WHOSE STATE IS IT ANYWAY? AND WHO IS IT FAILING?
Theories of State Failure against Theories of Popular Sovereignty

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IN the beginning, colonisers wielded their power by taking over the states of the colonised. Today, they threaten to do so by building them. Now, as then, the failure of the enterprise will be firmly blamed on the colonised.

Concern by Northern states and academics to identify and then to find remedies for ‘weak’, ‘fragile’ and ‘failed’ states have become ubiquitous, embraced by US luminaries across the mainstream spectrum - Francis Fukuyama, 1 Chester Crocker 2 and Ambassador to the United Nations Susan Rice 3 have all contributed to ‘failed state’ scholarship. And, like many other concepts which emerged from, and then became common currency within, the academy, it has become – at least in the global South – a term commonly used in political debate, an epithet which government opponents use to describe their frustration with public administration. Opponents of the South African government warn that the country has become, or is on the way to becoming, a ‘failed state’ despite the fact that none of the measures of statehood which this approach has produced have suggested that it is even remote danger. 4 The critics who use the term are almost always members of South Africa’s white minority, a point of great relevance to the argument of this paper; for now, we may merely note that the ‘failed state’ approach has passed into common currency: ‘The concept of state failure is used so frequently by politicians, journalists,
This paper will reject the (Northern) mainstream’s embrace of the ‘failed state’ paradigm – it will support several of the critiques of this approach which have appeared in the past few years. It will, however, also seek to move beyond them. First, it will differ from all the critiques – or all that are known to this author- by arguing that the paradigm is not a misguided and misconstructed response to a real problem. It will insist, rather, that it is, and will always be, regardless of how many sensitive and intelligent scholars seek to re-build it, an attempt to impose the concerns of the powerful on the (relatively) powerless. Second, and following from this, it will argue that the paradigm, despite frequent protestations that it seeks to strengthen democracy, is profoundly anti-democratic: it will insist that the ‘failed state’ approach is inherently undemocratic, if we see democracy as that which it has always been meant to be, a system of popular sovereignty: it is possible to support popular sovereignty or to be concerned about state failure - it is logically impossible to do both. And, flowing from these judgments, it will part again with the critical consensus by arguing that a humane and democratic response to the crisis of the Southern state is not to improve interventions but to refrain from them – the greatest gift which the North can offer to the millions living with the problem which the paradigm purports to solve is to do nothing.

The Book and the Sword: The Origins and Motives of a Paradigm

There is some disagreement on the source of the ‘failed state’ paradigm. But it is of some interest that many accounts trace it back to an initiative which, in its origins and stated rationale, seemed rather different.

This was an initiative by global ‘middle’ powers such as Canada, Japan and Norway, supported by the United Nations Development Programme, the International Commission on Intervention and State Sovereignty which reported in 2001 and the 2004 United Nations Report of the Secretary-General’s High-level Panel on Threats, Challenge and Change. In a phrase which has become famous among academics and practitioners concerned with international attempts to enforce human rights, it asserted that states had a ‘responsibility to protect’ their citizens and others living in their territory. If they failed that responsibility, the international community had both a right and a duty to intervene and reverse the consequences.

The architects of ‘responsibility to protect’ did not believe that they were trying to impose their will on others to protect their security interests. On the contrary, they were wrestling with a very real problem which faces the international system – how to balance the notion of state sovereignty with a desire to protect rights. It concluded that rights trumped sovereignty because their first responsibility was not to governments and rulers but citizens. It was an extraordinary breakthrough in principle. It may be trite, but necessary,
to point out that states are human creations meant to serve human communities. They can be important instruments for meeting human goals but discussions of the rights and duties of states ought to place at the centre the citizens for who the state exists. And, if we are concerned to advance the right of all adults to an equal share in decisions, then we can do so only if we place popular sovereignty rather than state sovereignty at the centre of our thinking.8

‘State sovereignty’ is, of course used frequently by dictators and their intellectual supporters to mask the reality that states often assert their root to choose at the expense of their citizens’ right to do so. Not only is it possible for state sovereignty to undermine popular sovereignty – this is a frequent occurrence. So the thinking which underpinned ‘responsibility to protect’ in principle introduced the key democratic question – whether any particular course of action assists or obstructs popular sovereignty, the rights of citizens to decide. Its architects hoped that the end of the Cold War, in which attitudes to states in the South were based largely or entirely on whether they were considered friendly to the West, could open an era in which people mattered more than states. Its aim was to build a new consensus among states to identify states which were not protecting their citizens and “states at risk” and to then strengthen fragile states, and rebuild post-war states.9

But, while ‘responsibility to protect’ was an important break with a paradigm in which the rights of states dominated the discussion and those of citizens were ignored – relegating democracy understood as popular sovereignty to an issue of no consequence in the dealings between states – it was only a partial break and, regardless of the motives behind it, it provided an intellectual rational for violations of popular sovereignty every bit as egregious as those it sought to prevent. It did not say that states have a ‘responsibility to protect’ and that, when they fail to meet it, their citizens are entitled to demand that protection and the international community has an obligation to support and to assist them. It said, rather, that other states, individually or acting in concert as the ‘international community’, had a duty and right to act. The two are poles apart – the first would place citizens seeking their rightful share in decisions at the centre of the problem, the second reduces citizens to passive recipients of the actions of other states. In the first, the ‘international community’ would do nothing about another state unless it did so in response to, and as a support to, the efforts of citizens to claim their share of popular sovereignty. While the question of who speaks for citizenries denied the right to choose is inevitably subject to debate, like all paradigm shifts, it would focus the international human rights debate where it ought to be focussed – on the right of citizens to claim sovereignty, over their state but also in relation to other states. The option chosen arrogates to states the job of deciding whether other states are performing their duties.

It should not be necessary, in the age of the Iraq war, to point out the consequence of this approach. While their motives may differ, the likely consequences of ‘responsibility to

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8 Steven Friedman ‘The Forgotten Sovereign: citizens, states and foreign policy in the south’ in Justin Robertson and Maurice A East (eds) Diplomacy and Developing Nations: Post-Cold War foreign policy-making structures and processes Abingdon, Routledge, 2005
9 Susan L Woodward ‘Fragile States’, Unpublished, p.1
protect’ if applied by states with less refined sensibilities than the ‘middle powers’ is likely to no different to those advocated by Samantha Power, foreign policy adviser to US President Barack Obama during his presidential campaign, who argued that the US should not ‘reify’ elections elsewhere and that, if they produced outcomes inconsistent with the US’s understanding of human rights, they should be overridden or ignored. If some states will use ‘responsibility to protect’ to charge Sudan’s president before the International Criminal Court for human rights violations, others will use it to impose their will on Iraq or to refuse to recognise the result of Palestinian elections. This is an inevitable result of state-centred approaches to intervening to enforce human rights in other states: by ignoring the centrality of citizens and their right to decide, they relegate the question of what citizens want to an irrelevance which can, as in Power’s formulation, in some cases also entail the suppression by force of the results of free and fair elections.

While, as we shall see shortly, the ‘failed state’ paradigm is associated by its critics with motives very different to those of ‘responsibility to protect’ – with a desire to police rather than to support Southern states - it may be evident by now to those familiar with the literature why ‘responsibility to protect’ is so often linked to the ‘failed state’ approach: both assume that states should intervene in the affairs of other states if they do not behave in a manner of which the intervening state disapproves. Several authors trace the growth in influence of the ‘failed state’ approach to the events of September 11, 2001 and the subsequent ‘War on Terror’ declared by the Bush Administration: ‘The “War on Terror” reinforced this. By September 2002, the United States identified “fragile states” as a primary threat to US national security in its new National Security Strategy, and its development agency, USAID, refocused its aid strategy’. It is certainly true that September 11 made ‘failed states’ a core US government concern. It was argued that one reason for the attacks had been that the killers could prepare in areas of Africa and Asia where the absence of state authority had left openings for them to behave as they pleased and that, if the US was to protect itself, it needed to act to change conditions in countries whose weak states were a direct security threat. Thus: ‘… the US National Security Strategy of September 2002… argues that the United States is now less threatened by conquering states than it is by failing ones’. But the notion of ‘failed states’ had been a concern of neo-conservative intellectuals for almost a decade before: an article by Gerald Helman and Steven Ratner in a 1993 issue of Foreign Policy is said to have popularised the concept: a much-discussed magazine article by Robert Kaplan entitled “The Coming Anarchy” and published in 1994 may not have used the term ‘failed state’ but his warning of a chaotic future resulting from the erosion of states in favour of tribal domains ‘city-states, shanty-states, [and] nebulous and anarchic regionalisms’ expressed the same concern albeit in more popularised and attention-getting language.

