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# The Anatomy of Governance Breakdown: Rethinking Authority and Regulation in Fragile Contexts

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## Abstract

Contemporary governance is increasingly challenged by conditions of fragility, instability, and institutional fragmentation. This article examines governance breakdown as a multidimensional phenomenon that extends beyond institutional failure, focusing on the interplay between authority, regulation, and social legitimacy in fragile contexts. Using a qualitative and conceptual approach grounded in interdisciplinary literature, the study explores how governance systems operate when state authority is fragmented, legal frameworks are pluralistic, and administrative practices are weakened. The findings reveal that governance breakdown is characterized by overlapping and competing sources of authority, disrupted regulatory coherence, contested social values, and ineffective administrative mechanisms. Rather than indicating the absence of governance, these conditions reflect a reconfiguration of governance processes under structural constraints. The study contributes to the literature by reconceptualizing governance breakdown as an analytical framework for understanding the limits of conventional governance models. It highlights that effective governance depends not only on formal legal structures but also on their alignment with social legitimacy and their implementation through functional administrative practices. The article further emphasizes the need for adaptive, context-sensitive governance approaches capable of addressing normative diversity and institutional complexity in fragile environments.

**Keywords:** Governance breakdown; Fragile states; Authority; Legal pluralism; Social legitimacy; Administrative governance.

## Introduction

Global governance has entered an era marked by increasing instability, fragmentation, and institutional fragility. While traditional governance models have long relied on the assumption of stable state authority, predictable legal systems, and coherent administrative structures, contemporary realities challenge these assumptions. Fragile contexts—characterized by political instability, weak institutions, and contested legitimacy—have become central to understanding the limits of governance in the twenty-first century.

The concept of governance breakdown refers not merely to the failure of institutions, but to the erosion of authority, legitimacy, and regulatory coherence. In fragile contexts, governance



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systems often operate under conditions where formal legal norms are weakly enforced, social trust is limited, and administrative practices are inconsistent or ineffective. This breakdown is not simply a temporary disruption but reflects deeper structural and normative tensions within governance systems.

Traditional legal frameworks, particularly those rooted in positivist traditions, emphasize compliance with codified rules and hierarchical authority structures. However, these frameworks are increasingly inadequate in fragile contexts, where the state's capacity to enforce laws is limited and where multiple sources of authority coexist. In such settings, governance cannot be understood solely through formal institutions; it must be analyzed through the interaction of legal norms, social dynamics, and administrative practices.

The literature on global governance has increasingly recognized these complexities. Scholars have argued that governance today operates through hybrid arrangements that combine public and private actors, formal and informal norms, and multiple levels of authority (Calliess & Renner, 2009). This shift reflects the decline of state-centric governance and the rise of transnational regulatory systems.

Global Administrative Law (GAL) has emerged as an important framework for understanding these developments. GAL extends administrative law principles beyond the state, emphasizing transparency, accountability, and participation in global regulatory processes (Vadi, 2018). However, GAL also faces significant challenges in fragile contexts, where institutional capacity is weak and legitimacy is contested.

A central issue in governance breakdown is the question of authority. Authority is not simply a legal construct but a social and political phenomenon that depends on legitimacy and recognition. In fragile contexts, authority is often fragmented, with competing actors—state institutions, local authorities, international organizations, and non-state actors—claiming legitimacy. This fragmentation complicates governance and undermines the coherence of regulatory systems.

Legal pluralism provides a useful framework for understanding this phenomenon. It highlights the coexistence of multiple normative systems, including formal law, customary practices, and informal rules (Zumbansen, 2011). In fragile contexts, legal pluralism is not an exception but the norm, shaping how governance operates in practice.

Another important dimension of governance breakdown is the role of social values. Legal norms derive their legitimacy not only from formal enactment but also from their alignment with societal values. In fragile contexts, social values may be diverse, contested, or in flux, complicating the process of norm formation and enforcement (Kantor, 2023).

Administrative practices also play a crucial role in shaping governance outcomes. These practices translate abstract norms into concrete actions and determine how governance is experienced by individuals and communities. In fragile contexts, administrative practices are often inconsistent, under-resourced, or subject to political influence, further contributing to governance breakdown (Zherebtsov & Pavlov, 2019).

