimacy.

## 6. The strengths and weaknesses of different types of legitimate authority

What has become clear by now is that in Bougainville today a variety of different types of legitimate authorities co-exist and interact. Their respective legitimacy has strengths and weaknesses. The strength of the legitimacy of the ABG and its state institutions stems both from internal domestic and external sources. The vast majority of people on Bougainville today believe in the rightfulness of democratic process and the right of democratically elected representatives to govern. The notion of democratic rights and freedoms has taken root in Bougainville society. People have been accustomed to these rights and freedoms, and they hardly would let them go willingly. There even are indications that they rather want to have them expanded further (see e.g. the adoption of direct democratic instructive elements in the Bougainville constitution and political system, e.g. recall of members). The ABG and state institutions can build their legitimacy on this positive reference of Bougainvilleans to the democratic system and democratic ideas; they might be even seen as being not democratic enough and be pushed in the direction of further democratisation and rational-legal procedures, e.g. with regard to transparency and accountability.

Civil society, with the support of international actors like donors and INGOs, has made a major contribution to this democratisation of the mindsets of Bougainvilleans and, flowing from that, the legitimacy of democratic processes and institutions. External recognition strengthens this legitimacy further. The ABG is recognised as the legitimate government for the Autonomous Region of Bougainville by the central government of PNG and international organisations like the UN, the World Bank and the ADB as well as states which are of importance for the peacebuilding and state-building processes, in particular Australia, New Zealand and neighbouring Pacific Islands Countries. These external actors see the ABG as the only political entity on Bougainville which has the legitimacy to speak on behalf of the Bougainville people and hence as the sole partner to negotiate with. This recognition and the international legitimacy coming with it does not go unnoticed by the people on the ground and thus further enhances the ABG's domestic legitimacy. Furthermore it provides the ABG with access to resources which are of importance for Bougainville's development, and this again bolsters the legitimacy in the domestic context.

While internationally the ABG's legitimacy is unrivalled, this is not the case domestically. A clear weakness of the ABG's legitimacy is given by the mere presence of other actors on the domestic scene who lay claim to legitimacy in the same political field and at the same level as the ABG, namely at the (quasi-)state level. The Meekamui (factions) are contenders in this field and at this level. The ABG does not have a monopoly over legitimate state power in Bougainville. Although it is clearly well ahead of its contestants with regard to the main institutions which characterise a proper state, and in particular a proper democratic state, this advantage does not translate into a clear advantage in domestic legitimacy. This weakness is accentuated by deficiencies in performance: relatively poor record in the delivery of basic services such as security or health or education. At the local level, non-state actors such as

chiefs and elders are the decisive governing authorities who enjoy legitimacy. This weakness, however, is somewhat ameliorated by the fact that these non-state actors usually are willing to collaborate with the ABG and perform quasi-state functions on behalf of the ABG. This arrangement blurs the state/non-state divide. Chiefs and elders are legitimate authorities in their own right (based on traditional sources of legitimacy), and this weakens the legitimacy of the ABG and state institutions, but they also gain legitimacy by functioning as quasi-state institutions in partnership with the ABG, and this enhances the ABG's legitimacy. To overcome its legitimacy deficit – which is a deficit of rational-legal and performance legitimacy – the ABG taps into other sources of legitimacy such as collaboration with traditional leaders and reference to kastom, with hybridisation of its legitimacy as a result. So far the ABG has been relatively successful in negotiating processes of hybridisation and hence managed to bolster the strong points of its legitimacy and ameliorating the weak points.

By contrast, the various Meekamui factions are not as skilful in negotiating and merging different types and sources of legitimacy. Their strength lies in their reference to kastom as a source of legitimacy. This resonates well with large sections of the Bougainville populace. Their weakness lies firstly in the fact that (most of) their leaders cannot lay claim to legitimacy on traditional grounds (so that they in a way are undermining their own claim to legitimate authority by refering to tradition and kastom) and secondly in the rather clumsy ways in which they try to establish additional legitimising discourses (inventing 'kingdoms', 'lordships' etc.); this is not convincing in the eyes of many (educated) Bougainvilleans. Furthermore, they completely lack international legitimacy and rational-legal as well as democratic legitimacy, although they lay claim to it. In its 'Human Rights Declaration' the 'Government of Meekamui' demands that the 'Meekamui Tribal Government be recognized by the United Nations and the world as the only rightful Democratic Government for the people and by the people".[30] They almost completely lack performance legitimacy too, apart from the fields of security and identity. Similar to the ABG they try to bolster their legitimacy through collaboration with traditional authorities, and they are relatively successful in this. Finally, the personal charisma of some of their leaders (often stemming from the times of the war) is a strong legitimising point. Despite the claim to traditional legitimacy, in reality Meekamui legitimacy is equally hybridised as the legitimacy of all the other actors on Bougainville. While the ABG, however, is relatively successful in negotiating the hybridisation of legitimacy, Meekamui is weak on that. As a result, ABG's legitimacy seems to be on the rise, while Meekamui's is decreasing.

Local societal actors like chiefs and elders have to their advantage several strong legitimising points. People acknowledge them as their legitimate 'traditional' leaders. This was reinforced in the 'stateless' times of the war when they often were the only authorities on the ground, and

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[30] Government of Meekamui. Human Rights Declaration, 1 January 2011, at http://governmentof meekamui.net.

in the times of peacebuilding after the war when they often played crucial roles in local conflict transformation and reconciliation. Today the fact that they are recognised as important local authorities by both the ABG and the Meekamui factions further contributes to their legitimacy. Appropriating quasi-state functions enhances their legitimacy in the eyes of most people; but there is also a minority of 'traditionalists' who hold that chiefs should not get involved in 'modern', 'alien' political affairs at all and in whose eyes the chiefs lose legitimacy exactly because of that involvement. There is also a minority of educated 'modernists' who hold that chiefs are an anachronism and should not be allowed to interfere with state business and in whose eyes' traditional authorities do not have any legitimacy. But in general, people are happy with their chiefs and elders taking on new roles and responsibilities, and flowing from that their legitimacy is hybridised in a way that positively strengthens their standing. In the long run, the collaborative relationship with ABG (not so much with Meekamui) might weaken the legitimacy of traditional authorities – if on the ABG's side the attitude that the chiefs are not needed any more gets an upper hand. Even today the chiefs feel that they are dependent on the ABG in certain areas (it is not only the ABG that depends on the traditional authorities, but also the other way round), for instance when it comes to the allocation of resources, and in particular with regard to the chiefs' influence on supra-local matters. The fact that the Advisory Body that is provided for in the Bougainville Constitution has not been set up yet (after almost a decade since the Constitution was adopted) is a clear indication of the weakness of the traditional authorities at the supra-local level. They were not able to enforce the establishment of this body which would have boosted their legitimacy (and at the same time further hybridised it). Many people recognise the legitimacy of traditional authorities in the local context, but not necessarily at supra-local levels. This can be seen as a weak point in their legitimacy. But it looks like many chiefs and elders are happy to confine their legitimate authority to the local context; they do not aspire for more. In this perspective, the failure to establish the Advisory Body can also be seen as due to a lack of interest on the side of many traditional authorities who are happy to play their part at the local level and to leave politics at the other levels to other actors. Hence the co-existence and interaction of different actors with hybridised legitimacy does not pose problems or inevitably will lead to conflict – rather, multiple and shared sovereignties of a set of different authorities with hybridised legitimacy can contribute to stable and sustainable governance arrangements.