The ‘failed state’ paradigm’s concern is that many governments in the South are unable to perform the functions which its advocates associate with statehood: ‘Governments are

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11 Woodward ‘The Paradox of “State Failure”’ p.2
12 Keith Krause and Oliver Jutersonke ‘Seeking Out the State: Fragile States and International Governance’ in Politorbis. Zeitschrift fuer Aussenpolitik, 42, 5-12, 2007
13 Gerald Helman and Steven Ratner ‘Saving Failed States’ Foreign Policy LXXXIX, 1992-1993, 3
unable to do the things that their own citizens and the international community expect from them: protecting people from internal and external threats, delivering basic health services and education, and providing institutions that respond to the legitimate demands and needs of the population'. 15 For this reason, we are told: ‘In dozens of developing countries, the term “state” is simply a misnomer’. 16 It is worth noting here that this formulation of the problem – and it not at all alone – pay more implicit attention to popular sovereignty than ‘responsibility to protect’ since the judgments of the state’s own citizens are mentioned as a prior concern to that of other states – intervention is justified here by the implied claim that these governments cannot meet the expectations of their citizens as well as other states. Other statements of the problem are less normative: states in “crisis”, the US government’s international aid agency asserts, are those ‘where the central government does not exert effective control over its own territory or is unable or unwilling to assure the provision of vital services to significant parts of its territory, where legitimacy of the government is weak or nonexistent, and where violent conflict is a reality or a great risk’.

We will see shortly that the conceptual underpinnings of these claims are less secure than they might initially seem. But few students of comparative politics would quibble with the almost self- evident assertion that, in many parts of the globe, citizens do not receive the protection of person and rights or the public services to which they are entitled. Popular sovereignty is meaningless unless the decisions which it produces are capable of implementation by a legitimate authority – ‘State failure is an inability to make collective decisions and to enforce them, if necessary’. 18 And it will probably not be exercised unless that authority is also able to ensure people’s right to participate in decision-making within agreed rules. But why should this problem be of such grave import?

One reason has already been suggested – that this phenomenon threatens the security interests of the US and, by implications, other Northern states. This clearly is a concern for some people or institutions worried about ‘failed states’. Thus a report produced by the Center for Global Development, which was established just after September 11 and which has been preoccupied with the problem of ‘state failure’, declares:

‘Five dynamics highlight the specific ways in which weak and failed states challenge US strategic interests: spillover effects, illicit transnational networks, regional insecurity, global economic effects, and implications for American values and moral leadership’.

Elsewhere it notes: ‘Weak states may be deficient in only one or two areas but still pose significant threats to US interests’. 19 Later, it adds: ‘These weak and failed states matter to American security, American values, and the prospects for global economic growth upon which the American economy depends’ and: ‘Finally, the human costs of state failure—when governments cannot or will not meet the real needs of their citizens—

18 Woodward ‘Fragile States’, p.2
19 Weinstein, Porter and Eizenstat ‘On the Brink’
challenge American values and moral leadership around the globe’. These formulations of the threat to the US, of course, go well beyond the question of physical security, referring to US economic interests and, more broadly, values and leadership. At first glance, this would seem to suggest a more altruistic concern than some critics would concede – a claim that US values are imperilled when citizens of other states do not receive from their governments that to which they are entitled surely speaks of more benign intent than the self-interested concern that state failure would damage US security or trade. But in reality, it suggests a view of the international order which is thoroughly anti-democratic. It implies that it is the duty of one state to lead, others to be led.

An approach premised on popular sovereignty could not phrase the issue in that way – at most it would insist that the American collective consciousness ought to be outraged by the failure of some governments not to serve their citizens and that it will support the right of those citizens to demand the government service to which they are entitled. There is a great deal of difference between worrying that inadequate governance in the South is denying many people their human and civil rights and asserting that the only problem is that it undermines the US’s claim to lead the world. Whether the motives are to better protect the US from further physical attack (obviously a valid and important concern, but not one which requires action against states which do not threaten US safety but are deemed to be not good enough at preventing others from doing so), to boost its trade balance or merely to reassure Americans that they are still able to remake the world in their own image, it is clear that this very important strand of the ‘failed state’ approach is more concerned about what is good for America than about seeking to find out from the citizens of those states what they want. This applies too to some formulations which stresses the North’s humanitarian role. Thus one analysis of the paradigm asserts that: ‘The underlying credo is that states “have to become more effective in order to make aid more effective, and vice versa”’\textsuperscript{20} The idea that states ought to be subject to imposition because this will make aid programmes more effective is, of course, a rather clear repudiation of popular sovereignty since states are meant to support citizens, not aid programmes. But, as we have repeatedly noted, citizens and their right to decide are almost invisible to the ‘failed state’ thinkers and doers.

The consequence of this belief, which also underpinned colonialism, that the strong can decide whether the weaker measure up to their standards – and that they may be deprived of their right to choose if they do not, is, like colonialism, to make statehood itself conditional. ‘Beyond questions about state capacity, claims to “sovereignty” or “statehood” are no longer inherently given, but are increasingly based on meeting certain (seldom explicit) standards of performance. Statehood has to be continuously “earned”’.\textsuperscript{21} And the right to ignore statehood is here asserted not in the name of citizens whose rights might be abridged, but that of the power making the judgment whose might appears to give it the right to pronounce judgment on entire societies – just as theories justifying


\textsuperscript{21} Krause and Jutersonke ‘Seeking Out the State’
colonialism often did: “We” tend to impose “our” idea of what a “good state” is on “them”.

Another stated reason for worry is the impact ‘failed states’ are said to have not on the US alone but on the international order: ‘More broadly, international peace and security now depend in no small part on the capacities of governments in the developing world’. And, elsewhere in the same source:

The fundamental foreign policy challenges of our time—terrorism, transnational crime, global poverty, and humanitarian crises—are diffuse and complex, with wildly varying causes. Yet a common thread runs through all of them. They originate in, spread to, and disproportionately affect developing countries where governments lack the capacity, and sometimes the will, to respond.

The fact that this claim is made by precisely the document we have just quoted, citing American concerns only, might attract the jaundiced comment that the authors are so wedded to the notion of US leadership that they simply assume that what is a problem for America is a problem for the world. But other authors too insist that failed states are a problem for everyone – not simply the US: The effects of state failure, another source declares: ‘Include not only global terrorism and the proliferation of weapons of mass destruction (WMD) to unstable or hostile regimes and nonstate actors, but also piracy, international crime and smuggling networks, the incubation and spread of deadly diseases, regional conflicts, and humanitarian crises.‘ And an author deeply sceptical of dominant thinking on state failure writes: ‘State failure presents a genuine threat to the international system, in part because the system is based on states and in part because state failure has become the primary cause of armed conflict, civil war, and the everyday threats to the security of people living on the territory of such states.’

