Building peace from the Margins:
Borderlands, Brokers and Peacebuilding in Sri Lanka and Nepal
Acknowledgements

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For further information, please visit the project website: http://borderlandsasia.org/

Cover photo: A border guard searches bags at the Nepal-India border, Biratnagar, Nepal. © Oliver Walton
Introduction

This policy brief draws on findings from a two-year collaborative research project on the role of borderland regions in war to peace transitions in Sri Lanka and Nepal. The research examines political and economic changes in ‘post-war’ transition from the perspective of state margins, and, by doing so, it inverts the top-down, centrist orientation that informs post-war peacebuilding and development policy.

This brief outlines a new approach that seeks to overcome international agencies’ ‘borderland blindness’, or tendency to neglect borderland regions, by developing a stronger analysis of centre–periphery relations and spatial inequalities. The approach outlined in this policy brief also highlights the crucial but neglected role of ‘borderland brokers’ – key individuals (civil society activists, local political leaders or businesspeople) who mediate between state peripheries and the centre.

In countries undergoing war to peace transitions, borderland regions frequently experience continuing violence linked to contestation over the terms of the post-war political settlement. In otherwise stable states, borderland regions may be chronically violent places, with higher rates of homicide and human rights abuses than in many war zones. These marginal spaces are also frequently zones of extreme and chronic poverty, where livelihoods depend upon the informal, illicit or criminal economies and the imprint of the state is weak or fitful. These regions seem to be largely immune to development successes celebrated at the national and international levels.
Therefore, border regions present particular challenges to development and peacebuilding practitioners and policy-makers. Post-war interventions, including constitutional reforms, reconstruction efforts and transitional justice processes, though often at the heart of national political contestations, may have limited resonance in the margins where borderland groups feel excluded from such debates.

Notwithstanding the core commitment of the Sustainable Development Goals to ‘leave no one behind’, ostensibly ‘successful’ post-war transitions may end up excluding significant populations living in borderland regions. There is an urgent need to develop more spatially sensitive approaches to post-war transition, first, on development grounds, to ensure borderland populations are not ‘left behind’ and, second, on pragmatic grounds, as the exclusion of borderland populations is also likely to endanger the long-term stability of post-war transitions. This necessitates a more explicit acknowledgement of subnational political settlements and thinking carefully about forms of (vertical and horizontal) inclusion.

This policy brief draws on research conducted over two years in contrasting borderland and frontier regions in both countries,1 in addition to gathering detailed life histories of women and men who mediate between state peripheries and the centre – people we have called ‘borderland brokers’. These individuals may be politicians, civil servants, civil society leaders and businesspeople.

Both countries have a long history of protracted conflict, peace processes and post-war rehabilitation and reconciliation efforts. It is hoped that the findings will be directly relevant to continuing peacebuilding work in Nepal and Sri Lanka, but also to other contexts in which contested borderlands play a role in shaping conflict and post-war transitions.

Key findings

Borderlands and Conflict

In both countries, a relatively strong state fought against a strong rebel movement. Protracted conflict led to a gradual division of the country into state and non-state spaces (in Sri Lanka, known as cleared and uncleared areas). Although these spaces expanded and contracted during different phases of the conflict, both wars led to relatively stable forms of rebel governance in which non-state actors invested in holding territory, controlling and taxing populations, and creating state-like structures. The borderlands and frontier spaces became places of innovation and experimentation and rapid social change – in terms of transformed expectations of the state, and new discourses about rights and about gender relations. The frontier spaces were also the main theatres of conflict and centres for recruitment, and were the worst affected by abuses, including torture, disappearances and indiscriminate and targeted violence.

In Sri Lanka, the war ended through military victory. The trigger for the LTTE’s military defeat was fragmentation in the periphery. In the context of a peace process that weakened the rebels, the break-away of the Eastern ‘Karuna faction’ significantly changed the balance of power between state and rebels. Conversely, in Nepal, failed peace talks strengthened the position of the rebel’s vis-à-vis the state. The catalyst for the end of the conflict was the breakdown of the political settlement at the centre resulting from the royal massacre, the state of emergency and the subsequent people’s movement.

Contrasting ends to the war led to different political settlements, which involved shifts in centre–periphery power relations. In Sri Lanka, where state forces were the victors, the centre re-established its control over the periphery. A new post-war frontier opened up in the war-affected areas, which became a zone of pacification and securitised development. In Nepal, new elites from the borderlands moved into and were incorporated by the centre as Maoists entered government and exploited the opportunities that this newfound power gave them in terms of access to rents and positions.

Post-war transition in both countries involved ongoing instability and multiple forms of violence, including violence associated with challenging or enforcing the political settlement (e.g. the Madheshi Andolan in Nepal or state repression in Sri Lanka), or new forms of violence that flourished in the unsettled post-war environment, such as growing violence against the Muslim community in Sri Lanka or criminal violence in the Tarai. These post-war transitions can be characterised as periods of ongoing political unsettlement in which elite behaviour is oriented towards the short term and maintaining a foothold in the political game. Post-war transitions have been marked by strong continuities with the past, and transformational moments have been followed by elite push-back.

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Post-war transformations in Hambantota

Hambantota illustrates how the status of peripheries can radically shift in post-war periods. Historically, Hambantota was seen as an impoverished backwater, a position that became entrenched in the years following independence. The political salience of the region grew rapidly after the 2004 tsunami, leading to the emergence of a new layer of local political and economic brokers who mediated and channelled flows of funding and patronage to the coastal strip.

During the later years of the war and in the post-war period, the economic boom in Hambantota accelerated, largely as a result of its status as the base of former president Mahinda Rajapaksa and his family. After the war, it became an important site for large-scale infrastructural investment. Hambantota complicates the idea that post-war peacebuilding simply involves the diffusion of power and resources outwards from the centre to the periphery.

While Hambantota benefits from its connections to the centre – forged by the former President Mahinda Rajapaksa, who was in power between 2005 and 2015 – its rise also represents the emergence of a rival peripheral elite, which challenges the established political families of Colombo. The aspirational nature of these developments is captured in the phrase ‘Hambantota 7’, to characterise a process of urban development that consciously mimicked Colombo 7 (a wealthy suburb). The making of a centre in Hambantota therefore illustrates the dynamic and uneven nature of post-war territorialisation, and the emergence of ‘central peripheries’ that simultaneously constitute and de-legitimise power at the centre.

Although borderlands have common features, there are also significant differences. In Sri Lanka, the state margins are maritime frontier regions, while in Nepal they are borderlands intersected by an international land border. The state shows different faces and forges different social contracts in its borderlands. For example, in Sri Lanka, investments and patronage may flow into Hambantota, while at the same time Batticaloa experiences coercive policing and militarised development. Borderlands have their own dynamics of change; some remain marginal and neglected, as in the case of Bardiya in Nepal, while others become central peripheries shaping power and economic relations at the centre, as for instance with Saptari and Hambantota in Nepal and Sri Lanka respectively.

Brokerage

As states seek to re-establish a foothold in borderland regions formerly under the control of rebels, political and economic intermediation is fundamental to this process. Post-war periods provide a
Borderlands Brokers

Borderland brokers are individuals or organisations who span spatial divides between competing elite coalitions. They can be local political or civil society leaders, businesspeople or government officials who play a role in mediating between central elites and constituencies in the borderlands.

The research identifies different kinds of borderland brokers depending upon their orientation and where their power is derived from; representative brokers tend to act on the state’s behalf in the borderlands; embedded brokers emerge from and remain deeply connected to the periphery and voice the concerns of borderland populations; liaison brokers occupy the middle position between the central state and borderland groups, maintaining links to both but never getting pulled too far in one direction (Meehan & Plonski 2017).

We also distinguish between apex brokers (located in highly salient borderlands and who play a key role in connecting leaders at the centre with core constituencies in the borderlands) and tertiary brokers (from more marginalised borderlands or who broker relations within borderland regions).