Similar to the legitimacy of traditional authorities the legitimacy of societal actors from civil society is generally not in competition with the legitimacy claims of the ABG and state institutions. The strength of the legitimacy of civil society actors is grounded mainly in their performance (they often can build on resources provided by external actors such as donors, and they usually have well educated and trained professional staff) and their style of operating, which is governed by norms such as transparency and accountability, impartiality and commitment. This is highly appreciated by many Bougainvilleans who get familiarised with a new type of leadership, different from both traditional authorities and politicians or state

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bureaucrats. Legitimacy of civil society actors is further enhanced by aspects of personal charisma of many NGO leaders, and sometimes also by status in the local traditional context. This hybridised legitimacy is strong, but confined to specific fields of work. It can be challenged whenever other actors perceive transgressions into their 'territory', e.g. if NGOs usurp (or are perceived as usurping) state functions without prior consent of state authorities or if NGOs question the authority and competence of traditional local leaders. Such transgressions can lead to attacks on the legitimacy of the NGO in question and civil society organisations in general. Furthermore, ever present jealousies can also contribute to such attacks (one has to keep in mind that often the offices of NGOs are much better equipped than the offices of ABG ministries, not to speak of the resources at the disposal of local chiefs orCoEs), and so can misconduct of individual NGOs or CBOs (NGOs and CBOs are not immune to nepotism, cronyism, corruption, fraud and mismanagement).

The legitimacy of one specific type of civil society organisation is almost completely unchallenged, namely the churches. This legitimacy, however, is again not in contestation with other legitimate authorities. Rather, the churches in general collaborate with those authorities, be it the ABG, Meekamui or chiefs and elders. The vast majority of Bougainvilleans believe in the legitimacy of the churches, including the churches' right to have a say in political matters. This legitimacy is not only grounded in the spiritual dimension, but it is also built on a strong performance in the delivery of crucial social services such as health and education. Even the small non-Christian minority among the Bougainvillean population (adherents of cargo cults or indigenous belief systems) do not openly challenge the legitimacy of the churches anymore; these days they prefer to be left alone in their societal-spiritual niches.

When it comes to the legitimacy of the 'wild cards' in Bougainville society and political life, it is rather weak and shaky. The legitimising narratives of (former) warlords and 'prophets' are not particularly profound; they can lose legitimacy in the eyes of their (relatively small) groups of followers rather easily. They in general do not have to show much in terms of performance, and they lack any kind of rational-legal or traditional legitimacy. Their sole source of legitimacy in general is personal charisma (sometimes combined with connections to other-worldly spheres, spirits, and (black) magic), and this is a rather fragile and vulnerable source of legitimacy. These 'wild cards' have to be taken into account in the political scene of Bougainville today not so much because of their legitimate authority (which is very weak or even non-existent), but because of other power resources, not least weapons and the capacity to exert violence on a relatively large scale. Their only mid- to long-term prospects for gaining more legitimacy is collaboration with other legitimate authorities (as the leaders of the Meekamui factions do) or transform their charismatic legitimacy into other forms (not to forget that there are former charismatic military commanders who are ministers in the ABG today…).

Finally, the strengths of the legitimising sources of external actors are to be found in the rational-legal dimension. They can refer to legal negotiated arrangements as the basis of their

presence. They can legitimise their operations by reference to laws, treaties and agreements endorsed by the relevant state authorities of PNG and Bougainville. External actors enjoy international legitimacy; they come with the weight of the reputation of international organisations like the UN or major states like Australia. The resources they receive from outside make them influential players on the domestic scene as their resources enable them to gain performance legitimacy. The ABG, state institutions and large sections of civil society are to certain degrees dependent on the collaboration with external actors, therefore they are willing to accept their legitimacy. This endorsement contributes to external actors' domestic legitimacy in the eyes of the wider populace. On the other hand, this leaves external actors in a relatively fragile position. In case that internal actors like the ABG or well-respected NGOs (e.g. the churches) disagree with activities or views of external actors they can easily challenge those external actors' legitimacy. Dependence thus is mutual. External actors may be strong because they are more resourceful, but internal actors are also strong, because they enjoy more domestic legitimacy and can challenge the legitimacy of external actors.

The configuration of strengths and weaknesses of different types of legitimate authority provides incentives and stumbling blocks for conflict transformation and peacebuilding. The various actors involved in peacebuilding can confidently refer to the strong points of their legitimacy, and on this basis can engage in peacebuilding collaboration with other actors. As most actors can refer to such strong points, collaboration can be a win-win endeavour. It can foster peacebuilding and it can further enhance the legitimacy of the actors involved. The ABG – Meekamui collaboration over the last years is a case in point, as is the collaboration between the ABG and UNDP or between women's organisations and external donors. This requires, however, the mutual recognition of the legitimacy of all actors involved. Problems arise if the legitimacy of certain actors is questioned by others and the weak points of the legitimacy of certain actors are exploited by other actors so as to delegitimise those actors and enhance ones' own legitimacy. This also is a feature of the ABG – Meekamui relationship and, despite all the positive signs of collaboration mentioned before, remains a problem. The ABG's insistence on being the only legal, elected and therefore legitimate government on Bougainville in its dealings with the Meekamui tries to exploit the weak point of Meekamui's legitimacy (not elected, illegal). The other way round, Meekamui's insistence on being the only government that follows Bougainville kastom and culture and its denunciation of the ABG for betraying Bougainville kastom and giving in to 'alien' ways tries to exploit weak points of the ABG's legitimacy. Such an approach sets out for a win-lose outcome (the legitimacy one actor loses is the legitimacy the other gains) and so far has not proven helpful for peacebuilding on Bougainville. Questioning the legitimacy of traditional authorities like chiefs by other civil society actors (certain Pentecostal churches strongly opposed to 'heathen' culture and traditions), or questioning the legitimacy of external actors by certain 'hardcore' elements of Meekamui and cargo cultists, are other cases in point. So far, however, such approaches and

attitudes have been marginal on Bougainville. In the main there is a willingness to accept the legitimacy of other actors and to refrain from exploiting the weaknesses of their legitimacy.

This leaves the peacebuilding process with the problem of those actors whose legitimacy is actually weak – the 'wild cards', the left-overs from the war. As legitimacy is a very weak source of power for them, they might be tempted to take recourse to other sources of power, weapons and force in particular, in order to maintain or expand their influence. This can spoil the peace process; it is a danger that still darkens the prospects for the success of Bougainville peacebuilding. To delegitimise those (potential) spoilers to the largest extent possible might be necessary for the sustainability of the peace process. Delegitimisation has to address all sources of legitimacy – it is not enough to declare those actors as 'illegal' and 'criminal' with reference to rational-legal legitimacy. They also have to be stripped of all residual elements of traditional, charismatic or spiritual legitimacy which they still might hold with their followers. This will necessitate a rather long-term process of awareness building and education. Only then can they be isolated to such an extent that they do not get any chance to negatively interfere with peacebuilding and conflict transformation and can be dealt with as 'outlaws', according to 'the law' (be it the law of the state or customary law).

## 7. The interface of various legitimate authorities

The relations and interactions of the various legitimate authorities on Bougainville have been addressed already in previous sections. In this section, this topic will be taken up again briefly according to complementarities of and incompatibilities between different legitimate authorities. The two questions are: first, to what extent do those authorities complement each other, with their respective legitimacies not interfering, but co-existing and supplementing each other; and second, to what extent are the legitimacies of those authorities in conflict with each other or even incompatible and mutually exclusive?

On Bougainville we find much more complementarity than incompatibility. There are several reasons for this.

Firstly, different actors lay claim to and enjoy legitimacy in different spheres and at different levels of politics and societal life. Hence there is no problem with the co-existence of these different legitimate authorities, for example regarding the relationship between chiefs and elders who are legitimate authorities in the local context and elected political leaders who have supra-local roles and responsibilities.

Secondly, different actors acknowledge the validity of the sources of and claims to legitimacy of other actors, and people believe in the legitimacy of different types of actors at the same time. Church leaders or chiefs and elders do not question the legitimacy of elected political

leaders, and vice versa. Leaders who ground their legitimacy in kastom do not question the legitimacy of leaders who refer to elections and other democratic procedures as sources of their legitimacy, and vice versa. People have no problem with acknowledging the legitimacy of a variety of actors with different sources of legitimacy (sources which for outsiders even may appear contradictory).

Thirdly, the strengths of some actors in some areas can compensate for the weaknesses of other actors in that specific area. The legitimate authority of chiefs and elders in the local context  for example provides for rather effective governance and dispute resolution at the local level; state institutions would not be capable of substituting the services provided by chiefs and elders. On the other hand, state institutions (or civil society organisations) can provide services which chiefs and elders cannot provide. Division of labour and collaboration contributes to confirming the legitimacy of all actors involved. Failure in collaboration would have negative effects on performance and, as a consequence, also negative effects on legitimacy.

Fourthly, different legitimate authorities are prepared to actively contribute to the legitimisation of other authorities. Chiefs, for example, bestow elected political leaders with additional 'traditional' legitimacy. The initiation of the Regional Member for Bougainville Joe Lera as a chief and the declaration of ABG President John Momis as Paramount chief in the big reconciliation ceremony mentioned above are telling illustrations of this mechanism (see 5.2.). On the other hand, this also confirms and enhances the legitimacy of the chiefs. The willingness (and, in fact, eagerness) of the elected political leaders to give themselves into the hands of the chiefs for such ceremonies and to become chiefs themselves is, in the eyes of the people, a clear indication of the legitimacy of their chiefs. The result is a win-win outcome in terms of legitimacy for all sides involved. Furthermore, elected leaders and state institutions also actively confirm the legitimacy of 'traditional authorities' both on an everyday basis (acknowledging their roles in local governance and dispute resolution) and in official declaratory politics (see e.g. the significance given to traditional authorities in the Bougainville Constitution). (Most) Chiefs and elders, on the other hand, actively encourage the people under their influence to participate in state affairs (go to elections, attend meetings organised by state officials etc.) and to respect elected leaders and public servants as legitimate authorities.

From a merely rational-logical viewpoint, there are abundant inconsistencies in legitimacy patterns on Bougainville. They can be exploited by forces who pursue an exclusionary approach to legitimacy issues, lay claim to exclusive legitimacy in societal and political spheres in which several such claims exist; those forces want people to believe exclusively in their own right to govern (at the expense of and against others who also put forward the claim to this right).

Elements of such an exclusionary monopolist approach to legitimacy can be found, to varying degrees, in the camp of all actors and institutions claiming legitimate authority on

Bougainville. It can be found on the side of the ABG whenever it issues statements to the effect that it is the sole legitimate government on Bougainville (thus rejecting Meekamui claims to be 'another' government). It can be found on the side of Meekamui representatives whenever they declare the ABG a 'foreign, alien' un-Bougainvillean institution and insist on the sole legitimacy of Meekamui government as home-grown and 'customary'. It can be found on the side of distinctly purist 'traditional' chiefs (or cargo cultists) who refuse to recognize and collaborate with any introduced 'modern' state institutions and present themselves as the sole legitimate authorities on the ground. It can be found on the side of civil society actors and public servants (or members of Pentecostal churches) who see customs and traditional authorities as outdated anachronisms (or heathen practices and institutions) and insist on the exclusivity of rational-legal legitimate authority. All such claims, however, belong to the realm of normative legitimacy; the norms which underpin claims to legitimacy can and do differ considerably, and they can be contradictory and mutually exclusive – an elected president, a self-proclaimed king and a hereditary chief refer to very different, and mutually exclusive, normative forms of legitimacy. When it comes to the realm of empirical legitimacy, that is the belief of the people in the right of certain actors to govern, we enter a different sphere altogether. What is mutually exclusive from a rational-logical viewpoint, from a normative understanding of legitimacy, and from the standpoint of the actors claiming legitimacy, can perfectly well go together in the people's everyday understanding of legitimate authority, that is: various forms of empirical legitimacies co-exist. People one day can happily vote in general elections for John Momis as ABG president, the other day attend the coronation of Noah Musingku as 'King David Peii II', and all other days of the year follow the orders of their local chiefs.[31] They do not have problems with simultanously bestowing these different actors with empirical legitimacy. And as these actors are well aware of this mainstream popular attitude, they are careful not to overstretch their claims to exclusive legitimacy in everyday life. The ABG is happy to collaborate with the 'illegal' and 'illegitimate' Meekamui, the Meekamui are happy to acknowledge John Momis as president and paramount chief, and even Noah Musingku presents himself as king alongside the ABG president and a Meekamui prime minister.