This concern is obviously far more credible than that based on US interests only – and an important implied critique of the notion of state sovereignty. No state, it suggests, is an island – if one does not do its job, the citizens of others may be imperilled. If state sovereignty means the obligation to allow a particular state to act in a way which endangers others – or to be unable to prevent others doing so – it amounts to a willingness to allow human beings to suffer severe threats to safety because their needs are trumped by the rights of an abstract state, often code for little more than a small elite. But, if this view offers a new and valid challenge to state sovereignty, it is no assertion of popular sovereignty because, again, the people who decide whether the state is failing is not its citizens but academics and policy makers in a more powerful country (because if it was not more powerful, of course, it would be unable to do anything about its concerns). Here, as elsewhere in this paper, the clearest rebuttal of this position is the key normative justification for democracy understood as popular sovereignty –that we have no guarantee that those who decide that the performance of another state will threaten others

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23 Weinstein, Porter and Eizenstat ‘On the Brink’

24 Weinstein, Porter and Eizenstat ‘On the Brink’


26 Woodward ‘Fragile States’, p.2
outside its borders are either right or disinterested. Thus this author has written elsewhere:

Implicitly (and at times explicitly) democracy rests on the assumption that, just as the arbitrariness of birth does not endow any one individual with stronger claims to a right to decide than any other, neither do reputed possession of particular skills or abilities since the claim to know more than another may be as arbitrary as that to higher birth. Democratic principle assumes too that, even if superior technical knowledge could be ‘objectively’ established, it is irrelevant to the right to decide because views on the good society and how to get there are inevitably and always matters of opinion rather than uncontested truths; opinions on what is morally desirable are equally valid whether the person holding them is a Nobel Prize-winning scholar or a manual labourer.27

What applies to individuals as citizens applies equally to them as aid donors or strategic planners – their assessments are not always accurate, however great their learning, and the human costs of intervention if they are wrong may well prove far more devastating to the welfare and the rights of those affected than not caring: if Nobel Prize winning economists disagree hotly about both causes and consequences, it cannot be credibly argued that academic training bestows an insight into ‘the truth’ which ensures that the bearer, like a good motor mechanic, will always know how to recognise ‘state failure’ and its consequences. Also, once we concede to some the right to decide who is deserving of intervention, we inevitably leave open a door to those who may wish to act on self-interest – which may be as benign as a preference for certain sorts of social orders over others – rather than on a dispassionate assessment of threat. While this argument is phrased in universal terms, and purports to be concerned about all humanity, its effect remains anti-democratic because it assumes the right of some to decide for others.

In sum, then, the ‘failed state’ paradigm, in its seemingly altruistic as well as its seemingly selfish terms, amounts to the same – an assertion of the right of some to decide for others and to impose their will upon them. We will return to whether these claims are asserted through a paradigm which is intellectually coherent, whatever its normative problems. But, before doing so, it is important to say something about what it is that the paradigm wants the powerful to do to correct the flaws of ‘imperilled’ states.

**Forcing them to be Free – Proposed Remedies**

Writers in the ‘failed state’ paradigm naturally propose ideas on what it is that the powerful should do about these flaws in the states of those they are meant to lead.

Some sound benign – and, indeed, consistent with the notion of popular sovereignty: ‘The long-term answer to the danger posed by weak and failed states is strategic US engagement to support reformers in building durable, legitimate, and transparent institutions of government’.28 The commitment to popular sovereignty, however, is a great deal thinner than it seems. Who decides who is a ‘reformer’? Could it not be

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27 Steven Friedman *Power in Action: Democracy, Collective Action and Social Justice Research Report Submitted to the Institute for Democracy in South Africa and the Ford Foundation (Publication Forthcoming). This text is also the source of the approaches to popular sovereignty and other aspects of democracy discussed here.

28 Weinstein, Porter and Eizenstat ‘On the Brink’
possible that ‘reformer’ is a synonym for ally of a major power? Are reformers always the solution and non-reformers the problem, even when the latter win landslides in elections? As in the rest of the ‘failed state’ literature, the question of whether solutions attempt to respect the choices of local citizenries does not come up - except in the negative. There are, therefore specific warnings against promoting democracy or respecting election results when they are considered inimical to correcting state failure:

A useful strategy will also acknowledge that democracy promotion is not always the foremost policy objective, and it will require more careful evaluation of the costs and benefits of continued support for repressive partners and allies.29

Mohammed Ayoob, quoted approvingly in some of the literature, has argued, given that, since democracy is about the competition for power, a rapid attempt to increase political voice and representation when the institutional foundations of the state and its ability to deliver security and welfare remain weak, can have pernicious effects on the state-building process.30 No wonder then that influential scholars at Stanford University, one of whom co-authored the 1993 Foreign Policy article which placed the ‘failed state’ perspective on the map ‘now urge “neotrusteeships” or “shared sovereignty” where states accept their failures and agree to hand over, in whole or in part, their management to foreigners’.31 Nor is this a fringe view – the notion of a second colonialism has won enthusiastic support from part of the academic mainstream. If the ‘failed state’ approach does nothing else, it seems to have made it respectable now to urge a new colonialism!

Democracy receives superficially more respectful treatment, albeit in passing, from other sections of the Center for Global Development report. But, if this check-list does appear to move away from a straightforward colonial approach, it moves seamlessly to a Cold War-style plan to turn Southern states from ‘the enemy’ to ‘us’. It is hard not to imagine men in grey suits and dark glasses in Latin American jungles when we read a proposed agenda which consists of: promoting opportunities for growth and poverty reduction through programmes designed to stimulate participation in world markets; supporting ‘legitimate and democratic institutions of government’; creating effective US assistance programmes to police and military forces; building an effective information study anchored in the intelligence community which rests on policy makers relying more on intelligence agencies’ information; engaging ‘major developing-country governments, through theG-20 and regional organizations, in designing and carrying out new strategies’ and strengthening the capacities of the UN and World Bank ‘to meet these challenges’.32

Strategy has become a little more sophisticated than during the fight against communism – indications that the authors have absorbed some of the development thinking of the past few years is a proposal that the US ‘redouble its efforts’ to support civil society and that it address the debilitating links between extractive industries and corruption (during the Cold War, civil society organisations were supported by the US only if they were deemed

29 Weinstein, Porter and Eizenstat ‘On the Brink’
31 Woodward ‘The Paradox of “State Failure”, p.8
32 Weinstein, Porter and Eizenstat ‘On the Brink’
to be wildly anti-communist, which often meant very right-wing, and the extractive industries were often the people devising policy and strategy). But the clear thrust is an attempt to win ‘them’ over to ‘us’ rather than an even theoretically plausible plan for state-building. It is, given the context of the strategy on which it is based, highly likely that the US will decide what a legitimate and democratic institution is regardless of the opinion of those in whose eyes they are meant to be legitimate or whose will they are meant to implement – after all, intervention is meant to respond not to the wishes of domestic populations but to information supplied by intelligence agencies (who, if this approach is taken to its logical conclusion, would no doubt choose the legitimate and democratic government of the troubled state too). So the US is, as it sought to be during the Cold War, clearly the sole decision-maker, the countries it seeks to ‘help’ the decision-takers. At the risk of belabouring the point, the authors of this strategy make clear elsewhere that its prime purpose is, like the Cold War strategies, strengthening US security: ‘These weak and failed states present a security challenge that cannot be met through security means alone’.

Initial evidence that strategic approaches developed to fight a discernible enemy such as the USSR sound rather more coherent than attempts to beat not a being or force but an incapacity may come if we ask why, if a state has both democratic and legitimate institutions and security forces worthy of help, it could possibly have failed. But this is only one example of a deeper malaise – that the strategy to end state failure seems unable to move from the normative paradigms from which it emerged, colonisation and the Manichean strategies of the Cold War. As we shall soon see, this should be no surprise – the ‘failed state’ approach is essentially a modernised mix of colonial thinking and the Cold War approach which saw development purely as a means of strengthening the West and weakening the Soviet Union. And even if we concede that there is such a thing as a ‘failed state’ (and it will be argued soon that the concession should be avoided), it cannot be restored to functionality either by colonising it or dividing it into good and bad guys and seeking to help the good ones.