The research plots the life histories of different kinds of political, economic, humanitarian and legal brokers, and shows how these individuals respond to moments of rupture, as power relations and the rules of the game are renegotiated. These individuals are not agents of their own destiny. They respond to, rather than shape events, though their role is often critical. Their ability to maintain their relevance depends on their being able to provide a brokerage fix, which involves finding ways to facilitate connections and flows, while maintaining their role as a gatekeeper. The ‘fix’ is always temporary and successful brokers are those who keep adapting to shifting post-war power relations, markets and social relations. Sometimes the ‘fix’ does not work – for example, when Eastern Muslim politician ALM Atuallah was perceived to have become too closely aligned with the Rajapakse regime at the centre, his legitimacy as a representative of his home town Akkaraipattu drained away, leading to a resounding loss in the 2015 election.
The cases show some commonalities and differences between processes of bordering and brokering in maritime and land borderlands. First, in both cases, there are opportunities for brokerage as people and commodities flow across the border. Second, certain areas and regions develop a ‘tradition’ of brokerage because of their privileged position in relation to capturing and regulating cross-border flows. For instance, VVT in northern Sri Lanka and Biratnagar in Nepal’s Tarai have long exploited their proximity and connections with India for legal and illicit trade. Third, certain stretches of the border are more sensitive, heavily regulated and policed than others. However, the case studies also show that frontier regions in an island state and the land borders of a landlocked state exhibit important differences in terms of the number and types of state agents at the border, the way the borders are regulated, and which kinds of people have the ability and connections to transgress the border. The relative ease of building connections across land borders gives brokers greater autonomy and power in relation to their negotiations with the state. Conversely, in maritime frontiers, the barriers to entry for brokerage are much greater, and only particular types of people with the necessary experience, power and connections can perform this role.

In the long term, the interests and rights of borderland populations would be best served directly through states that have the capacity and will to reach out to groups on the margins. There would be no demand for brokers in situations where there is a genuine social contract, where the central state can deliver to all groups in society and where formal mechanisms are in place for borderland groups to make claims on the state. However, where these conditions do not exist, as in Nepal, Sri Lanka and many other post-war contexts, brokers may play a significant and even progressive role in helping borderland populations manage conflicts, make claims on the state or gain access to resources. Their legitimacy can also be shaped by international actors – too strong an association with aid donors may be damaging, yet at the same time the sudden removal of external assistance can undermine the broker’s ability to play a positive role.

Finally, the research shows that similar institutions or interventions can lead to radically different outcomes when implemented in different borderland regions. One of the keys to understanding why this is the case is the differing dynamics of brokerage in these post-war borderland contexts. Policies may work very differently in different contexts because they are shaped by different structures of brokerage.3

**Post-war policy tensions and trade-off**

The research highlights significant variations between different external donors and aid modalities in terms of their effects on centre–periphery relations. For example, Chinese, Indian and Japanese aid has a strong state-centric orientation. This may or may not lead to benefits for borderland populations, depending upon the orientation of the regime and type of programme.

International Financial Institutions (IFI) policies that favour trade liberalisation, private sector development and so forth have tended to favour urban areas and growth hubs, accentuating inequalities between marginal regions and metropolitan centres. In both countries, these processes contributed to the development of borderland insurgencies. Spatially targeted development programmes may revive ‘lagging’ regions, but only when part of a comprehensive package of

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measures linked to political reforms and inclusion. This suggests the need to go beyond reviving previous fashions such as integrated rural development programmes and to invest in more strategic ways with entire regions so as to build stable interdependencies and meaningful social contracts between centres and peripheries.

Donors tend not to engage with the real powerbrokers (those who play a substantive role in shaping the distribution of power in the borderlands), though political and aid brokers often shape the distribution of aid. The research suggests that the challenge is less about trying to select ‘good’ brokers than about affecting the incentive systems within which they operate.

Our research suggests that donors should reflect critically on the standard package of enhancing connectivity and devolving power, and not assume that this approach will necessarily improve the lives of borderland communities. Instead, the evidence shows how these policies often increase inequalities at the margins and create new institutions that will be captured by established elites.