Given the widespread popular willingness to bestow various actors with legitimacy alike, arrangements which bring the various empirically legitimate authorities together in relations between the poles of 'live and let live' on the one hand and active collaboration on the other have been sustainable and have circumscribed the potentially destructive dimension of contradictions between and incompatibilities of different types of legitimacy. The various actors prefer to embrace "practices of negotiation, exchange and only selective contestation"

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[31] Of course there are also those people who only believe in the ABG's right to govern, or only Meekamui's or Musingku's or the chiefs' right – but they are a small minority.

(Vandekerckhove 2011, 776).[32] But it cannot be ruled out that those contradictions and incompatibilities will be exploited in the future if certain actors deem this to be in their own interest. In order to prevent this happening it is prudent to build on the above-mentioned complementarities and to actively pursue policies of positive mutual accommodation of various legitimate authorities.


## 8. Prospects and options for the positive mutual accommodation of various legitimate authorities

Everybody on Bougainville today is aware of the existence of different types of legitimate authority, most notably in the context of politics and the state on the one hand and in the context of the villages and customary life on the other, but also legitimate authority of church leadership, leadership in NGOs or charismatic leadership of so-called cargo cultists or 'warlords'. Only very few suggest that one type of legitimate authority should supersede the other (e.g. political leaders to supersede customary leaders or vice versa). There are differences in the assessment of the legitimacy of different kinds of leadership, with some seeing traditional authorities or charismatic leaders as more legitimate, and others seeing legal-rational authority in the context of state functions and positions as more legitimate. In general, however, the co-existence of different types of legitimate authority and the ensuing hybridization of legitimacy is the main feature of governance structures and political leadership on Bougainville today.

Mutual acknowledgement of the various types of legitimacy has to be the starting point for strategies that aim at fostering complementarity and collaboration of different legitimate authorities. Given the hybridity of legitimate authority on Bougainville (which comprises the hybridity of the legitimacy of individual actors and the hybridity of the legitimacy of the overall configuration of governance), actors will be open to giving up an exclusive monopolist approach to legitimacy issues. On this basis, they can join forces for cooperation, and such cooperation will be welcomed by a majority of people on the ground and enhance the legitimacy of all actors involved because it will most probably improve their individual performance as well as the overall performance of the governance system on Bougainville. What is needed is an active deliberate strategy to strengthen the positive aspects of the co-existence and interaction which is going on in everyday practical terms.. The ABG should actively approach local traditional authorities, acknowledging their legitimacy and offering them avenues and areas for collaboration and, as far as possible, provide them with resources (money, know-how, technical assistance, …) so that they can perform more effectively, in

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[32] Vandekerckhove (2011) analyses the relationship and interface of state institutions, rebel groups and local traditional authorities in Assam, India. What she has to say about their claims to public power in Assam and their interactions has striking similarities to the Bougainville situation..

particular in local governance, dispute resolution and community development. Local traditional authorities could actively seek support from the ABG, acknowledging its legitimacy and offering their services in areas in which the ABG is relatively weak, that is local governance, dispute resolution and community development. The ABG should actively pursue a policy of inclusion of Meekamui (factions) in peacebuilding, state-building and development, acknowledging their legitimacy and providing them, as far as possible, with resources (under the condition that the Meekamuis recognize the ABG's legitimacy). Meekamui factions could actively engage in collaboration with the ABG, acknowledging its legitimacy and offering support in expanding and deepening ongoing peacebuilding and state-building processes by formally joining those processes. The ABG should actively seek the collaboration and support of civil society organisations, acknowledging their legitimacy and accepting their functions as watchdogs, government critics, effective service providers, advocacy groups and innovators. The civil society organisations would have to acknowledge the legitimacy of the ABG (as well as the legitimacy of local traditional authorities) and to conceptualise their work as being in critical – if need be, harshly critical – solidarity with the ABG and complementing the ABG's efforts in the fields of governance and development.

Such positive interaction between various legitimate actors can be fostered by bridging institutions which enjoy particularly high levels of legitimacy and which are in a privileged position to bring together legitimate authorities of different types. Given their unquestioned legitimacy and comprehensive outreach, churches are particularly well positioned to act as such bridging institutions. They have proven very effective in this role in the early stages of peacebuilding, and they have the same great potential today for forming political community on Bougainville, all the more so as the main denominations (Catholic, United, and SDA) work well together. The Pentecostals, however, tend to be more divisive and show less interest in building bridges.. Local chiefs can also perform bridging functions, as they have demonstrated already, bringing former war adversaries together for reconciliations and mediating between the ABG and Meekamui factions. In fact, the coming together and the collaboration of other legitimate authorities very often depends on the prior consent and the active facilitation and mediation of chiefs and elders. Certain civil society organisations also can fulfil bridging functions. Women's organisations in particular have played outstanding bridging roles in the transition from war to peace on Bougainville and in the early stages of peacebuilding. This potential can be utilised again to address today's challenges. Finally, external actors also have some potential as bridge-builders. This potential will be explored in the following section.

## 9. External actors' engagement with different types of legitimate authority

In comparison to other theatres of post-conflict peacebuilding, the presence of external actors on Bougainville is rather modest and limited. From the very beginning of the peace process the

Bougainvilleans themselves were very much in control, with external actors de facto confined to supporting roles. This state of affairs has been maintained to the present day. The all too often used/misused phrase of 'local ownership' has real meaning in the Bougainville context. Consequently, external actors are compelled to actually engage with local legitimate authorities in a constructive way if they really want to make a contribution to conflict transformation, peacebuilding, good governance and development. Of course they are not free from the (mis)perceptions that determine external actors' attitudes to legitimacy issues elsewhere, such as assuming that their international legitimacy equals or automatically translates into local empirical legitimacy and that the legitimacy of their counterparts in state institutions and/or civil society is the only or predominant legitimate authority on the ground, and that that legitimacy is of the rational-legal type. But usually they do learn – the fact that chiefs and elders or the Meekamui or churches and 'cargo cultists' are actors with an influence and with legitimacy can hardly be overlooked in the Bougainville context. After all, Bougainville is a relatively small place, and even the personnel of external institutions that are based in the main urban centres of Buka or Arawa cannot avoid contact with the patchwork of local actors all having a stake in conflict transformation and peacebuilding. And when the internationals go out 'into the field' they are confronted with the  everyday reality of hybridised legitimacy upfront.

Of course they have problems engaging with various types of legitimate authority, some types are closer to their understanding of legitimacy, some types are strange (sometimes very strange), and the realities of hybridisation of legitimacy (even of those actors who they think share their own understanding of legitimacy) are often hard to grasp. For international organisations  and representatives of  other countries' governments it is clear that they have to work with the host government (the ABG and the PNG government) and cooperate with state institutions on the basis of legal state-to-state arrangements; acknowledgement of the legitimacy of state institutions is thus a prerequisite of their presence and activities. At the same time, they also feel most comfortable in liaising and collaborating with state institutions because they think that they share the same understanding of legitimacy with them (which, as has been shown, can be a misunderstanding). Hence there is a real constraint for representatives of international organisations and foreign countries – they are legally bound to work with and work through their state counterparts in the host country and recognise their legitimacy, and there is an attitudinal bias in favour of collaborating with these state counterparts (they are perceived as being from the same flesh so to speak). The ABG is of course keen to maintain this privileged position as the official and legitimised partner of UNDP or the World Bank or Australia. This position opens access to much needed resources, finances, expertise, know-how, and it can bolster the ABG's  local empirical legitimacy, both indirectly - access to resources allows improvement of performance and thus enhances performance legitimacy – and directly: in large quarters of the populace certain actors like the UN, the EU or New Zealand have a good reputation, and to be capable to demonstrate that one

collaborates with these important players on an equal footing certainly enhances one's legitimacy.[33] At the same time the ABG is prudent enough not to hinder contacts of external actors with other legitimate authorities. In recognition of the multiplicity of legitimate authorities on the ground in Bougainville the ABG acknowledges the need for external actors to also establish good relationships with other societal and political actors (as long as the ABG is in the position of gate-keeper).

Representatives of international organisations and foreign governments feel most comfortable in engaging with actors from the sphere of local civil society because they look familiar (local civil society built in the image of Western civil society) and because they know how those actors operate (or at least they think they know, but again, this can be a misunderstanding, given the hybridity of those actors). In fact, local Bougainvillean NGOs and CBOs have received a considerable amount of funding from external sources (AusAID etc.) over the last years; in some cases NGOs and CBOs would not be viable without that funding. External support can enhance the local civil society actors' empirical legitimacy, again both directly and indirectly, but it can also lead to legitimacy problems – if local NGOs etc. are seen as being over-dependent on external sources and dominated by alien interests.

Engaging with 'unfamiliar' local legitimate authorities is the most challenging task for external actors. They often have problems to understand the legitimacy sources of actors like chiefs, elders, prophets or warriors. But they have learned to accept the influence of those actors and acknowledge that they have to be reckoned with. Consequently, for example, it is normal procedure today that the UNDP representative attends traditional reconciliation ceremonies and mingles with chiefs and Meekamuis. And the program of the New Zealand police to train Bougainville CAPs would not be possible without closely liaising with the chiefs and elders of the CAPs' home areas. Although the program is under the auspices of the ABG and can be defined as a 'state' program, designed to build the capacity of the state's security sector, this is only one side of the story: the CAPs themselves are a hybrid institution, they are obliged to closely work together with the chiefs (this is a legal – constitutional – obligation) as 'non-state' actors, and the whole arrangement of 'community policing' Bougainville style transcends the state/non-state divide. New Zealand police officers who run the CAP training program acknowledge the de facto legitimacy of 'non-state' chiefs and elders and contribute to their legitimisation. And this is in the interest of stabilising and maintaining 'law and order' on

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[33] On the other hand, there are also (smaller) sections of the populace that do not approve of the collaboration with those foreigners; hence the ABG's legitimacy can suffer if the ABG is seen as being too close to alien forces or even as being a 'puppet on the string' of those forces. The ABG therefore has to perform a balancing act in its relations with external actors. This became very obvious when the current government under president Momis tried to forge closer ties with China. The Chinese influence on Bougainville is seen with deep suspicion by many Bougainvilleans, and too close a relationship with Chinese business and political interests definitely would have a negative effect on the legitimacy of the ABG.

Bougainville (with the 'law' and the 'order' not narrowly understood as the law and order of the state, thus transcending a rational-legal concept of legitimacy). Such engagement with 'unfamiliar' legitimate authorities has its limits.[34] Engaging with Noah Musingku, for example, seems impossible. Although a 'king' for his followers, he is a criminal on the run under the laws of PNG and other states, and representatives of international organisations and foreign governments cannot ignore that. However, in general a flexible approach and decisions on a case by case basis, depending on the concrete situation on the ground and on consultations with the ABG and other legitimate authorities, seem adequate even in very dubious cases (it must not be forgotten that several ministers in today's ABG were 'criminals' a decade ago).

Finally, external NGOs have more freedom to engage with the whole variety of legitimate authorities on Bougainville. Their presence and activities are of course bound to the laws of the state and the approval of the Bougainville state institutions, but within those confines they have considerable freedom to operate. It shows, however, that they also prefer to engage with counterparts they are familiar with, that is local NGOs and CBOs from the sphere of civil society. In particular, external church-based NGOs or NGOs with a Christian background are active on Bougainville and support Bougainvillean churches and other civil society organisations, and it is through these Bougainvillean partners that they also engage with other legitimate authorities such as chiefs and elders. Their presence and activities have a legitimising impact on the ground for their local partners, given that they can provide substantial input in terms of resources, skills and international networks; and their own local legitimacy depends on good relationships of mutual trust and benefit with their local partner organisations and the reputation of those organisations in the community (both the Bougainville community at large and the target communities of specific projects). Even this Berghof Foundation project has to be seen in this context of external-local interface. The author of this report engaged with ABG representatives, public servants, civil society activists, chiefs and elders, women and youth leaders and representatives of Meekamui to conduct his work for this project. It can be said that the legitimacy of those local actors who were intensely involved in this project – a representative of the ABG Ministry for Peace and Reconciliation, a former ABG President, the chairman and members of a particular Council of Elders, a member of the ABG House of Representatives, certain Meekamui commanders – was positively affected in a specific local context, due to their participation in this project.[35] In this regard,

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[34] Constraints can be practical or value-based. It might not be practically possible to work with local chiefs and elders because of the bureaucratic requirements of reporting, accountability and transparency of a donor agency. It is not possible to work with actors who pursue ethnically or racist-based exclusionary policies and make use of violence in pursuit of such policies if one's own activities are based on the values of equality and non-violence.

[35] The Member of the ABG House of Representatives, for example, was under threat of a recall initiative by his local constituency. He was in danger of losing the trust of his people and his legitimacy. Not least due to the Berghof project, in particular the Bolave workshop, and its follow-up activities the recall initiative was rescinded, and the legitimacy of the MP restored.

the Bolave workshop in Bana district which was held in the context of the project, was of particular significance.

This last example, small as it is, demonstrates that the presence and activities of external actors have an impact on the set-up of legitimacy arrangements in the local context. Locals' understanding of what constitutes legitimacy is not fixed. It changes due to the interaction with others/outsiders who have a different understanding of legitimate authority. The ongoing presence of external actors on Bougainville during the long period of peacebuilding and state-formation has led to a myriad of everyday contacts between locals and internationals; and this interaction has an impact on how the locals see themselves and their authorities. Understandings of legitimacy change. In other words: locals do not only exploit the presence of the external actors (and opportunistically adjust to the external actors' peacebuilding and good governance talk in an instrumental manner so as to gain access to their resources), but they (some, not all) genuinely change perceptions, behaviours and values on the basis of the interaction with the external actors. Those locals in particular who closely work with or for or in coordination with international organisations or international NGOs gain new status (and paid jobs) on the basis of these connections. At the same time they get access to a 'wider world' so to speak, to different forms of knowledge, skills, terminologies and other immaterial resources, and this changes their understanding of legitimacy. They can become bridge-builders in the above-mentioned sense, particularly when they do not lose or neglect their local connections to their extended families, clans, villages and other local networks and their legitimate local leaders. To a certain extent, external actors are in a position to exert influence on the legitimacy of local authorities and on the understanding of what constitutes legitimate authority. They have a tendency to use this influence in favour of their local counterparts in the spheres of state and civil society. This is 'natural' – given that these actors are committed to the ideals of liberal peace and state-building - , but not necessarily prudent in terms of conflict transformation, peacebuilding and formation of political community. Overstretching support for specific types of legitimate authority at the expense of or to the detriment of other types can do more harm than good in the context of hybrid political orders. It can alienate those actors who miss out and drive them to take on hardened conflictual attitudes, and it can even be counterproductive for the legitimacy of those actors who were to be supported. If the ABG, for example, is seen as being too close to Australian support (or perhaps even as being dependent on such support, or Chinese support for that matter) this impacts negatively on its local empirical legitimacy (even if it might add to its international legitimacy). It seems to be wiser to use the influence for bridging purposes as described in the previous section. External actors have considerable potential to bring different local stakeholders together, they have "convening power" (Leftwich 2009, 24) and facilitating capacities. In Bougainville some representatives of external actors have made and are making smart use of these capacities (beginning with the personnel of the TMG/PMG and UNOMB in the early stages of the peace process through to the UNDP Head of Mission and the expatriate ABG weapons disposal advisor today), while

others seem to be too cautious to reach out to 'unfamiliar' legitimate authorities, constrained by narrow mandates (and prejudices perhaps). More could be done by external actors with regard to help bridging gaps between different types of legitimate authorities. A precondition is to understand the hybridity of order and legitimacy on Bougainville, to acknowledge the legitimacy of different types of authorities and to be willing to work with different types of authorities. This understanding and willingness is more developed with some external actors, lacking with others.

The same holds true with regard to the understanding of one's own legitimacy and the willingness to question it. Some external actors see their legitimacy as a given, derived from international consensus and legal arrangements. They do not have a proper grasp of the difference between international and local legitimacy. Against their misperceptions the validity of the following statement has to be taken into account: "While practitioners tend to think that legitimacy comes from the international consensus around liberal peace and the normative power of international institutions, such as the United Nations, local actors see legitimacy in their own consent" (Tadjbakhsh 2011, 2). Other external actors are more aware of the difference between international (normative) legitimacy and local (empirical) legitimacy. The UNDP representative on Bougainville could simply refer to the legitimacy of the international organisation which sent him and leave it at that. But he knows better: he also strives for local legitimacy by engaging with chiefs and warriors and other 'suspect' actors, and he understands that his concept of legitimacy is not the only (and not even the preferred) concept that has traction in the local Bougainville context. The same holds true for the expatriate ABG weapons disposal adviser (who formerly was a member of UNOMB) and other expatriates on Bougainville. They are able and willing to see with the eyes of the Bougainvilleans and consequently to reflect on their own legitimacy and acknowledge its limitations. Others seem to lack this ability and willingness to scrutinize their own legitimacy, while at the same time ignoring or rejecting local forms of legitimate authority and demanding from the locals to underwrite their, the external actors', understanding of legitimacy. This attitude is not particularly helpful. Only if the gap between the locals' understanding of legitimacy and the external actors' understanding is addressed and external actors self-critically reflect on the limitations of their own legitimacy a productive relationship between locals and internationals can be built and the internationals can make a sustainable contribution to locally grounded conflict transformation and peacebuilding and to the emergence of a home-grown peaceful political community.

## 10. The prospects for multi-track processes of conflict transformation and peacebuilding

Currently Bougainville is heading towards another decisive stage in conflict transformation and peacebuilding. A referendum on the future political status of the region is due some time

between 2015 and 2020 according to the BPA. Preparations for establishing the preconditions for the conduct of the referendum have begun. A peaceful referendum and the acceptance of its outcome by all parties can bring peacebuilding on Bougainville to a close and can seal its success. On the other hand, the referendum issue also holds some divisive potential for renewed conflict escalation, with a relapse into violent conflict as the worst case. Opinions among Bougainvilleans about the desirability of independence are still divided. While at this point in time it very much looks like a clear majority of Bougainvilleans would vote in favour of independence, there is also a considerable minority which seems to prefer to stay with PNG (a South Sudan pro independence result is unlikely in the Bougainville case). This division is to a certain extent along the old conflict lines of the war and along geographical lines, with Central and South Bougainville predominantly pro independence, and Buka and North Bougainville more pro-PNG. It will be of utmost importance to offer those forces which will 'lose' in the referendum positive political options that they can live with in order to prevent new conflict – and these options have to be made clear before the referendum takes place. While some press for a referendum as soon as possible, e.g. in 2015, others are more cautions and would prefer to have it at a later date so as to allow for more thorough preparation; even a renegotiation of the time frame and a deferral beyond 2020 cannot be ruled out.[36] The main point is that a broad consensus on this question and other referendum-related questions needs to be reached so as to avoid conflict about procedure and preconditions.

A broad consensus is also necessary with regard to the second major conflictual issue of the Bougainville peace process, namely the question of the re-opening of the Panguna mine. The Panguna mine issue had been deliberately put aside during the first stages of the peace process because of its divisiveness. Over the last years, however, it has come to the fore again as all stakeholders are aware that sustainable peace on Bougainville can only be achieved if the Panguna problem is solved. In the meantime, a broad debate about re-opening the mine (and about the future of mining on Bougainville in general) is underway; stakeholders at various levels and in various contexts are discussing the issue. Landowners from the mining area and mine-affected areas have established new landowner associations so as to speak with one voice, the different competing factions of the pre-war Panguna Landowners Association (PLA) have come together again, the ABG and its relevant institutions as well as the PNG central government and BCL/Rio Tinto have joined in the discussion, and clear and transparent procedures for those discussions have been put in place (including regional forums for the different areas of Bougainville, organised by the ABG's mining division).

Opinions on the issue vary. The ABG, the PNG government and of course BCL are advocating re-opening the mine, and a majority of landowners seem to be in favour of re-opening too. On

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[36] In the case of New Caledonia, for example, a referendum on separation from France and independence has been deferred previously, and it is not unlikely that this will happen again.

the other hand,, there are forces strongly against, particularly among the Meekamui factions and among the local population in the areas downstream of the mine which had to suffer most from environmental degradation. At this point in time it looks like a majority of Bougainvilleans are pro-mining, but there is also a relatively strong and determined minority against. Furthermore, among those in favour of re-opening, opinions on the preconditions for re-opening differ widely; questions are, for example:

- whether the old Bougainville Copper Agreement (BCA) is null and void and a new agreement should be negotiated from scratch or the old BCA should be renegotiated,
- whether BCL should pay compensation first before negotiations about a new agreement or adjustment of the old BCA can commence or the compensation issue should be part of such negotiations,
- whether only the landowners should decide about re-opening or the decision should rest with the ABG, or all people of Bougainville should decide, e.g. in another referendum,
- whether the referendum on independence should come first and then the re-opening of the mine, or the other way round.

It can be envisaged that a rather protracted process of discussion still lies ahead. At least, however, there is consensus that the issue has to be resolved by peaceful means, and that Bougainvilleans have to come to a unified position first before commencing negotiations with external actors (the PNG government and the Australian mining company). Again, in order to prevent new (violent) conflict it is of utmost importance to reach a very broad consensus among Bougainvilleans. Only on such a basis, formal negotiations about re-opening the Panguna mine can lead to sustainable results and old mistakes and their fatal consequences can be avoided. It would be very dangerous to try to rush things.

Addressing the two politically most important and potentially most divisive issues in the current stage of the Bougainville peace process, the issues of referendum on independence and of re-opening the Panguna mine, necessitates the constructive interaction of all legitimate authorities on Bougainville. Over the last years, the basis for such constructive interaction has been laid, mainly due to the everyday work of those legitimate authorities and their everyday encounters. In the context of the everyday all actors have learned to acknowledge the others as legitimate partners who they depend on for their own effectiveness and legitimacy. ABG, Meekamui, chiefs and elders, churches and civil society organisations are dependent on one another, and collaboration in general does not only improve their respective work's effectiveness, but also their empirical legitimacy. In the course of their interaction and collaboration their legitimacy has changed and is changing constantly, and so is people's understanding of legitimacy. Legitimacy is not a static given. It is in constant flux, constantly hybridised in the course of the interaction of different legitimate authorities. To the extent that external actors are involved in such interaction and collaboration, they play a role in these change processes too.

External actors and their local partners have had and can have an impact on conflict transformation and peacebuilding on Bougainville in the decisive stages ahead. This comes with responsibilities. First and foremost, it comes with the responsibility to reflect on one's own legitimacy and its limits, and to acknowledge the legitimacy of different types of local authorities (beyond the rational-legal). Even if there are constraints which inhibit collaboration,, efforts for collaboration should be expanded and stretched as far as possible (certainly beyond the comfort zone of 'civil socierty' in the image of Western countries) and respect be shown to legitimate authorities one is not familiar or comfortable with.

In practical political terms this means for conflict transformation and peacebuilding on Bougainville in the current phase that external actors should take into account and support as best as possible:

- intensified and better structured collaboration between the ABG and the central government of PNG in preparation for the referendum on Bougainville independence, acknowledging the normative and empirical legitimacy of the ABG and the normative legitimacy of the PNG government. This includes issues such as weapons disposal, draw down of powers, regular review of the BPA and other issues related to the implementation of the BPA; it necessitates an improvement of the work of the Joint Supervisory Body and other ABG-PNG government institutions (e.g. the newly established PNG Government – ABG Referendum Committee);
- intensified and better structured collaboration between the ABG and the Meekamui factions, acknowledging their different sources and types of legitimacy. The aim of such collaboration should be the formal acknowledgement of Meekamui as a party to the BPA  and the Bougainville peace process, a 'reunification' of Meekamui factions and of Meekamui and ABG;
- intensified and better structured collaboration between the ABG and local 'traditional' authorities such as chiefs and elders, acknowledging the legitimacy of those authorities. This includes improved technical, financial and other material ABG support for CoEs and village assemblies (including transfer of skills and training) as well as community auxiliary police, a broad public debate about the current state of relationships between state institutions and non-state governance institutions and options for their improvement, formalisation (or otherwise) and stabilisation (in particular with regard to chiefs and - potentially - councils of chiefs), a debate about the desirability (or otherwise) of an Advisory Body of traditional authorities as stipulated in the Bougainville Constitution, and a general debate about the future role of 'kastom governance' for political community on Bougainville;
- the continuation and extension of reconciliation processes all over Bougainville at various levels, local, district and Bougainville-wide. Reconciliation will have to include spiritual rehabilitation, trauma counselling and healing, weapons disposal, material

compensation and kastom-based and Christian ceremonies and rites. Formal declarations of peace/end of violent conflict in local traditional ways as well as exhuming fallen warriors and civilian victims of violent conflict and laying them to rest through proper mortuary ceremonies and burials so that their spirits can be brought to their ancestral homes are important elements of such rites and ceremonies ;

- the continuation and extension of various local peace processes and their coordination and inclusion in to an overarching program, strategy and policy of peacebuilding and weapons disposal (e.g. the Panguna Unification Process, the Siwai District Peace and Security Initiative, the Konnou Peace Initiative, Ioro 1 Peacebuilding and other similar initiatives), acknowledging and fostering the legitimacy of all actors involved;

- a series of local workshops/people's assemblies in all districts of Bougainville should be conducted to discuss the above-mentioned issues over the coming years, similar to the workshop held in the context of this project (Bolave workshop in Bana district). This would make it possible for Bougainvilleans to have meaningful constructive participatory dialogues at the grassroots level about what kind of political community they want, and how to establish home-grown state structures, including imminent issues such as referendum/independence, weapons disposal, conflict-sensitive socio-economic development, implementation of the BPA at the local level etc.;

- in this context, civic political education for all Bougainvilleans should be intensified, in particular raising awareness about the BPA, the Bougainville Constitution and the history of the Bougainville peace process as well as the rights and responsibilities, aims and politics of the ABG and other legitimate governance actors. This should become part of school curricula as well as adult education, carried out in close collaboration between the ABG, civil society organisations and local authorities. This civic and peace education could include building awareness about legitimacy of political actors and institutions and about the rights, responsibilities and obligations of Bougainvilleans under the BPA and the Bougainville Constitution;

- the organisation and intensification of well-structured all-inclusive public debates about contentious issues such as weapons disposal, the re-opening of Panguna mine and mining in general, pros and cons of economic growth, everyday (domestic) violence etc. Such debates have commenced, but more needs to be done, in particular with regard to the inclusion of marginalised sections of the population (e.g. in remote parts of the region, followers of so-called cargo cults, 'hard core' militants). Independent media and civil society organisations need more support to accomplish this task, as do local authorities like chiefs and elders and CoEs; there are still major shortcomings in the sharing and dissemination of information and all-inclusive communication;

- all these activities and processes have to be thought of and conceptualised in a long-term time frame so as to achieve sustainable results that can lay the basis for the unification of (almost) all Bougainvilleans in a shared understanding of 'national' identity and for a peaceful political community;

- legitimate Bougainville authorities then can negotiate the relationship and collaboration with external and international actors such as the PNG government, international organisations, governments of other countries (in particular close neighbours such as Australia and Pacific Island Countries) and private businesses/potential investors (BCL/Rio Tinto, other mining companies and other potential investors).

These politics should be based on the constructive collaboration of a variety of legitimate actors and be as inclusive as possible. However, it cannot be ruled out that certain actors will not be willing to come in and participate and might even try to spoil and disrupt the process out of self-interest, in the worst case threatening or using violent means. Only if they lose their legitimacy they can be marginalised to such an extent that they lose their negative disruptive capacities and can be dealt with according to what the vast majority of the Bougainville people see as legitimate course of action.[37] Such a policy of de-legitimising potential spoilers is more promising in the Bougainville context than trying to enforce a (non-existent) monopoly over the legitimate use of physical violence and seeking a 'solution' to the spoiler problem that would entail the use of (police or even military) force.

To summarize: one has to take into account and work with the realities of multiple hybridised legitimacies and provide for their positive mutual accommodation. Then, what can emerge from the processes of positive mutual accommodation is a legitimacy arrangement that can provide the bedrock for multi-track processes of conflict transformation and peacebuilding which can bring the Bougainville success story to a happy ending.

## 11. Reflection on the research process

Research on the Bougainville case study was both highly rewarding and challenging. Fieldwork on Bougainville made it possible to engage with a variety of actors from various societal and political spheres and to explore their everyday practices and views related to legitimacy issues. This produced a rich body of findings which have been presented in this report. Close and sustainable links could be forged with local partners, and capacities, knowledge, skills and expertise of these partners were improved. Trust was built in the relationship with people and leaders on the ground in Bougainville. Links to local partners and trust built with people and leaders will be advantageous for future research. On the other hand, the geographical, political and security environment on Bougainville is very demanding. Terrain and lack of infrastructure poses challenges to travel and fieldwork. This necessitates a

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[37] Potential spoilers that come to mind are Noah Musingku and his men, militants in small armed groups in the south of Bougainville or 'hard core' Meekamuis. But besides these 'usual suspects' one can also imagine the PNG government or BCL/Rio Tinto becoming spoilers under specific circumstances (if they do not get what they think they are entitled to).

high degree of flexibility and frequent ad hoc changes of plans. The relatively fragile security situation in parts of Bougainville make it necessary to build robust relationships to key actors on the ground who can assess and address security issues so that the safety of everybody engaged in the research is secured. Furthermore, local partners/research assistants as well as (potential) informants and interviewees have a host of everyday obligations and have to live and work in a very difficult environment (with e.g. malaria and other tropical diseases widespread and health therefore being a big issue), and this of course can make it necessary to adjust work plans and timelines. However, it was to a large extent possible to manage these problems and to achieve the goals set for the Bougainville research. The findings of the research have had an impact on attitudes and activities of actors on the ground, as conversations with Bougainvilleans from different walks of life confirm.

The workshop in Bolave in Bana district, a very remote area of Bougainville, which was conducted in the context of the research project, had a considerable impact. The workshop brought together government representatives, local customary authorities, NGOs, leaders of political factions and of churches and women and youth. Participants discussed how to improve the collaboration between state institutions and non-state societal actors and how to better link the different levels of governance in the interest of the stabilisation of peace and political order. The workshop organised follow-up activities, mainly by forming a working committee comprising all stakeholders and by adopting a 'Bolave Peacebuilding and Governance Initiative'. Several follow-up activities have been carried out in the context of this initiative already; and, following the Bolave example, other communities and districts have shown an interest in similar activities.

The Pidgin brochure on the Bolave workshop is being widely disseminated among people from the region and political leaders on Bougainville, and it is very well received. There are plans to hold similar workshops in other parts of Bougainville. The English version of the brochure was disseminated among politicians in PNG and Bougainville and external actors and was met with considerable interest. The Australian High Commissioner to PNG, for example, has expressed his interest in having a conversation about the workshop and the research findings.

Furthermore, the findings presented in this report will lay the basis for sharing lessons learned on Bougainville with a wider international academic and policy-oriented audience. They will flow into journal articles on legitimacy issues, conference presentations and applications for future research.

Such future research seems necessary and promising. In the context of this research it was not possible to get access to certain actors and certain regions which are of significance for understanding legitimate authority, conflict transformation and peacebuilding. Certain non-state/non- civil society actors such as local warlords, leaders of so-called cargo cults or rigidly 'traditionalist' leaders could not be approached. More time for building trust would have been

needed to do that. These actors, however, can exert considerable influence on developments on Bougainville. Certain remote 'ungoverned' areas were also not accessible; in particular the borderlands along the border between Bougainville and Solomon Islands; these borderlands are of special significance for the sustainability of peacebuilding and for the success of state-building; configurations of legitimate authority in the Bougainville – Solomon Islands borderlands therefore deserve more thorough exploration. Focussing research on these kind of actors and these kinds of regions, however, will be even more challenging than the current project; it would need very detailed preparation, longer periods of fieldwork and a local network of committed and trustworthy partners.

This research project has been received very positively by local partners and by the people and leaders on Bougainville. A problem arising from such a positive response is that expectations are raised, and people are keen to continue with what has been initiated by the research. Research projects like this, however, can only be conceptualised and carried out for relatively short time spans. It has to be hoped that people on the ground have become excited enough to pursue the questions and issues raised in the context of the research further on their own and with their own resources. There are indications that this is going to happen in Bougainville.[38]

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[38] The two local research partners, Dennis Kuiai and James Tanis, have taken the issues of this research on board enthusiastically. They are deeply convinced of the importance of this research and want to pursue it further or to have it pursued further. They are in a good position to do so. Dennis Kiuai is the First Secretary of the ABG Ministry of Peace and Reconciliation. James Tanis was ABG President for two years and is currently studying International Relations and Peace Studies at the Australian National University in Canberra. He is planning to do a PhD in Peace Studies and then get back into politics on Bougainville (with the next presedential elections due in 2015). Dennis and James contributed significantly to the success of the Bougainville case study research.

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