But even this flawed approach is perhaps a far too benign representation of the US’s proposed strategy. Elsewhere the same authors declare: ‘US development policy needs tools to co-opt and also to coerce, targeted packages of sanctions and incentives, as well as sustained attention to broaden political bases and build public participation that limits elite abuses over the long term’. So, while working with locals is allowed, this is a means, not an end, for it does not preclude, and is not given the same weight as, co-option and coercion. The goal of the approach is clearly to achieve objectives already set by the West – the job of local actors, except perhaps if they are elites who, we are told, ‘cannot be evaded or wished away. They, not we, are best positioned to respond to triggering events’ – is to help the US achieve its objective or, presumably, to mind their own business. It is difficult to argue with the judgment that ‘…the (failed state) label was

33 Weinstein, Porter and Eizenstat ‘On the Brink’
35 Weinstein, Porter and Eizenstat ‘On the Brink’
itself a threat, wielded by the powerful states as a new pretext for intervention into the
domestic orders of sovereign states’.36

There is, therefore, compelling evidence that the ‘failed state’ paradigm seeks not so
much to broaden our understanding of the world as to provide a rationale for a still
nervous US to impose its will on others who it feels may allow their territories to host
people plotting against it – even if, as is often the case, there is no evidence that the state
itself harboured hostile intent and could therefore be held culpable – and to act to clean
up unruliness in foreign climes and so make it feel more comfortable that the world it
claims to lead is as the US would like it to be. But the fact that a paradigm serves dubious
ends does not mean that it has necessarily picked on a false problem or that its
understanding of state failure is therefore flawed. How, then, does the ‘state failure’
approach succeed in offering a plausible understanding of the world?

‘Making ‘Them’ Into ‘Us’ – The Intellectual Coherence of the Paradigm

Critics of the ‘failed state’ approach point out, entirely accurately, that, whatever the
reason for its popularity, its intellectual coherence cannot be one of them.

They note, firstly, that the paradigm is largely incoherent. ’Definitions are vague and
distinctions blurred’.37 Similarly, ‘the term, state failure, is not defined in a way that
makes it possible to analyze empirically. One analysis, in fact, even admitted the terms
“failing states” and “failed states” were used “for convenience”.’38 In other words, the
paradigm does not offer clear definitions which enable us clearly to tell a state in trouble
from others – or a ‘weak’ state from a ‘failing’ one to one which has failed: ‘they do not
distinguish authoritarian government (which may be very stable and in some ways
functioning and effective) from fragile states’.39 Woodward, who remains convinced of
the concept’s utility even as she criticises many of its applications in practice, is forced to
remark in some alarm: ‘…one could be excused for wondering whether there is such a
thing as state failure after all and, thus, what the political purpose of the label is’40

Despite the incoherence, ‘failed state’ writers do manage to produce lists of state capacity
which indicate what a successful state looks like – their critics note, again accurately,
that: ‘It is clear from this brief summary of the fragile states discourse that states are
being measured against the OECD type western state, which is regarded as the model
stable state (i.e. a liberal constitutional democracy based on an industrialised market
economy).41 Similarly:

State fragility discourse and state-building policies are oriented towards the western-style

36 Woodward ‘The Paradox of “State Failure”, p.4
37 Volker Boege, Ann Brown, Kevin Clements and Anna Nolan “On Hybrid Political Orders and Emerging States: State Formation in
the Context of ‘Fragility” in Martina Fischer and Beatix Schmelzle (eds.) Building Peace in the Absence of States Berghof Research
38 Woodward, ‘Fragile States’, p. 5
39 Woodward, ‘Fragile States’, p. 6
40 Woodward ‘The Paradox of “State Failure”, p.1
41 Boege et al, ‘On Hybrid Political Orders’, p.4
Weberian/Westphalian state. Yet this form of statehood hardly exists in reality beyond the OECD world. Many of the countries in the ‘rest’ of the world are political entities that do not resemble the model western state… it is proposed that these states should not be considered from the perspective of being ‘not yet properly built’ or having ‘already failed again’. Rather than thinking in terms of fragile or failed states, it might be theoretically and practically more fruitful to think in terms of hybrid political orders.  

This teleology, in which a particular form of state is assumed, without supporting argument, to be superior to all others and is also assumed to be that towards which all the others are evolving if they are to reach fulfilment is indeed an important assumption of the paradigm. An important feature of this is a lamentable failure to notice, let alone to understand, the history of the state to which it wishes all others to evolve. They seem to assume that the Western state was the product of high-minded endeavours such as the Continental Convention in which men (it was always then men) of refinement decreed the establishment of an order both orderly and democratic. In reality, the ‘achievement’ of Weber’s defining feature of statehood - the ‘monopoly over the legitimate use of force’ was a highly competitive and violent endeavour which had to be imposed against stiff local resistance from people who preferred not to have any part of the state - Charles Tilly amply demonstrates this in his account of state-building in Europe. State-building was, therefore, not an inclusive process of giving form to national unity, but a set of practices ‘that made peasants and unruly classes into law-abiding subjects of state institutions’.  

Similarly, Michael Mann sees the process of state formation as one in which the state ‘cages’ society in ways which may rely on political legitimacy but are far more likely to require coercion – Mann also sees a crucial link between war and the building of states - as does Tilly. Either, then, the failed state paradigm does not know how functioning states come to be – or it does not care that the only way its preferred form of state could be imposed on the South is by violently suppressing local preferences:

An identity as “citizens” and the “idea of the state” does not meet with much cultural resonance within these societies, as people are relatively disconnected from the state, neither expecting much from state institutions nor willing to fulfil obligations towards the state (and often with little knowledge about what they can rightfully expect from state bodies, and what the state can rightfully expect from them).  

It seems likely that the ‘failed staters’ do care but that they have no idea that what they wish to impose is far more likely to induce the beneficiaries of their largesse to head for the hills to plan resistance – or, more likely, to behave like the peasantry in James Scott’s seminal study of covert peasant resistance and subvert the system the new colonisers create – than to line the streets bearing garlands. Knowledge of the origins of the

42 Boege et al, ‘On Hybrid Political Orders’, p.3
45 Michael Mann States, war and capitalism Cambridge, MA and Oxford, Blackwell, 1988
46 Boege et al, ‘On Hybrid Political Orders’, p.6
Weberian state also alerts us to the degree to which attempting to impose a particular type of state on societies which may not want them cannot but violate popular sovereignty.

Nor, as Mann’s work shows, was state-building a short process. The hold of central governments over societies was tenuously achieved after protracted contests which included significant setbacks for the state – yet the ‘failed state’ approach, despite some occasional expressions of self-doubt in which it is acknowledges that state-building can take up to 200 years, seems to see it as a swift process to be achieved through donor programmes lasting a few years. ‘Whereas the processes of state-formation in Europe and the western world took centuries,’ western state forms were “delivered” like products to many parts of the Global South in a relatively short time span during the era of decolonisation’. And it is, of course, these forms’ inevitable failure to perform as intended which the ‘failed state’ approach seeks to remedy.

The contrast between reality and the vision of the ‘state builders’ who wish to rescue the impaired states by rescuing them is perhaps typified by Fukayama’s comment that: ‘learning to do state-building better is thus central to the future of world order’. Besides the gratuitous aside that there is no evidence that the new political missionaries have done any state-building at all, making this desire to refine techniques premature, the assumption that a process which has taken blood-soaked centuries in the North can be achieved in the South rapidly – for something that is central to the future of world order surely cannot be allowed to mature slowly over decades – and smoothly, as long as the exalted technicians of the North improve their methods, is an indication of how hubris can separate its victims from reality. If Fukayama’s claim was even remotely accurate, the future of world order would be very bleak indeed. Happily, it is not.

