



# Why Have “Failed States” Failed to Disappear?

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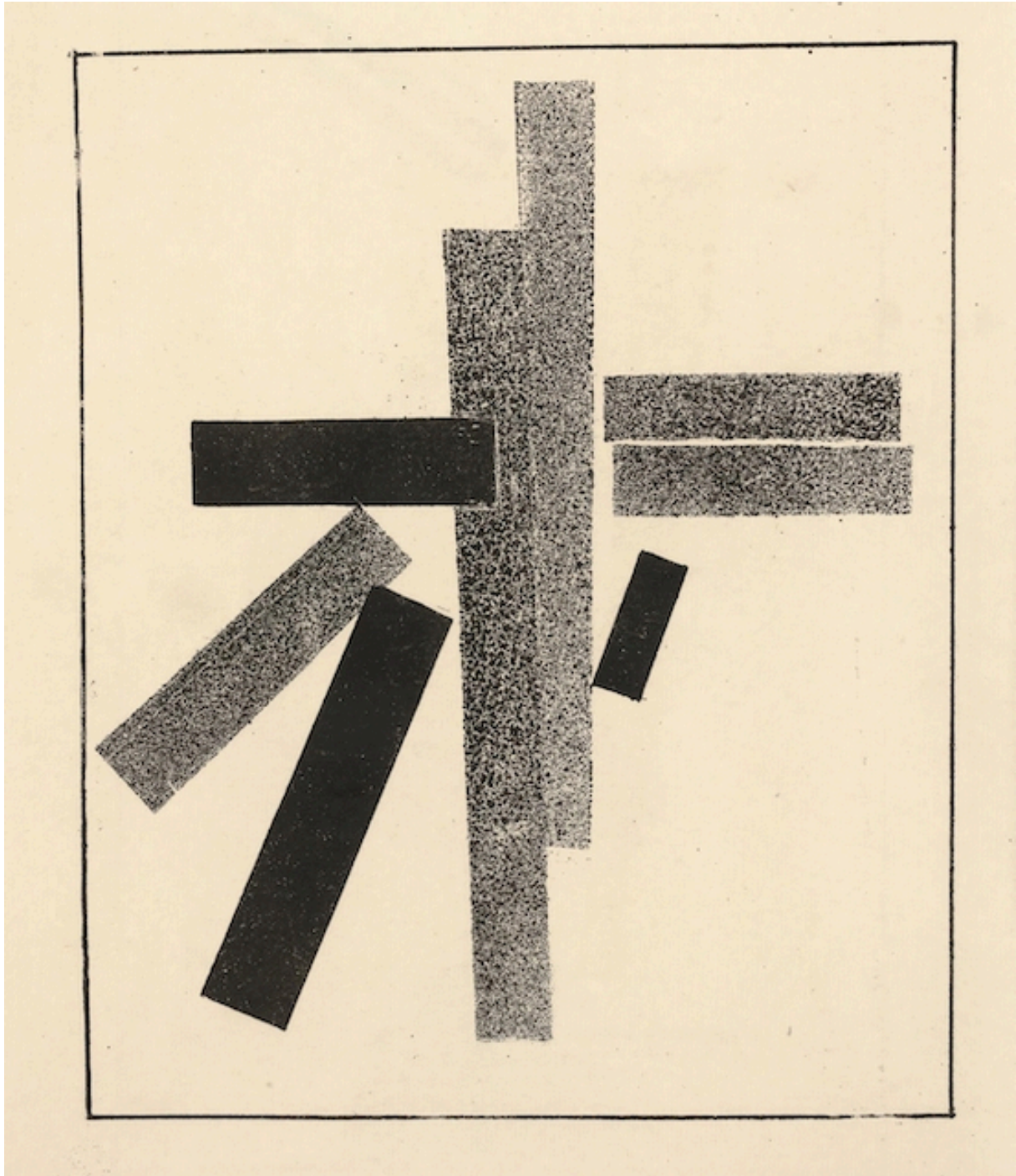
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# WHY HAVE “FAILED STATES” FAILED TO DISAPPEAR?

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Eberhard Kienle

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Though much critiqued and criticised, the generally ill-defined notion of the “failed state” continues to dot and enthrall academic and even more so public debates. Over the years, it has become a habit to diagnose an increasing number of internationally recognised states marked by serious internal conflicts and flagging delivery of public goods as “failing”, “failed”, or “collapsed”. More often than not, the label serves to legitimate external intervention, including projects of reconstruction and “state re-building” to contain or combat domestic disorder supposed to threaten the rest of the world, be it in the form of migration or terrorism (Woodward 2017). In the Middle East and North Africa (MENA) area alone, the dubious honour of this title has been repeatedly awarded to Iraq, Syria, Lebanon, Yemen, Sudan, and Libya.

The present paper does not seek to repeat the countless attempts to question popular definitions of “state failure”, or to refine them, or to endorse the often fruitful search for alternatives such as “limited statehood” (Risse 2011). Rather the aim is to start from a simple question that is rarely asked: if states in the MENA area and beyond are actually failing or have failed for protracted periods of time—in some cases several decades—then why have they not completely disappeared as actors, coloured patches on maps, names, and rhetorical references?

For example, in spite of some expectations, Iraq since the overthrow of Saddam Husayn has not broken up into a Shi’i state in the south, a Sunni one in the centre, and a Kurdish one in the north-east. No doubt, the Kurdish area is in many respects autonomous, and demands for full independence have been strong; however, the area has also maintained ties with the rest of Iraq, such as the use of the dinar as legal tender, and after the 2017 referendum it remained part of the state.