Recent scholarship has also highlighted the increasing role of non-state actors in governance. Multinational corporations, NGOs, and international organizations often participate



in regulatory processes, creating complex networks of authority (Park & Berger-Walliser, 2015). While these actors can contribute to governance, they also raise questions about accountability and legitimacy.

At the same time, the use of indicators and performance metrics has transformed governance practices. These tools shape behavior by setting standards and expectations, but they can also oversimplify complex realities and marginalize social values (Amariles, 2015).

Critical perspectives have further emphasized the risks associated with technocratic and market-based governance models. These approaches may prioritize efficiency over justice, leading to the depoliticization of governance and the reproduction of inequalities (Nicola, 2023).

Despite these insights, there remains a gap in the literature. Much of the existing research focuses on individual aspects of governance—legal norms, social values, or administrative practices—without fully integrating them. This fragmentation limits our understanding of governance breakdown and the possibilities for reform.

Novelty of this study lies in its attempt to conceptualize governance breakdown as a multi-dimensional phenomenon that emerges from the interaction of authority, regulation, and social order. Rather than treating fragility as a deviation from normal governance, this study positions it as a condition that reveals the underlying dynamics of governance systems. By integrating insights from legal theory, socio-legal studies, and public administration, this article proposes a new analytical framework for understanding governance in fragile contexts.

## Method

This study employs a qualitative, normative, and conceptual research design. It does not rely on quantitative data but instead focuses on theoretical analysis and synthesis of existing literature.

The research is based on a systematic review of interdisciplinary scholarship, including legal theory, global governance studies, public administration, and socio-legal research. Sources were selected based on relevance to key themes such as governance breakdown, authority, legal pluralism, and institutional fragility.

Conceptual analysis was used to clarify key terms and explore their interrelationships. The study examines how concepts such as “authority,” “regulation,” and “fragility” are defined and applied across different disciplines.

A theoretical integration approach was adopted to combine insights from multiple frameworks, including Global Administrative Law, legal pluralism, and governance theory. This approach allows for a more comprehensive understanding of governance breakdown.

## Fragmented Authority and the Crisis of Governance

The first major finding concerns the fragmentation of authority, which lies at the core of governance breakdown. In fragile contexts, authority is no longer monopolized by the state but dispersed among multiple actors, including local power structures, informal institutions,



international organizations, and private entities. This plurality of actors produces overlapping and often conflicting claims to legitimacy.

This condition challenges the traditional Weberian notion of the state as the primary source of legitimate authority. Instead, governance operates within a fragmented landscape where authority is negotiated rather than imposed. Such fragmentation complicates decision-making processes and weakens the capacity for coordinated action.

The literature on global governance supports this shift toward polycentric authority structures. Governance increasingly occurs through networks rather than hierarchies, reflecting the decline of centralized control (Calliess & Renner, 2009). However, in fragile contexts, this plurality often leads not to flexibility but to instability, as competing authorities undermine each other's legitimacy.

Furthermore, the absence of a clear hierarchy of authority creates what can be described as a “legitimacy vacuum,” where no single actor is widely recognized as authoritative. This vacuum fosters uncertainty and reduces compliance, as individuals and institutions lack clear guidance on which rules to follow.

### **Disrupted Regulatory Systems and Legal Pluralism**

The second key finding highlights the breakdown of regulatory coherence. In fragile contexts, formal legal systems often coexist with informal norms, customary practices, and ad hoc rules. This multiplicity of normative orders reflects the reality of legal pluralism, where governance is shaped by overlapping legal and quasi-legal systems.

Legal pluralism, while theoretically enriching, presents practical challenges in fragile contexts. The coexistence of multiple normative systems can lead to inconsistency, unpredictability, and conflict. For example, formal legal rules may contradict local customs, while international regulations may be poorly adapted to local realities.

Scholars have emphasized that transnational governance inherently involves the interaction of formal and informal norms (Zumbansen, 2011). However, in fragile contexts, this interaction is often unstructured and unregulated, leading to regulatory fragmentation rather than integration.

Additionally, the rise of soft law instruments—such as guidelines, standards, and voluntary codes—further complicates the regulatory landscape. While these instruments offer flexibility, they lack enforceability, making them insufficient in contexts where institutional capacity is already weak.

