



DIIS International Conference on Access to Justice and Security

Copenhagen, 1st – 3rd November 2010

For three days in November, the Danish Institute for International Studies in Copenhagen (<http://www.diis.dk/sw239.asp>) hosted an international conference on ‘Access to Justice and Security: Non-state Actors and the Local Dynamics of Ordering’. The conference was sponsored by DANIDA, the Danish Ministry of Foreign Affairs and the IDLO, and brought together a large number of participants ranging from university researchers and consultants to NGOs such as the United States Institute for Peace (USIP), donors and governmental representatives from the UK, Denmark and the Netherlands.

Altogether there were 56 papers and presentations, including a paper from the APP Justice Stream on ‘Popular Concepts of Justice and Fairness in Ghana’ presented by Richard Crook, Kojo Asante and Victor Brobbey. The intention of the conference was to present the latest detailed empirical research on what is now a highly significant but little understood feature of the justice and security institutional landscape across the developing world, and to discuss its policy and aid implications. One recurring theme to emerge from the discussions was the difficulty of distinguishing in practice between ‘state’ and ‘non-state’, given that there are so many blurred boundaries and hybrid institutions, and that in situations of legal pluralism people tend to use whatever kinds of institutions they find effective, both state and non-state. It’s not an ‘either/or’ choice. APP researchers were able to link up with some very exciting comparable research programmes, in particular the work of Stephen Lubkemann (George Washington University) and Deborah Isser (USIP) on popular perceptions of justice in Liberia, Anne Griffiths’ (Edinburgh University) work on land and gender in Botswana, and a number of papers on justice, chiefs and local cultures in Sierra Leone presented by Paul Jackson (IDD, University of Birmingham) and Peter Albrecht (DIIS), Maya Christensen (University of Copenhagen) and Nat King (Max Planck Institute). It was also fascinating to compare the APP work in Ghana with Cassandra Balchin’s sceptical report on ‘non-state’ local forms of ADR in Pakistan, in which she questioned whether they were necessarily fairer or more effective than existing state forms and were leading in practice to more severe denials of rights to women.

The donor and governmental representatives were concerned in particular about the relevance of this research to their programming, and confirmed that what was most important was how it enabled them to assess ‘what works’ or ‘doesn’t work’ on the ground, which is essential for justifying aid programmes to their governments. But they also confirmed that the reality of aid

programmes is that they have to work through national governments and so the state dimension cannot just be by-passed. The necessity for donors to work with the realities of local political and social situations was stressed in the talk given by the DFID representative; APP members were especially pleased to hear him use the phrase ‘going with the grain’—and wondered whether this had been taken up from APP’s work or was something which was already embedded in internal DFID discourse?

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