Brokering justice in Bardiya

Bardiya is a majority Tharu district in the western Tarai that was badly affected by the war, having one of the highest rates of human rights abuses and disappearances. Following the opening up of democratic space in 1990, Tharu activists began campaigns for land rights and to end bonded labour. When the war broke out, the Maoists quickly recognised them as a community that would be receptive to their message of social transformation. The Maoists invested heavily in mobilisation among the Tharu community, by highlighting the need to abolish the feudal system and targeting local landlords, many of whom subsequently left the area during the war.

After the Comprehensive Peace Agreement of 2006, representatives from the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the International Committee of the Red Cross (ICRC) began to investigate human rights violations in Bardiya and the district became a hotspot for international engagement on transitional justice issues in Nepal.

Several local groups representing conflict victims were established and act as brokers between the demands of international and national-level transitional justice initiatives and the interests of local communities. These groups negotiated tensions between local demands from victims who often prioritised compensation, international activists whose work is informed by a more legalistic understanding of justice and emphasises accountability and the pursuit of emblematic cases, and political elites who argue for amnesties.

Bardiya shows that, just as tensions between the interests of the centre and borderland communities are evident in negotiations over state reform, these strains are also apparent in the field of transitional justice. Borderland brokers engage with a shifting set of national-level actors and agendas to assert the interests of their communities. One can see a ‘boomerang effect’ in the sense that the discourse of transitional justice, which was initially disseminated from the centre through Kathmandu-based civil society, has been picked up by local communities and brokers in the periphery who found that it resonated with their own reality and was potentially empowering – encouraged also by international NGOs. Therefore, transitional justice picked up momentum through mobilisation in the borderlands, but the push-back from central state elites led to declining pressure and growing disillusionment from peripheral groups.
INTEGRATE BORDERLANDS INTO THE ANALYSIS AND DESIGN OF POST-WAR DEVELOPMENT AND PEACEBUILDING INTERVENTIONS

**Recognise and address borderland blindness:**
Practitioners and policy-makers tend to suffer from borderland blindness. A centrist bias leads to an underappreciation of the centrality of borderlands to the dynamics of post-war transitions. Practitioners can address borderland blindness by: developing regional and decentralised approaches; focusing more on working in peripheral areas and across borders; hiring staff from peripheral regions; and developing data collection and monitoring and evaluation systems that systematically collect subnational and transnational data.

**‘De-centre’ political settlement analysis:**
Peacebuilders need to extend political settlement analysis beyond the national level, so as to better understand subnational and transnational bargaining processes involving borderland elites and populations in post-war transitions; questions of inclusion, representation, citizenship and access to services are central to these centre–periphery bargaining processes – and their outcomes can determine the stability and perceived legitimacy of the post-war order.

**Ensure interventions do not exacerbate centre–periphery tensions:**
The problems facing state margins are often rooted in policies designed at the centre. Development and peacebuilding practitioners should be aware of how borderland dynamics intersect with central state dynamics and ensure that their interventions bridge the conflicting priorities and interests of the centre and peripheries. This does not have to be a zero-sum game, and interventions can build stable interdependencies between actors and coalitions at the centre and the state margins.

**Address spatial inequalities – leave no one behind:**
There is a need for a stronger awareness of the distributional effects of state and donor policies on spatial inequalities between the centre and periphery and within peripheries in post-war transitions. Post-war economic growth supported by infrastructure programmes and the promotion of investment hubs are likely to generate uneven processes of development with poor hinterlands being left behind. Improving understanding and monitoring of disparities between the centre and periphery, as well as within the periphery, is crucial for inclusive post-war development strategies.
ENGAGE WITH BORDERLAND BROKERS

Recognise the importance of post-war brokers:
Post-war periods provide a particular opening and need for brokerage, and for ‘borderland brokers’ who connect centres and peripheries and play a key role in negotiating post-war outcomes. Borderlands would be best served by a state with the capacity to serve groups at the margins and where there is a genuine social contract; however, these conditions do not exist in many post-war contexts, and brokers play a significant and even progressive role in helping borderland populations manage conflicts, make claims on the state or gain access to resources.