The findings suggest that governance breakdown is characterized not by the absence of regulation, but by the presence of too many competing regulatory frameworks. This “regulatory overload” creates confusion and undermines compliance, as actors selectively adhere to norms that align with their interests.

### **Contested Social Legitimacy and Value Fragmentation**

The third dimension of governance breakdown relates to the erosion of social legitimacy. Legal norms and governance structures derive their effectiveness not only from formal authority



but also from their acceptance by society. In fragile contexts, this acceptance is often contested.

Social values play a crucial role in shaping perceptions of legitimacy. When governance systems fail to reflect societal values, they lose credibility and support. This misalignment is particularly pronounced in fragile contexts, where social values may be diverse, evolving, or deeply divided.

Research shows that social values influence both the formation and implementation of legal norms (Kantor, 2023). In the absence of shared values, governance becomes a contested process, with different groups advocating for competing normative frameworks.

This fragmentation of values contributes to what can be termed “normative dissonance,” where conflicting beliefs about justice, authority, and order undermine the coherence of governance systems. As a result, compliance becomes selective and conditional, further weakening institutional effectiveness.

Moreover, external actors—such as international organizations—often introduce normative frameworks that may not align with local values. While these frameworks aim to promote universal principles, such as human rights and good governance, their implementation can generate resistance if perceived as externally imposed.

### **Dysfunctional Administrative Practices and Institutional Weakness**

The fourth major finding concerns the role of administrative practices in governance breakdown. Administrative practices are the mechanisms through which governance is enacted, translating abstract norms into concrete actions. In fragile contexts, these practices are often ineffective, inconsistent, or compromised.

Administrative dysfunction manifests in various forms, including lack of capacity, corruption, bureaucratic inefficiency, and political interference. These issues hinder the implementation of policies and reduce the credibility of governance institutions.

Studies indicate that administrative practices are central to the realization of governance objectives, as they shape how rules are applied and experienced (Zherebtsov & Pavlov, 2019). In fragile contexts, however, administrative systems often lack the resources and institutional integrity required for effective governance.

The increasing reliance on performance indicators and benchmarking tools adds another layer of complexity. While these tools aim to improve accountability, they can also distort priorities by emphasizing measurable outcomes over substantive goals (Amariles, 2015).

Furthermore, hybrid governance arrangements involving public and private actors introduce additional challenges. While these arrangements can enhance flexibility, they also blur lines of accountability and create opportunities for regulatory capture (Park & Berger-Walliser, 2015)

### **Conclusion**

This article has examined governance breakdown in fragile contexts as a multidimensional phenomenon shaped by the interaction of fragmented authority, disrupted regulatory systems,



contested legitimacy, and weakened administrative practices. Rather than representing a simple institutional failure, governance breakdown reflects deeper structural tensions within contemporary governance systems.

The analysis shows that traditional governance approaches, which emphasize legal compliance and institutional design, are insufficient in contexts marked by instability and fragmentation. In such environments, governance does not disappear but is reconfigured through overlapping and competing systems of authority and regulation. This challenges conventional state-centric perspectives and calls for a more dynamic understanding of governance processes.

A key contribution of this study is the reconceptualization of governance breakdown as an analytical framework for understanding the limits of modern governance. By integrating insights from legal theory, socio-legal studies, and public administration, the study highlights that effective governance depends not only on formal legal norms but also on their alignment with social legitimacy and their translation into functional administrative practices.

The findings also suggest that addressing governance breakdown requires more than institutional reform. Efforts to improve governance must consider the broader social and normative context, including value alignment, legitimacy-building, and adaptive regulatory strategies. This implies a shift toward more flexible and context-sensitive approaches that can respond to the complexities of fragile environments.

From a theoretical perspective, this study contributes to bridging fragmented approaches in governance scholarship by offering a more integrated understanding of authority, regulation, and social order. From a practical perspective, it underscores the importance of designing governance strategies that acknowledge plural sources of authority, manage normative diversity, and strengthen administrative capacity.

However, as a conceptual study, this research does not provide empirical validation of its framework. Future studies should explore how these dynamics operate in specific fragile contexts and identify pathways for enhancing governance resilience and coherence.

In conclusion, governance breakdown should be understood not merely as a deficiency but as a condition that reveals the need to rethink the foundations of authority and regulation in an increasingly complex global landscape.

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