The first part of the seemingly obvious answer to the question of why ostensibly failed states have failed to disappear is that borders once drawn by governments, often the major powers of historical imperialism, and endorsed by official treaties and the “international community” need not necessarily reflect the will of those who live in the lands and geographies concerned. Numerous borders thus reflect the interests of external actors and related path dependencies which continue to be defended, enforced, and reproduced by these very actors. In the case of Iraqi Kurdistan, there was indeed no shortage of statements and other pressures from around the world discouraging the referendum and a vote in favour of independence. The second part of the seemingly obvious answer is that the external defenders of such “artificial” states provide them with the means that are necessary to avoid complete disintegration and to ensure minimal performance. For instance, the Iraqi monarchy was propped up by the British air force which dropped bombs on recalcitrant “tribes”, while the

current Assad government in Syria is under military transfusion from Russia, Hizb Allah, and Iran, the latter occasionally shipping crude oil to the country.

In a sense, the “obvious” answer dovetails with Robert H. Jackson’s (1993) famous distinction between “states” and “quasi-states”: many of the “new” states in the areas formerly occupied by European powers were created by these very powers rather than by local actors, forces, and alliances. In that sense their origin and trajectory differed substantially from that of historically consolidated states such as Egypt, Tunisia, and Morocco—which does not always prevent observers from wondering whether the latter will be able to resist “failure” in the light of the severe economic, ecological, and attendant social and societal challenges they are facing. Due to the support of their creators, the “new” states managed to conquer a place on the map independently of their ability to effectively monopolise the means of coercion, to control the territory, and to pursue coherent policies. In other words, they obtained at some stage “negative sovereignty”, defined as the absence of—all too visible—external interference, but they failed to acquire “positive sovereignty”, defined as the ability to decisively shape and reshape matters at home. As a result, they remained quasi-states rather than states as such. Though too neat to be true and not always confirmed by developments on the ground, the distinction nonetheless pinpoints two different aspects of the leeway states have as actors that need not necessarily go hand in hand. States and their borders may be, or remain, internationally recognised, even when their governments lose control over much of the territory, when their presidents more or less temporarily morph into glorified mayors of the capital city, or when they leave the country altogether. It should be added that, in practice, the international recognition of a state and its borders need not prevent those offering such recognition from supporting opposition or rebel forces within that state.

However, the staying power of states on the map and indeed on the ground cannot simply be reduced to an issue of international recognition or to a complete fiction. Even the states that at the outset were largely built by foreign powers consisted not only of a territory and a population but also of a political regime. A set of institutions, including organisations, the political regime impacted the lives of the inhabitants and influenced their activities, not least their political activities and choices, through constraints and incentives. Material and symbolical values were distributed by means of legislation and other forms of regulations or simply by brute, physical force. The repetition of government action and specific policies, for instance in the area of education or indoctrination, as well as the ensuing expectations and path dependencies, added “soft” or “infrastructural” power to the “hard” or “despotic” power of coercion (see Mann 1984, 2012). This applies even to countries where the reach of the central government was highly uneven and

shaped the lives of people far less than, say, primary schools in the French Third Republic. In a nutshell, institutions, even imposed from the outside, gained weight and weighed down on the individuals and groups that had to face them. Recalling the triptych of exit, voice, and loyalty (Hirschman 1970), they led inhabitants not only to retreat into apathy or to forcefully stage protests, but also to play by the imposed rules and accept them. As long as some rules were observed by some, the state was—however precariously—kept alive and managed to resist—however imperfectly—those who challenged its existence.

As a matter of course, the “new” states such as Iraq, Syria, or Lebanon were heavily contested when they were established as dependent political entities and even when they became formally independent members of an emerging international community epitomised by the League of Nations and the United Nations. Many inhabitants of what became independent Syria, Lebanon, and Iraq considered the borders established by the victors of the First World War as imposed and “artificial”. Although not necessarily mourning the predecessor state, the Ottoman Empire, they developed and promoted projects of Greater Syrian, Fertile Crescent, or Arab unity. Like more or less explicitly secessionist projects, these schemes, with important variations over time, have heavily influenced the politics of the countries ever since. No less than the borders of state territory and the criteria governing citizenship or the right of abode, the forms of government in these places have been contested, resulting in coups and the succession of rather different, if mainly authoritarian, political regimes.

However, especially from the late 1950s and early 1960s when governments came to power and for a variety of reasons emphasized the delivery of public goods, growing parts of the population developed increasing stakes in these states and considered their own welfare as closely tied to the states’ survival. Public-sector employment, be it in the administration, armed forces, or state-owned companies, as well as related social benefits established bonds of loyalty to the state. These distributive measures were partly the result of a mix of coercion and cooptation, as manifest in land reforms and the expropriation of private capital. Partly, such redistribution was the result of the very existence of the states—however “artificially” created. In actual fact, the latter was not only a legal construct endowed with negative sovereignty but, by virtue of such sovereignty, was also the recipient and domestic distributor of various types of external resources, including development aid, military support, and budget transfers from wealthier neighbours seeking to stabilise or instrumentalise their poorer counterparts. No less importantly, thanks to its power to sign treaties, the state was the doorkeeper of access to trade regimes and other international economic arrangements.

Throughout the decades, forces which contested policies, governments, and the states themselves faced other forces which defended these very policies, governments, or states, either selectively or as a package. The question is not whether the forces of contestation were stronger or weaker than the ties of loyalty; the important observation is that in many periods and at many junctures there have been sufficient domestic defenders of states who kept them alive, even when, in the eyes of others, they had lost their legitimacy or usefulness.

In a world subdivided into states, the very existence of a state contributes to an extent to consolidate it, even against such odds as civil wars and the emergence of powerful challengers who dominate large swaths of its land, as did for instance the Islamic State. This is not to say that states are eternal or “functional” by definition, only that they do command resources that help them to resist.

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