

## WHAT IS A 'FAILING STATE', AND WHEN IS IT A SECURITY THREAT?

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### *I Introduction: Security and development*

The European Security Strategy identifies 'state failure' as one of the 'key threats' confronting Europe. This is one point of convergence with the 2002 US National Security Strategy, which claimed that 'failing states' were now more of a threat to the US than 'conquering states'. However, implicitly distancing itself from the US, the European Security Strategy recognises that 'none of the new threats is purely military; nor can [they] be tackled by purely military means.'

'Bad governance' has long been identified by international actors in the development field such as the World Bank and the UNDP as a major barrier to economic development and poverty eradication in Third World countries. Insofar as state failure is linked to long-term problems of socio-economic development, the security and development objectives of the EU have now become closely linked, and an integrated approach holds the promise of more effective responses. The European Security Strategy calls for a new 'security culture that fosters early, rapid, and when necessary, robust intervention.' Preventive engagement is the key, and the EU now has the potential to deploy coherently the full panoply of long- and short-term instruments: political, military and diplomatic means alongside substantial assistance to economic development, institution-building, and the promotion of democracy, human rights and the rule of law.

The question of what the EU can do, and do better, for failing states is the underlying theme of this seminar, and will be addressed directly in the final session. We need to begin with the vexed question of definition.

## ***II What is a 'failing state'?***

### **1) What we mean by a 'strong' state is by no means self-evident.**

Globalisation is a new source of malaise for almost all states, undermining their capacities to control their territories and the movement of people, to govern their economies, and so meet the expectations of their peoples for protection and welfare. As a result, even firmly established western democracies are prey to problems of 'governance', accountability and popular legitimacy. Some of the 'new security threats' that confront the west – illegal migration, organised crime, trafficking in drugs and human beings – have as much to do with the demand in our own societies for such merchandise and the weakening of our own states' capacities to deal with this, as they do with disorder and economic crisis in the rest of the world.

If the notion of 'strong' states is misleading, nevertheless some states – notably western states - are nevertheless clearly proving more *resilient* than others in the face of the challenges of globalisation. This no doubt has much to do with the fact that globalisation has primarily been driven by the interests of the west. Are 'failing' states failing because they are not more like western states?

### **2) Certain types of 'strong' states may be prove unexpectedly 'brittle' - prone to sudden collapse.**

Perhaps the best example of this was the Soviet Union, where prolonged economic failure undermined the core legitimating doctrine of communism. Communist states corroded from within, ending up as hollow 'structural shells dominated by informal interests, with no sense of any transcendent purpose.'<sup>1</sup> When resurgent nationalism stepped into the void, all three communist federal states (the USSR, Czechoslovakia and Yugoslavia) broke up, albeit in markedly different ways.

Another case may be that of Iraq. Clearly, massive armed intervention would deliver a severe shock to any state, but the speed with which the Iraqi state administration and army melted away, and the subsequent difficulties of reconstituting them, can be attributed - at least in part - to the underlying weaknesses of a state constructed around a brutally coercive, personal dictatorship that targeted not only dissident individuals but entire ethnic groups.

### **3) Completely 'failed' states are rather exceptional.**

Complete 'failure' would imply disintegration to the point of disappearance of institutional structures, legitimate power and political authority. Where states fail, power does not disappear but reconstitutes itself around ethno-national secessionist movements, 'warlords' or organised crime. The most notable case is that of Somalia, whose newly-elected President himself declared the 'Somalia is a failed state.' Yet Somalia has not disappeared from the map, but lingers on due to international recognition, while part of its territory – Somaliland – has managed to reconstitute authoritative institutions that have been functional for a decade, despite lacking international legitimacy. Being a *de facto* state, without international recognition, is undoubtedly a handicap to further development and consolidation. