

Contesting Governance Platform

Draft Research Agenda

For discussion

1 Introduction

In the Contesting Governance Platform, researchers employ critical perspectives to investigate the constitution and operation of governing actors and practices across institutional and societal realms. Affiliated researchers are from conflict studies, cultural anthropology, geoscience, governance, history, law, media and culture studies, and sustainable development. As a platform, we delve into questions such as: How does civil society challenge state violence? How do citizens respond when they perceive the state as failing to protect them or even turning against them? How do legal frameworks protect or jeopardize the safety of people living in conflict zones? And how do people negotiate their daily needs and livelihoods when non-state armed actors control their spaces? In this paper, we explain our approach to the concept 'Contesting Governance', by unpacking the concepts of 'governance' and 'contestation' which form the basis of our identity as a research platform. In doing so, we aim to consolidate and clarify our identity as a platform, identify and unpack the core themes we work on, delineate new research avenues, and underscore the significance of our research agenda and values. We hope that this paper may serve as an invitation to potential new members to join our platform.

2 Governance

Traditionally governance has been defined as the exercise of political power within state boundaries. This perspective often revolved around central institutions exercising sovereignty over a demarcated territory defined by citizenship. While a genealogical approach rejects a singular definition of the state, maintaining diverse interpretations, this state-centric perspective on governance persisted in published political science scholarship.

Many researchers within the Contesting Governance platform find value in critical approaches to governance that either follow the theoretical framework of governmentality as conceived by Michel Foucault or have similarities to this approach. Platform researchers adopt analytical lenses that shift the focus from centralized state power to a decentralized network of formal and informal institutions, technologies, and practices that collectively govern societies.¹ Members are engaged in exploring the diverse techniques and rationalities

¹ Matthias Lievens, 'From Government to Governance: A Symbolic Mutation and Its Repercussions for Democracy', *Political Studies* 63, no. 1_suppl (2015): 2–17.

Kees Van Kersbergen and Frans Van Waarden, "Governance' as a Bridge between Disciplines: Cross-Disciplinary Inspiration Regarding Shifts in Governance and Problems of Governability, Accountability and Legitimacy', in

employed by both governmental and non-governmental entities to rule over or exert influence over individuals and groups. A broader approach to governance encompasses biopolitics and bio-power, emphasizing the governance of life processes and the exercise of power over bodies. A governmentality lens highlights the continuous and pervasive nature of governance in everyday life, operating through various norms, policies, and practices.² It explores and uncovers how governance structures may exclude, discriminate, and repress certain groups.

The concept of governance explored within the Contesting Governance platform is continually informed by interdisciplinary scholarship, whereby the application of different disciplines is used to provide insights into the dynamics of rule and ruling in modern societies. Interdisciplinary approaches are helpful when trying to make sense of the influential position of the state, while at the same time engaging with the reality that the state is not an uncontested, legitimate, or sovereign power. For example, within the *Governance and Citizenship in Protracted Conflict* group, researchers have worked on a [special issue](#) that aims to explore the meaning of 'rules' and 'laws' in different disciplines which include conflict studies, critical geography, cultural anthropology, international law and political science.³ Conversations about how to reconcile writings in anthropology on sovereignty, statehood, policy, bureaucracy, and postcolonial power with more doctrinal legal studies on 'the rule of law' provide a fertile ground for reconceptualization, renewal, and creativity.⁴ By exploring the lived experiences of rules and laws and how they constitute order, power, and subjectivities at different levels and in different spaces, we notice the limits of different disciplines. For example, it provides attention to the reality that international law seems to

European Corporate Governance, by Thomas Clarke and Jean-Francois Chanlat (New York: Routledge, 2009), 64–80.

Claus Offe, 'Governance: An "Empty Signifier"?', *Constellations* 16, no. 4 (2009): 550 as cited in Matthias Lievens, 'From Government to Governance: A Symbolic Mutation and Its Repercussions for Democracy', *Political Studies* 63, no. 1_suppl (2015): 2–17.

Martin Doornbos, "'Good Governance": The Rise and Decline of a Policy Metaphor?', *The Journal of Development Studies* 37, no. 6 (2001): 93.

Hal K Colebatch, 'Making Sense of Governance', *Policy and Society* 33, no. 4 (2014): 307–16.

Renate Mayntz, 'New Challenges to Governance Theory', in *Governance as Social and Political Communication*, by Henrik Paul Bang (Manchester: Manchester University Press, 2003), 27–40.

Till Förster and Lucy Koechlin, "'Traditional' Authorities', in *The Oxford Handbook of Governance and Limited Statehood*, by Thomas Risse, Tanja A Börzel, and Anke Draude (Oxford: Oxford University Press, 2018), 231.

² Mark Bevir, 'Rethinking Governmentality: Towards Genealogies of Governance', *European Journal of Social Theory* 13, no. 4 (2010): 423–41.

³ Oosterbaan, Martijn, Wiegink, Nikkie, Fortin, Katharine & van der Borgh, Chris, Introduction: Rules and Laws in Protracted Conflict: Concurrence, Negotiation and Friction, *Social Science & Humanities Open*, Vol 8(1), 2023, forthcoming

⁴ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford, CA: Stanford University Press, 1998), Y. Bonilla, 'Unsettling Sovereignty' 32(3) *Cultural Anthropology* 2017, 330-339, J. Cattelino, 'The Double Bind of American Indian Need-Based Sovereignty' 25(2) *Cultural Anthropology* 2010, 235-262, D.E. Davis, 'Irregular Armed Forces, Shifting Patterns of Commitment, and Fragmented Sovereignty in the Developing World' 39, *Theory and Society*, 2010, 397-413, Tessa Diphoorn, *Twilight Policing: Private Security and Violence in Urban South Africa* (Berkeley: University of California Press 2016)

remain comparatively distant from lived experiences on the ground while purporting to draw the ‘big lines’ of how society is ordered and should be ordered.

Many researchers at the Platform also focus on violent encounters between citizens and powerful actors, such as the police, the military, corporations, or armed groups. For example, the *UU Network for Interdisciplinary Policing Studies (NIPS)*, which is housed within the platform and comprises researchers from international law, conflict studies, governance, and cultural anthropology, focuses on how law and order is enforced in different contexts. In doing so, they unpack how power is practiced on different levels and highlight invisible structures of decision making. In a special issue on [Transformative Policing](#) (2021), several platform members analyse police reform trajectories across the globe and show how these are marked by calls to reimagine the ways in which we police and secure societies. Likewise, the *Realities of Algorithmic Warfare (RAW project)* comprise researchers from international law, conflict studies, and media studies who question power structures along the nexus of Military Actors and Technology Developers. They investigate how AI technology paves the way for changing the dynamics of the battlefield, how this poses serious risks to civilians, and what this entails for modern warfare

Our research agenda also builds on the work of scholars who study the daily encounters with public and private authorities, examining how and why the experience and manifestation of governance varies from place to place.⁵ Underlying these studies is the attempt to capture the multiple ways in which social and political actors collaborate, negotiate, and compete, and hereby uncover the plurality of governance constellations and legal frameworks. Indeed, researchers within the Contesting Governance platform often focus on alternative spaces and alternative actors beyond the State, exploring how governance is experienced when traditional authorities are either absent, fragmented, or contested. For example, the *Governance and Citizenship in Protracted Conflict* has focused on governance by non-state actors, such as armed groups, multinational corporations, and gangs, and the *UU Network for Interdisciplinary Policing Studies (NIPS)* demonstrates how everyday policing is largely defined by complex relationships between state and non-state actors, ranging from citizen-led policing entities to private security companies.⁶

Many researchers engaged with the Contesting Governance platform adopt what might be called a ‘bottom-up’ approach to governance that makes the individual experience of

⁵ Keebet, von Benda-Beckmann, and Bertram, Turner. 2018. Legal pluralism, social theory, and the state. *The Journal of Legal Pluralism and Unofficial Law*, 50(3), 255-274

⁶ Nikkie, Wiegink, Navigating Plural Legal Constellations at the Coal Mining Frontier in Mozambique, *Social Sciences & Humanities Open*, Volume 8(1), 2023, 100659.

Tessa, Diphooorn. *Twilight Policing. Private Security and Violence in Urban South Africa*. Berkeley: University of California Press, 2016.

governance its starting point.⁷ Placing the primary focus on the citizen – rather than the state or its institutions - creates an analytical lens that uncovers the individuals' role in the co-creation of governance institutions and the safeguarding of the rule of law, refuting the idea that institutions or institutional transformations can or should be designed from 'top-down'. Instead, platform researchers often understand boundaries between institutions and society and systems of rules to be fluid, porous, changing, and relational.⁸ Focusing on situations where traditional governance structures are challenged by state failure, corruption, and armed conflict, platform researchers are interested in understanding how institutions survive, morph, emerge, and redefine themselves during situations of crisis.

Researchers in the platform are also interested in re-writing traditional narratives of governance, to give place to the lesser-seen informal or local actors that may be missed with the employment of a top-down lens. For example, *The Lausanne Project* considers the establishment and sustenance of global imperial order from historical, as well as anthropological and legal perspectives. Its edited volumes, podcasts, and blog posts, which are published every week on its website (thelausanneproject.com), replace a top-down approach to order-making and order-maintenance with a more dynamic narrative embracing the role of NGOs, the media, banks, oil companies, and other non-state actors.

Another key theme explored within the platform is that of security. Researchers within the platform have repeatedly collaborated with the IOS Platform Security for Open Society to explore together how the concept of security has transformed across space and time, with 'security threats' traveling across different times and borders. In addition to exploring the presence of 'security', researchers within the platform also find value in identifying the absence of security i.e., 'what is not security', and how, more often than never, the term has been politicized and utilized as a discursive practice, i.e., as a means to an end. A key conversation has been about how security relates to neighbouring concepts, such as risk, vulnerability, and crisis. We find it valuable to identify, explore, and evaluate (invisible) definitional lines contained within the concept of security that feeds into its conceptual parameters. Platform members conduct research that asks questions, such as, 'security for whom', 'security against what', 'security by whom', 'security where', and 'security when', and how security is operationalized in and through various forms and guises, such as performances, practices, assemblages, and discourses. We also find it important to see how these questions are cast and understood differently, depending on societies and their political, sociological, and cultural contexts.

⁷ Antoine Buyse, Katharine Fortin, Brianne McGonigle Leyh and Julie Fraser, *The Rule of Law from Below: A Concept under Development*, *Utrecht Law Review*, Vol 17(2) 2021

⁸ Boaventura de Sousa Santos, 'A Map of Misreading. Towards a Postmodern Conception of Law', *Journal of Law and Society*, 14(3), 1987, 279-302

Together with the SOS Platform, the Contesting Governance Platform has organized two workshops on the theme of 'security' and developed an Interdisciplinary Minor 'Reimagining Security' exploring these themes. This minor has contributing courses from cultural anthropology (Anthropology of Violence and Security), international law (Contesting Security), UCU (Decolonising Security) and history (Historicising Security).

3 Contestation

It will be clear by now that the Contesting Governance platform is not only interested in governance but in contestation. Researchers are interested in the dynamic contact points between individuals and institutions, which are defined by resistance, fracture, conflict, violence, exploitation, competition, or co-creation.

The social and political act of challenging governance in a way that aims at proposing new norms has been analyzed by international relations scholars as a form of contestation.⁹ Contestation involves the "disapproval of norms" in manners that exclude violent acts, which play a more central role in acts of dissidence. Through this lens, the focus becomes less on the problematic qualification of acts of contestation and becomes more shifted to understanding its multiplicity of triggers, forms, natures, and effects.¹⁰

Contesting governance, we underline, comes in different modes and sites, ranging from more formal and discursive, to violent and non-discursive practices. In observing and studying these acts, our research looks at the repertoires of collective action and resistance and the different dimensions of challenging authorities, from street-level protests to juridical prosecution. An additional analytical angle could incorporate the geographies of contestation, for example, the nature of spaces where contestation takes place (courtroom, parliamentary space, etc.) and the scales of these collective efforts (urban, national, or international).¹¹ The platform has a strong connection with human rights law and international law at Utrecht University. The theme of contestation resonates with concepts at the heart of the human rights framework. While not all platform researchers utilize or find value in drawing upon formal human rights norms, many are interested in exploring core concepts pertinent to human rights law, such as accountability, protest, resistance, human dignity, and justice. They are also interested in sites of confrontation between the individual and the State.

The theme of contestation is also embraced by the interdisciplinary approach which has been deliberately placed at the heart of the platform's research agenda. Researchers at the platform are united in their interest in exploring how different concepts are defined,

⁹ Antje Wiener, 'Introduction: Contestation as a Norm-Generative Social Practice', in *A Theory of Contestation*, by Antje Wiener (Heidelberg: Springer, 2014), 1–15.

¹⁰ Anette Stimmer and Lea Wisken, 'The Dynamics of Dissent: When Actions Are Louder than Words', *International Affairs* 95, no. 3 (2019): 515–33.

¹¹ Wiener, 'Introduction: Contestation as a Norm-Generative Social Practice'.

challenged, or reconceptualized in different disciplines. We are committed to conversations about how the normative and conceptual boundaries of concepts relevant to governance (e.g. security, rules, violence) are mapped out and limited, in different disciplines and policy fields. We also find it important to explore how the organizing principles and methodologies of different disciplines uncover different aspects of governance. Through our commitment to cross-faculty and cross-disciplinary collaboration, we are interested in understanding the blind spots of individual disciplines and the value of interdisciplinary integration. We believe that the identification of 'contestation' between disciplines often holds a key to unlocking a rich interdisciplinary conversation that is helpful when seeking to unravel how the conceptualization of different concepts relates to changing landscapes of governance and order across the globe.

With our *Interdisciplinary Playground* series, we explore interdisciplinary collaboration in a structured series of games-based networking events. These have involved board games and facilitated workshops on research questions and collaboration, which have the aim of uncovering disciplinary methods, biases, and internal organizing principles. The Platform has also hosted and developed a podcast '*Travelling Concepts on Air*' that has explored a multitude of concepts from the perspective of different disciplines and aims to understand how concepts can facilitate or obstruct interdisciplinary exchanges and collaboration.

4 Our research projects

The Contesting Governance Platform contributes and advances an interdisciplinary approach that unravels how governance works across different institutional dimensions and societal spaces, as well as how they are contested by several societal and armed actors. Concerned with both rule-making processes and the way these are accepted or challenged, the *Contesting Governance Platform* currently consists of platform activities (e.g. seminars, book launches, network events) led by several sub-projects. These are as follows:

Governance and Participation in Protracted Conflict focuses on areas of conflicts outside the Western hemisphere, where it investigates governance as practiced through a constellation of a wide set of actors and institutions, including state and non-state armed actors, state-run and martial courts, religious leaders, and financial institutions. The subproject investigates the role of civilians under conditions of conflict and violence, arguing for a certain level of agency, through which, civilians navigate the realities of conflicts and participate in decision-making. It also lays a special focus on gender and the position of women during conflicts, arguing that contestation of conflict norms could be observed in the maintenance of personal projects, such as those related to love, marriage, and procreation.

The *UU Network for Interdisciplinary Policing Studies* (NIPS) looks at entities of law-and-order enforcement, exploring the broad networks of formal institutions, private security

institutions, community policing, human rights organizations, victims of policing, as well as non-human policing technologies. The subproject is concerned with questioning the power hierarchies within such arrangements. It investigates how power is practiced on different levels, and it attempts to highlight invisible structures of decision-making.

The Lausanne Project (TLP) considers the establishment and sustenance of global imperial order structures from historical, as well as anthropological and legal perspectives. Its edited volumes, podcasts, and blogposts, which are published every week on its website (thelausanneproject.com), are replacing a top-down approach to order-making and order-maintenance with a more dynamic narrative embracing the role of NGOs, the media, oil companies, and other non-state actors.

Realities of Algorithmic Warfare (RAW) engages with the realities of increasing autonomy in warfare through artificial intelligence from an inter- and transdisciplinary approach. Drawing from conflict studies, international relations, media and cultural Studies, and law, the group explores how integrating algorithms into existing military technology paves the way for more autonomy, ludification, and remoteness in war, changing the dynamics of the battlefield and posing serious risk to civilians, as well as to fundamental democratic principles like transparency, accountability, and the rule of law.

Open-Source Global Justice Investigations Lab provides a space for learning and experimenting with open digital tools for conducting investigations and evaluating open-source materials that relate to global challenges from climate change to international justice. Through open-source investigation techniques, students can learn to identify, document, verify, analyze, and evaluate material such as news reports, social media posts, and satellite imagery.

5 Looking to the future

Looking to the future, the Contesting Governance Platform has the aspiration to continue to provide a home for researchers from across the university who are interested in employing critical perspectives to investigate the constitution and operation of governing actors and practices across institutional and societal realms. Please do not hesitate to reach out to the coordinators of the platform if you would like to find out more about (i) joining the Platform (ii) setting up a sub-project or (iii) applying for money from [Institutions for Open Societies](#) via the Contesting Governance Platform.