Build analysis of borderland brokers into programming:
An understanding of the role of brokers (military, political, economic and social) is essential to ensure post-war peace and development interventions do not crowd out local capacities for negotiating a more inclusive political settlement or for delivering services to hard-to-reach communities. Brokers differ in terms of their relationship to the state and borderland communities, their power, visibility and personal backgrounds. Peacebuilders need to develop the skills to navigate and differentiate between different kinds of brokers, and to engage sensitively with those who can enhance the voice and claims of borderland groups. This requires the development of analytical skills such as political network mapping.

Acknowledge the inherent trade-offs of working with brokers:
Building peace in borderland regions will inevitably be shaped by the influence of brokers, and peacebuilders need to acknowledge the trade-offs involved. Brokers, by definition, manage tensions and trade-offs – between the short term and long term, between stability and inclusion, and between the centre and periphery. An honest and explicit recognition (and monitoring) of these trade-offs is needed by peacebuilders. This should include an analysis of who is (dis)empowered, and the spatial distribution of the costs and benefits of interventions.
Implications for peacebuilding policy and practice

A borderland perspective reinforces what is already known to be good practice in terms of taking context and history seriously and understanding power relations. But it also provides a lens for viewing space and power in a serious and systematic way, in post-war contexts where borderlands dynamics are a significant factor. This lens has important implications in relation to analysing post-war contexts, and designing and monitoring interventions, and in terms of thinking about the kinds of actors to engage with.

Tackling borderland blindness

In order to address borderland blindness – various measures can be taken to bring the margins into focus. These include:

- Hiring more staff or consultants from peripheral regions to be part of conflict analysis exercises. Often this means additional resources to mitigate capacity or language deficits, e.g. by teaming up with researchers of different backgrounds and abilities.
- Developing regional approaches, teams and budgets so that organisations have the capacity and mandate to work across borders – this may mean investing in and developing regional specialists, extending the time frames and funding cycles of interventions.
- Post-war transitions are frequently protracted and characterised by ongoing violence; this means that there is likely to be a continuing role for conflict advisers, who are frequently redeployed when a country is categorised as ‘post war’.
- Focusing on management systems and decision-making processes that are decentralised, adaptive and flexible, with considerable autonomy being delegated to teams operating in borderland regions. This, however, requires structural changes at the donor HQ level because it will require different mandates and resources of implementing partners.
- Developing data collection and monitoring and evaluation systems that systematically collect subnational and where possible transnational data. Creating systems that monitor the impacts of post-war transitions and interventions on borderland populations – including both ‘objective conditions’ and the changing perceptions of marginal populations, including their confidence in the future and their trust in the government. Experimenting with methodologies that can improve sub/transnational analysis, including GIS and political network analysis.4

Analysis and design

The research highlights the need to incorporate a borderland lens into ongoing political economy and conflict analysis. In post-war contexts, this means building upon political economy and political settlement analysis but incorporating more explicitly questions related to space and brokerage.

An in-depth analysis of how borderland dynamics intersect with central state dynamics is critical to ensure that development and peacebuilding interventions bridge the conflicting priorities and interests of the centre and peripheries.

External interveners tend to suffer from borderland blindness – a set of inbuilt biases and predispositions, which make it difficult for international agencies to understand and engage with borderland concerns. This orientation is a result of the way external interveners organise themselves in country teams, their country planning and budgeting processes, and their dependence on national-level statistics generated by state agencies.

These centrist biases lead to a lack of appreciation of how donor interventions affect borderland regions in post-war transitions. There is a need for a much stronger awareness of the distributional effects of policies and in particular of spatial inequalities. The case studies show that the picture is more complex than simply tussles between the centre and periphery – within peripheries, post-war transitions have led to uneven processes of development with poor hinterlands being left behind by investment hubs.