One of the more important critiques of the paradigm is that it simply assumes that absence of the features of the Weberian state indicate a problem. This is logically and empirically flawed. If we understand a state as a means to an end – which is not Weber’s monopoly on force, which is itself only a means, but the imposition of legitimate authority – then it logically follows that this end may be reached by a variety of means. Simply to observe the absence of the means used in the North is not to establish that no other means exist, yet this is precisely what the ‘failed state’ paradigm does. Where it sees chaos, there is very often simply order of a different kind. Some of the work on ‘hybrid states’ which has been the source for some of the citations in this paper, provide illustrations. Another important source – in Africa – is Abdou Maliq Simone who has shown, for example, how kin-based economic units in Sudan have established sophisticated forms of order which do not work through the formal state but replicate some of its functions. Simone has also written compellingly on complex alternative forms of order elsewhere on the continent. Nor does it have room to understand how states in Africa which seem to duplicate Northern form also use means of maintaining

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48 Boege et al, ‘On Hybrid Political Orders’, p.5  
49 Fukuyama State-Building, p.120  
51 Abdou Maliq Simone ‘Urban Societies in Africa’ in Richard Humphries and Maxine Reitzes (ed.) Civil Society After Apartheid Johannesburg, Centre for Policy Studies/Friedrich Ebert Foundation, 1995;
legitimate order which rely on structures which most of the North would not recognise – Botswana’s use of traditional leadership as a form of social control while maintaining an almost text book British-style parliamentary democracy would be a case in point\(^52\) - or how, in South Africa, the difference between elected local government and unelected forms of power is often illusory for the latter has absorbed the former, raising the question of whether the formal state structure is simply providing a veneer of respectability for the real source of authority, which is both informal – and, to the untrained Western eye, invisible.\(^53\)

As long as the paradigm is unable to grasp these realities, it is always vulnerable to the likelihood that it will see problems where none exist and will be unable to see real problems. But, given its inability to see the state and its challenges from any framework other than its own understanding of its Western experience, it is highly unlikely that it can escape this constraint. Its implication, of course, is that what the paradigm may see as failure is, in reality, only difference. It is consistent with our theme to note that, if the paradigm was even vaguely interested in popular sovereignty, its grasp of realities may become rather clearer. If we ask not whether a particular state is conforming to a checklist based on a claim that all successful states must possess particular features, but whether it is providing an effective vehicle for its citizens to exercise at least a significant share in the decisions which affect them, we come to a far surer and usable understanding of whether that state is able to serve its citizens. But, if a paradigm is not really interested in the question, it cannot produce answers which address it – and cannot, therefore, offer an understanding of the state which places first the interests of its citizens.

One final criticism should be mentioned – Woodward’s argument that the ‘failed state’ approach, particularly when it is integrated into the policies and strategies of the major Northern powers, is based on an inherently contradictory approach – one which demands that the South develop states capable of implementing the North’s state-building agenda, while at the same time imposing policies on Southern States which makes any serious attempt to do so impossible. For her, many of the problems identified by Northern ‘failed staters’ were substantially created by the North whose ‘systematic efforts to reduce their capacity over the past 25 years’ has been accompanied by ‘…proportionally increasing reliance on the state to manage threats to international security…’ \(^54\) Flaws in Southern states have been imposed by IMF and World Bank good governance programs which ‘not only … cut public expenditures…but also … [strengthen] the executive branch against representative assemblies and the finance ministry against the development and social ministries’ \(^55\) It is these effects which are then decried by the ‘failed state’ literature. It is difficult for anyone who has studied the states of the South and Eastern Europe to gainsay the point that, at the same time as they demand leaner states in the South, the North has also imposed ‘…growing demands on and expectations of

\(^{52}\) See for example Donal Cruise O’Brien ‘Does Democracy Require an Opposition Party?’ in Hermann Giliomee and Charles Simkins (eds.) The Awkward Embrace: One-Party Domination and Democracy, Harwood, Amsterdam, 1999

\(^{53}\) Graeme Gotz The Limits of Community: the Dynamics of Rural Water Provision, unpublished report for Rand Water, Johannesburg, Centre for Policy Studies, 1997

\(^{54}\) Woodward ‘Fragile States’, p.5

\(^{55}\) Woodward, ‘Fragile States’, pp.8/9
governments by international actors.\textsuperscript{56} Clearly, an agenda which expects more of Southern states than their Northern counterparts were ever expected to provide early in their histories – and then deprives their states of capacities and resources - is bound to fail.

The scholarly criticisms discussed here are valid. But, what the critics hardly see, is the extent to which the Western state which the ‘failed states’ turn into the endpoint of history, rarely exists in the idealised form assumed by the paradigm, which often romanticises the Western state and ignores the achievements of other state forms. Perhaps most importantly, it fails to acknowledge the degree to which many of the standards it sets for the state in the South is often not found in the North either.

It is, firstly, important to stress that states in distress are, in the paradigm, never found in the North – even when those states clearly behave in ways entirely consistent with ‘weakness’. Nowhere in the literature is the US under George W Bush even remotely considered a fragile or failed state despite egregious violations of the rule of law and manifest unwillingness or inability to protect its own citizens: ‘State failure, in general and in specifics, is a genuine problem, as the residents of New Orleans during Hurricane Katrina in August 2005…. can speak about eloquently’.\textsuperscript{57} At the same time, practitioners of the paradigm have no compunction about adding to the list of states in trouble the world’s largest democracy, India, which shows no sign at all of failing, but which is included because ‘…the number of casualties India has suffered in recent years from insurgencies, civil conflict, and terrorism underscores how spillovers from unstable neighbors can heighten challenges even for such a stable country.’\textsuperscript{58} This is entirely incoherent. Firstly, it is unclear how, even within a paradigm which seems to have declared itself independent of the rules of tight definition and lucid argument, the nature of a state’s neighbours can possibly be said to determine its own state of health. Secondly, if being a victim of the terrorism of others is a sign of state fragility, the United States is clearly in deep trouble: why is becoming a victim rightly considered a cause for sympathy and solidarity if it happens to a Northern state, but a sign of state failure if it happens to India?

Another sign of the paradigm’s biases emerge when we examine some of its attempts to define a healthy state. It was noted earlier that the paradigm’s respectability in the academic mainstream has been confirmed by the establishment of several indicators which seek to measure state health. Even if one believes that there are any such thing as failed states, the idea that a group of scholars might be able to use mathematical techniques and computers to offer accurate assessments of the state of health of states, is itself an awesome sign of \textit{hubris}. Its most likely product is an exercise in which the prejudices of selected scholars are reduced to numbers, making it easier for other scholars to use these numbers in research exercises which are then presented as scientific studies rather than the summations of other people’s opinions which they are. For our theme here it is important to mention the criteria developed by one of these indices, Canada’s

\textsuperscript{56} Woodward ‘Fragile States’, pp. 2/3
\textsuperscript{57} Woodward ‘The Paradox of "State Failure", p.8
\textsuperscript{58} Weinstein, Porter and Eizenstat ‘On the Brink’
Country Indicators For Foreign Policy (CIFP), whose ‘fragility’ index is ‘based on the idea that a state needs to exhibit three fundamental properties (authority, legitimacy and capacity) and that weaknesses in one or more of these dimensions will impact on the overall fragility of a particular country’. Inevitably, given the paradigm within which CIFP operates, these criteria are imposed only on countries in the South.

Authority ‘refers to the ability of the state to enact binding legislation over its population and to provide the latter with a stable and safe environment’. This is curious. Enacting legislation which purports to be binding is hardly a test of state capacity – the weakest of states manages to do that. If, as seems likely, the intention is that the state needs to possess also the power to make the legislation stick in practice, then there is probably no state on the planet which has achieved this – corporate scandals in Northern democracies and continuing crime rates testify to the fact that laws are often difficult to enforce, however well-resourced the state. On this criterion, there are clear signs of state fragility in the North too. Much the same applies to the ‘stable and safe environment’. Does the high level of knife crimes in London make the United Kingdom a ‘weak’ state?

Legitimacy, CIFP tells us, ‘refers to the ability of the state to command public loyalty to the governing regime and to generate domestic support for government legislation being passed and policies being implemented’. This borders on the bizarre, for it is hard to imagine a less appropriate definition of legitimacy and one less likely to inspire suspicions that the authors do not understand the workings of older democracies. ‘Legitimacy’, surely, is very different from popularity and has nothing whatever to do with support for particular pieces of legislation. It refers, rather, to the acceptance among citizens that the state has a right to wield authority over them, even if some of the specific measures it takes to do so are seen as misconceived: a citizen of a legitimate state might find toll roads offensive but still accept that the state has a right to introduce tolls and that they have a legitimate duty to pay them. And, if generating domestic support for policy and new laws is a criterion, just about all Northern democracies would experience regular collapses into state fragility – Great Britain’s state at the time of writing would clearly be in an advanced state of failure since polls tell us that there is nothing the Labour government can do which would generate substantial public support. Nor is this a freak occurrence – it is almost routine for democratic governments, towards the end of their second or third term, to appear to voters as entirely inadequate. It is not unreasonable to insist that the sign of state weakness which worries CIFP is a routine feature of Northern democracies. Capacity, CIFP’s final criterion, ‘refers to the power of the state to mobilize public resources for productive uses’. It is, firstly, unclear who CIFP appoints to judge whether public resources are used productively – or indeed, how it can feign any enthusiasm for democracy if it dares to try. Whether particular uses of public resources are productive has been a subject of debate among academic specialists as well as a key point of dispute between interest groups and political parties in most if not all democracies. To suggest that a group of scholars armed with computers can settle this question definitively is deeply contemptuous of the principle of popular sovereignty – or indeed, of the public debates which occur in even the shallowest democracy. If, however,

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59 Country Indicators For Foreign Policy Data and Methodology: About the Methodology
http://www.carleton.ca/cifp/app/ffs_data_methodology.php
CIFP is willing to cede to the citizenry its right to decide, and to insist rather that a state is not healthy if a significant section of the society believes that public resources are not being used productively, there would be no healthy states on the planet.

One other example of the odd consequence of attempts to develop check lists for state success is that produced by scholars on behalf of Britain’s Overseas Development Institute (ODI). Among the ten features of statehood ‘that have to be accomplished in order to overcome fragility and guarantee state stability’ in the view of Ghani et al are investment in human capital, provision of infrastructure and effective public borrowing.60 Two of these are entirely arbitrary – why should investment in human capital be more a defining feature of successful statehood than, for example, streamlining the bond market or protecting the currency? Why should effective public borrowing be more definitive than effective public spending? And the fact that any of them are chosen at all suggests a deep misunderstanding of the notion of statehood. They are all, of course, particular economic policy options: even if some ‘objective’ measure existed to establish whether they are being performed effectively (and this paper has pointed out that there are none), a state is not defined by what economic policy functions it performs well but by whether it is able to maintain legitimate order. The functions proposed by the authors may assist in that task but that is hardly a self-evident point of consensus - free marketeers, for example, may feel that the state ought not to provide infrastructure – but there is no intrinsic link between them and statehood. To make them criteria for state health is as conceptually defensible as, for example, insisting that the production of award-winning artistes and sports personalities and the ability to generate a working space programme are indicative of state health. And finally, it is as well to repeat the criticisms made here of the CIFP definitions. All the criteria are entirely matters of opinion – who decides whether public borrowing is effective? – and so questions which democrats leave to the citizenries concerned. Their inclusion is thus undemocratic: again, some citizens – often very many – in every Northern democracy would insist that their states do not perform these functions adequately yet these states remain beyond the line of vision of the ‘failed state’ approach.

What these definitions have in common is their intellectual incoherence, their tendency to demand of Southern democracies, merely to qualify for recognition as healthy states, a set of functions which no Northern democracy has ever performed in their entirety, and their deep ethnic and regional bias, illustrated by a tendency to assume that Northern democracies have already achieved a set of onerous criteria which in reality none have fully achieved. As a guide to understanding a social phenomenon, they are of no value at all, since they fail to convince either that what they are concerned about is a real problem at all or that, even if it is, we would know it when we see it. Surely the fact that a paradigm so lacking in the ability to define or to analyse – or indeed to prescribe workable solutions – could have become so influential is some inexplicable freak occurrence?

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Well, no. If we look a little closer we will see that the paradigm plays an important role – albeit not to describe societies or what to do about them. And we can understand this if we become aware that the ‘failed state’ approach is not unique – indeed it is almost a clone of another highly influential account of how the world is said to work which has become as popular as ‘failed states’ – the theory of ‘democratic consolidation’.

A Tale of Two Prejudices – Failed States and Unfinished Democracies

The notion of democratic consolidation responded to the growth of formal democracy to much of the planet. It is ostensibly designed to answer two questions – whether the new democracies which began emerging after the collapse of authoritarianisms in Southern Europe in the mid-1970s will survive and whether they will successfully make the journey to full democratic system – a ‘consolidated’ democracy is one which has journeyed from not yet complete democracy to the finished product. It may come as no surprise to those who have read this far to learn that democracies required to take the consolidation test are all located in the South and in the ‘transitional’ states of Eastern Europe – democracies in North Americas and Western Europe are simply assumed, without any justification, to be ‘consolidated’.

The consolidation paradigm’s first problem is its intellectual incoherence – the term is rarely if ever defined and when attempts are made to specify the features of a ‘consolidated’ democracy, the results are often even more unusable than the CIFP and ODI attempts mentioned above. This failure to specify consolidation’s meaning has been noticed not only by sceptics but by those who believe it does still offer a useful means to an understanding of democratic prospects. Thus, in 1998, Andreas Schedler, a scholar who is one of ‘consolidation’s’ more thoughtful adherents, observed:

At this point, with people using the concept any way they like, nobody can be sure what it means to others, but all maintain the illusion of speaking to one another in some comprehensible way. While ‘democratic consolidation’ may have been a nebulous concept since its very inception, the conceptual fog that veils the term has only become thicker and thicker the more it has spread through the academic as well as the political world.

Its second problem is that it cannot tell us whether democracies are fated to survive because it provides no coherent way of determining the circumstances under which democratic reversals might occur. Indeed, the more senior ‘consolidation’ authors explicitly acknowledge that it cannot perform its initial function, to offer a guide to diagnosing the survival prospects of democracies – indeed, a branch of the literature has introduced the term ‘deconsolidation’ to describe how already consolidated democracies lost their status.

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61 This critique is based heavily on my ‘Power in Action’ cited above.
62 Andreas Schedler ‘What is Democratic Consolidation?’ Journal of Democracy 9.2 (998 pp. 91-107
But, perhaps most important for our purposes, the paradigm’s purported ability to demonstrate how to determine whether democracies are the ‘finished product’ collapses into conceptual confusion. It lacks a specified theory of how we could tell a ‘completed’ democracy from one which is incomplete. This may betray a bias identified by Guillermo O'Donnell\textsuperscript{64}: the teleology underpinning much consolidation writing:

Furthermore, this mode of reasoning carries a strong teleological flavor. Cases that have not "arrived" at full institutionalization, or that do not seem to be moving in this direction, are seen as stunted, frozen, protractedly unconsolidated, and the like. Such a view presupposes that there are, or should be, factors working in favor of increased consolidation or institutionalization, but that countervailing "obstacles" stymie a process of change that otherwise would operate unfettered.\textsuperscript{65}

In other words, a particular end point is assumed, without argument, to be normal and natural and failure to achieve it is considered pathological. The possibility that it may be possible for different democracies to reach different end points and remain democratic is not considered.

In sum, the paradigm insists that democracies can only be considered ‘complete’ if they achieve a set of almost pre-ordained end-points which it never defines or describes in any usable way. It demands of new democracies that they achieve goals never reached by those in the North and repeatedly labels as signs of incomplete consolidation in the South features of the polity routinely found in the North. A critique of the paradigm by this author therefore asks:

Why would an influential body of literature, which, as noted above, has shaped the way democracy is viewed by most analyses, and is the work of scholars used to defining their terms and defending their positions, not bother to spell out, in coherent fashion, the essential features of a ‘completed’ democracy? The reason lies, surely, in the third weakness of the ‘consolidation’ literature - its ethnocentric bias. Liberal democracy as practised in the North – or, more accurately, an idealised version of it\textsuperscript{66} - is simply assumed to be the optimal form of regulating and organising democratic politics and, therefore, the goal towards which all democracies should, in time, evolve. It is no accident that the democracies of the North are never subjected to the ‘consolidation’ test: they are assumed, without any apparent need for supporting evidence, to be ‘consolidated’ because ‘consolidation’ is a synonym for ‘becoming a Northern democracy’. And it is this assumption which explains why ‘consolidation’ literature assumes that there are at least some democracies whose democratic status is irreversible – because, whatever vicissitudes democratic polities may have to endure elsewhere, those in the North are assumed to be inviolable. The exemplar which the teleology implicitly holds out of the ‘normal’ democracy is clearly that of the Northern democracies - or, more accurately, its authors’ understandings of these polities in which the many flaws and challenges which beset older democracies are assumed not to exist.\textsuperscript{67}

\textsuperscript{64} Guillermo O’Donnell ‘Illusions About Consolidation’ Journal of Democracy Vol 7 No 2, April 1996
\textsuperscript{65} O'Donnell ‘Illusions’ p. 37
\textsuperscript{66} Schedler notes a tendency to compare Southern democracies with ‘a more or less rosy pictures of established Western democracies’. ‘What is Democratic Consolidation?’ p.100
\textsuperscript{67} Friedman ‘Power in Action’
The critique continues: ‘To slightly distort a famous opinion on pornography by former US Supreme Court Justice Potter Stewart, the consolidation specialists do not need to define democracy since they (and, by implication, we) know it when they see it. And they see it almost exclusively in North America and Western Europe’. It notes, following O’Donnell, that many Southern intellectuals embrace the consolidation paradigm because they desperately want their societies to choose Westernness and concludes: ‘It is not unfair to boil much of “consolidology” down to a desire to establish (in the North) when and how 'they' will become 'us' or (in the South) how 'we' will become 'them'.

This critique has been presented at length because all of it can be applied, without modification, to the ‘failed state’ paradigm. It too does not offer a coherent conceptual framework because it does not feel it needs to, because everyone within the paradigm knows that the successful states are in the North, the failed ones in the South. It too is incapable of seeing the flaws of Northern states because they are assumed to be the ‘finished product’ and all other states are assumed to be travelling towards the end goal which they have set. The primary goal of both is to ensure that ‘they’ become like us and both attract considerable intellectual support in the South because many of its thinkers and decision-makers have internalised the notion of the North as the telos to which all ought to aspire. And both are incapable of intellectual rescue because both are unable to see that Southern forms of expression are sometimes as effective as those in the North and that the problems which the South faces are often visible in the North too. In sum, both are influential and popular not despite the fact that they are ethnocentric attempts to impose an idealised understanding of a particular form of state on everyone else, but because they are. And so both are more interesting for what they say about current intellectual and power hierarchies than for what they say about the polities which they claim to interpret.

Art of the Impossible: Beyond Understanding, Beyond Implementation

Demonstrating the ‘failed state’ paradigm’s biases does not, however, necessarily mean that it ought simply to be jettisoned. Since there clearly are many states whose citizens suffer because of the state’s failure to serve them, is the paradigm not, at least, a mis-theorised response to a real problem? Could it not, with suitable adaptation, prove to be a spur for much-needed action on behalf of citizenries who would gladly overlook the paradigm’s biases if it produces concrete improvements in their lives. The question is asked here because, as we shall see in the final section, this is the view of the paradigm’s most trenchant critics who, despite their rejection of its thinking continue to insist that, because citizens of the South do clearly need functioning states, the ‘failed state’ problem ought to be addressed, albeit in different ways to those proposed by the paradigm’s adherents.

But this seems to ignore the paradigm’s structural limitations which ensure that it cannot rescue ‘failed states’ even if it were somehow prevailed upon to make the attempt in a more humane and sensitive manner: ‘rescuing’ states from failure, fragility or weakness

68 Stewart said he could not define pornography but ‘I know it when I see it’. Lester Faigley and Jack Selzer ‘The Perils of Pornophobia’ Good Reasons Needham Heights, MA, Allyn and Bacon 2001, 540
is simply not within anyone’s power, a flaw which separates the paradigm to a degree from the colonial and Cold War approaches which inspires it. It was possible to take over Southern states and later to persuade them to oppose communism. It is not possible to rescue them from their presumed weaknesses, even if these are accurately diagnosed and if the remedy is more humble, more tailored to serving Southern states than to imposing cures on them.

The first reason has already been suggested – it is not possible for reformers, whether they are academics or official aid officers, to build states, even if they understand the societies in which they work a greater deal better than the current ‘failed state’ practitioners. It is highly unlikely even that deeply embedded local actors can build states – the evidence cited earlier shows that state-building is an organic process, which does not honour time-tables and which probably happens best by accident rather than design. To illustrate the point it is worth speculating on how many of the actors who built states in the North would have responded to Fukayama’s blithe appeal to ‘state-builders’ to sharpen their techniques. It is likely that they would have been rather puzzled since it would not have occurred to them that they were state-building. While the heroic nineteenth century nationalists such as Cavour and Bismarck may have had this in mind, in the main, states were probably ‘built’ by politicians seeking to solve rather more immediate practical problems rather than conscious state-builders. And, given the frequency with which this slow process was accompanied by violence which ensured that those who wanted out of the state were corralled in, the reformers are likely to ensure that they find themselves responsible for outrages with which they would much rather not be associated and for no observable benefits.

In principle, it might be possible for those who do care for the plight of the citizens of the South to adopt the approach argued for here – to recognise that intervention, if it is to happen at all in a manner consistent with humane and democratic values, would need to consist of recognising that states are democratically justifiable only if they serve their citizens and that the only valid way to support progress would be to identify the forces within the society which do speak for those who have not been heard and to offer them what help they may need. But this approach, based on the core democratic notion of popular sovereignty, does not seem central to any of the literature, including that which is highly critical of current approaches. In any event, even if critical approaches were to endorse this view, identifying who really is representative is often a highly subjective exercise in which the costs of failure to the humans among which the reformer is working are horrendously high.

This brings us to the second reason – that the proposals for more humane intervention are, explicitly or implicitly, so epistemologically heroic as to be, for all practical purposes, unimplementable. To meet the requirements of the more enlightened approach recommended by some of the paradigm’s critics, donor agency officers would be required to bring a degree of knowledge to bear which usually eludes the most sophisticated academic analysts. In reality, even if the programme officers harness the skills of academics – hardly a foolproof strategy since academics are hardly infallible either – programmes are in most cases likely to be implemented by stressed officials,
usually operating in the particular area because the organisation assigned them there rather than because they have any great insight into its dynamics, and fully aware that she or he are there for three to five years at most. The idea that people with this profile can implement subtle and sensitive strategies, based on acute understanding of complex social realities, is bizarre – and has been demonstrated by empirical research to be so.\textsuperscript{69} The solution is not, for reasons already suggested, to insp an social scientists in the programme officer force. It is, rather, to realise that not even the most brilliant social scientist or donor officer can be assumed to be an infallible interpreter of social complexities in their own societies, let alone those they visit only sporadically, and that the practice of imposing, without invitation or even consent, on people, theoretical experiments with whose consequences they will need to live is not only contemptuous of popular sovereignty but open to ethical challenge.

In a prescient one-liner which ended a discussion of the way in which Northern governments insisted on imposing on the South rigid economic formulae without any regard for the human consequences, Adam Przeworski pointed out that, whenever he applied for a research grant, he was obliged ‘to sign a form declaring that I will not experiment on human subjects’. He added that he wished that governments were obliged to do the same.\textsuperscript{70} Had he added the words ‘and all who plan to engage in state-building’, he would have captured to perfection the ethical challenge to all those who believe in democracy and human rights and who seek to impose their theories on states whose building should be the task of their citizens alone.

It does not, therefore, matter how well-meaning or sophisticated the attempts to refurbish the paradigm are – its goal is impossible.

\textbf{Do No Harm: The Case for Doing Nothing}

When we consider how deeply ‘state-building’ is likely to deprive Southern citizens of their right to sovereignty, and how certain it is that the outcome of intervention within the ‘failed state’ paradigm will stunt the slow growth of states able to offer citizens a share in the decisions which shape their lives, the challenge for donor nations comes starkly into focus and produces perhaps the only conclusion they do not want to hear – that the best they can do for states they consider failed is simply to refrain from trying to build them.

It may also be the best they can do for themselves for, behind the ‘failed state’ paradigm lies precisely the self-centred missionising which produced repeated interventions designed to ‘solve’ threats to the United States which succeeded only in making the threat worse. It has become trite in some circles to mention that overthrowing Mossadegh in Iran and then propping up the Shah in Iran produced the Ayatollahs, that helping Saddam Hussein to fight a war with those self-same Ayatollahs produced the Iraq War, or that supporting the \textit{mujahideen} in Afghanistan ultimately produced the Taliban and perhaps

\begin{itemize}
  \item \textsuperscript{69} Maxine Reitzes and Steven Friedman \textit{Funding freedom?: synthesis report on the impact of foreign political aid to civil society organisations in South Africa.} (Social Policy Series, Research Report no. 85). Johannesburg, Centre for Policy Studies, 2001
  \item \textsuperscript{70} Adam Przeworski, ‘The Neoliberal Fallacy’ \textit{Journal of Democracy} - Volume 3, Number 3, July 1992, pp. 45-59
\end{itemize}
al-Qaeda too. And, if Woodward is correct to remind us how imposing economic policy prescriptions on Southern states must inevitably retard their state-building, so too has Northern intervention often created precisely the state failure the North now says it wants to mend. Would the Democratic Republic of Congo be almost a paradigmatic nightmare for those preoccupied with state failure if the first president of a united Congo, Patrice Lumumba, not been assassinated at the behest of a European power and with active US help?71 Given the arguments presented here, it is hard to imagine that the idealised version of the Northern state which the apostles of ‘state failure’ promote could ever have emerged in post-independence Africa —still less that it would have served the core democratic goal of popular sovereignty even if it had. But it does not seem unreasonable to argue that African states may well have had a greater chance if the North had simply got on with its own affairs and allowed the South to develop its own forms of legitimate authority and popular sovereignty as best it could. Indeed, there are two instructive – one little-noticed - African example which suggest that this is precisely what would have happened.

In the mid-1990s, after the collapse of the Somali state, the North Western territory which had been part of it, the former British protectorate of Somaliland, began to develop its own state form which offers, in many ways, an exemplar of state formation. Somaliland is not a typical Weberian state. It is said to combine customary institutions and more recognisable forms of democratic statehood such as a parliament and a president. This was the product of a process of peace building in which clan elders and their councils were decisive actors — they remain key elements of the system of democratic order which has developed since then.72 Whatever Somaliland’s flaws — it is trite to point out that no polity is perfect — it has achieved the internal legitimate order which those who are concerned with state failure say they want. It has also done it in a way which offers an important role for instruments of popular sovereignty. The story’s punchline is that Somaliland is not recognised by the ‘world community’ and has not ‘benefitted’ from ‘state-building’ or governance aid. That one of the few successful exercises in African state-building achieved its progress without any help at all surely demonstrates the virtue of staying out. The better-known example is Botswana which, long before Somaliland, developed an internally generated democracy in which traditional institutions played a crucial role and has managed to sustain it for almost half a century.73 Botswana is recognised as a state and is eligible for aid — but it was not blessed with advisers to ‘help’ it build its state. Neither was Mauritius, the other African state to build a democratic order which has strong indigenous features but far stronger popular sovereignty than any state which has been ‘helped’ by ‘state-builders’.

73 See for example Stephen Stedman (ed.) Botswana The Political Economy of Democratic Development Boulder and London, Lynne Rienner, 1993
The proposal that Northern donors simply do nothing does not, of course, mean that they should cease to interact with Southern states – Botswana and Mauritius are very open to engagement. Still less does it mean that they should refuse requests for solidarity if it is expressed by opposition movements working for democracy – support for the fight against apartheid, whatever its motives and however late it sometimes was, helped greatly to secure its demise. Support for the rights of Palestinians would be equally helpful today – as would help for opposition movements which donors do support, although arguably not vigorously enough, such as that in Burma. And this suggested approach does not at all preclude positive responses to requests for donor funds from organisations seeking to grapple with these problems. It simply means that they should no longer ‘help’ others to build their states for them or, indeed, to tell them how they should govern. Those who deride this proposal as a demand for irresponsibility, might, if they genuinely are concerned for the rights of citizens, care to consider how much intervention has done to deprive those citizens of the right to decide. And, if they are realists who define responsibility as concern for their Northern home country and its interests, they may care to ponder the overwhelming evidence that attempts to save the South for the North have invariably created nightmares for the North which simply allowing societies to find their own salvation would probably have avoided. Avoiding intervention would then quickly appear not only as the most democratic option, but as the most realistic too.

The proposal is clearly radical since, as the previous section pointed out, not even the eloquent and trenchant critics of the failed state paradigm quoted here seem able to bring themselves to see the logical conclusion – that the alternative to attempts to impose newly built states on others is not doing this. They hover at the brink of the logical conclusion and then suggest more enlightened and humane ways of imposing the preferences of the strong. And so highly intelligent critics of the approach whose work have done much to inspire this article conclude by arguing that: ‘Prudent policies could assist the emergence of new types of states – drawing on the western model, but acknowledging and working with the hybridity of particular political orders’.74 They say that their re-conceptualisation of the problem ‘opens new options for conflict prevention and development, as well as for a new type of state-building’75 and add that: ‘The best outcome of the novel approach to state-building outlined in this article would be that new forms of governance emerge: combining state institutions, customary institutions and new elements of citizenship and civil society in networks of governance which are not introduced from the outside, but embedded in the societal structures on the ground’.76

It is not simply carping to point out that they never spell out in any detail what the ‘prudent policies’ for which they argue would be. They may be unable to specify them, despite their obvious intelligence and insight, because they do not exist, because it is not really possible to imagine approaches in which the North decides to build the states of the South in a manner which gives expression to, rather than suppresses, popular sovereignty. The authors are clearly pleading for an approach which pays more respect to indigenous, customary, understandings and institutions. While this would clearly be an important

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74 Boege et al, ‘On Hybrid Political Orders’, p.10
75 Boege et al, ‘On Hybrid Political Orders’ p.2
76 Boege et al, ‘On Hybrid Political Orders’, p.16
advance on approaches which tend to regard the important sources of legitimate order in many societies as pathologies, they fail to explain why major national and international development agencies should possibly be expected to understand the complexities of complex sources of local order sufficiently to distinguish between that which represents people and that which oppresses them. More importantly, perhaps, they fail to explain why local state-building processes should need any technical help from donors in the first place.

They do offer an answer of sorts: ‘It would be fatalistic – and cynical – to leave it all to an ‘organic’ historical process, likely to mean bloodshed, injustice and misery – as the history of European state formation amply demonstrates’. If this claim were true, then the Somaliland example, which the authors fulsomely praise, could not have happened – nor could Botswana and Mauritius ever have been able to develop unique state forms without war. To be sure, violence may have played a role in all three cases, in varying forms of directness – Somaliland was born of a war, while the other two emerged out of colonial systems which were inherently violent. But the state-building process itself was not violent and it is difficult to imagine what Northern state-builders could have added to it – on the contrary, given the graphic examples which they provide of imposed state-building which goes horribly awry, it is surely far more likely that all three would never have become ‘success stories’ if they had fallen into the hands of donor ‘state-builders’ and governance specialists. The authors fail to recognise the contradiction at the heart of their recommendation – that, where political leaderships are sensitive enough to know that they can strengthen the reach of their states only by recognising the need to give some ground to other actors and institutions, they do not need the technical agents of donor governments to tell them how to do it and, where they do not, they are unlikely to allow donors to impose these arrangements on them. They will then, no doubt, do what clever African autocrats have been doing for almost two decades – solemnly pretend to do what rich countries propose while making sure that they do precisely the opposite.

As the previous section suggested, the paradox of the ‘failed state’ approach is that it is a clear and present danger to popular sovereignty in the South not only because it seeks to impose the will of the North on peoples in the South but also because it is manifestly incapable of using its might to ‘solve’ the problem which haunts it. The most likely effect of a sustained attempt to implement the approach is, therefore, not a successful attempt to turn the ‘failed states’ into compliant mirrors of the Northern self-image – it is far more likely to be a costly diversion which weakens the states it purports to strengthen and drives them further away from the paradigm’s Utopia. To those who seek real democracy everywhere, in which all may share in as much popular sovereignty as possible, or to those who simply want a South about which the North has no need for nightmares, the only workable solution is to abandon all attempts to rescue other states and to direct development and co-operation into other channels.

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77 Boege et al, ‘On Hybrid Political Orders’, p.15