Interventions should seek to avoid exacerbating inequalities or creating institutions that are captured by established elites and that work against the interests of the wider population. This involves a balancing act between, on the one hand, interventions that seek to open up the political settlement by making it more vertically or horizontally inclusive. On the other hand, interventions should not push too far in this regard to avoid elite push-back and potential violence. This requires careful analysis to ensure the identification of acceptable compromises, which accommodate elite interests but mitigate the impacts of exploitative or illegal practices and do not close down the potential for more inclusive forms of peace to emerge.

Planning also needs to accommodate the fact that borderland communities and the central state may have different priorities regarding key policy issues such as security and stability. Reconciling such tensions will require policies and interventions that enhance communication and interdependencies between the centre and periphery, as well as within the periphery. It might also require stronger support to domestic and international civil society organisations to ensure a continuous dialogue between key stakeholders at all levels as well as wider public advocacy campaigns on contentious issues.

Our research shows that the ‘pathologies of the margins’ are often rooted in interventions and policies that are designed in and emanate from the centre. Therefore, a borderlands lens isn’t simply about designing more sensitive interventions at the margins, but also about engaging with the borderland blindness of the centre and ensuring that the perspectives of borderland groups are being considered by those at the centre.
Engaging with brokers

An understanding of the role of brokers is essential to ensure post-war peace and development interventions do not crowd out local capacities for negotiating a more inclusive political settlement or for delivering services to hard-to-reach communities.

Brokers present a challenge to peacebuilders: on the one hand, they are key connectors within the post-war political settlement, lubricating relations and keeping the political game going and helping prevent a return to violence; on the other hand, they tend to manage rather than resolve core issues, contributing to a state of perpetual transition and the deferral of such issues. Development partners therefore need to be mindful that working with borderland brokers presents both opportunities and risks, and they should be aware of the trade-offs involved.

It is important to acknowledge the diverse backgrounds, roles, needs and vulnerabilities of borderland brokers: this means distinguishing between formal and informal brokers, and being conscious of the gendered dimension of brokerage and addressing the particular risks and vulnerabilities of women intermediaries who serve marginal communities.

Attention must also be paid to borderland brokers involved in illegal activities and shadow economies, who may play a significant role in affecting the prospects of peace and stability. In some regions, the position of influential political brokers may be underpinned by their role in illicit or informal economies. Engagement with these figures demands a level of flexibility and tact on the part of external agencies; they are a feature of the local political and economic landscape, and they are key to the challenge of transforming war economies into peace economies. Political network analysis can help external actors to navigate this complex terrain.

Policy-makers risk becoming dependent on a small circle of knowledge brokers. Whether in the national capital or subnational regional hubs, it is important to reach beyond the easily available brokers (e.g. because of English language knowledge or familiarity with the Western aid industry). This implies thinking more creatively about which individuals and organisations to support and how this support can be provided so that it supports forms of brokerage that have local legitimacy and enhance the inclusion and voice of peripheral groups. It might also mean delegating more authority to a diverse group of qualified staff in-country rather than relying solely on external conflict or governance advisers.

Given the contested or shrinking space of civil society in many countries, the role of brokers and their potential for engagement needs to be carefully reassessed, especially during times of political transitions (e.g. who can manage to stay engaged, who has been pushed out?). Careful analysis of the broker’s background and agendas is also needed to ensure programmes do not simply empower government-controlled brokers. Donors also need to be alert to the risk of undermining brokers’ local legitimacy through their engagement, particularly in contexts where nationalistic political forces are influential.

Finally, while it is important to engage locally rooted borderland brokers, apex brokers who operate at a higher or more political level cannot be ignored. Peacebuilders must be cognisant of these powerbrokers, and the greater the misalignment between peacebuilding programmes and the underlying configurations of power, the greater the likelihood of forms of elite push-back and instability in the borderlands. This requires careful monitoring of the interrelations between political actors and processes both at the centre and periphery.
Further reading:


You can access all of these publications at the project website:

[www.borderlandsasia.org/read-me](http://www.borderlandsasia.org/read-me)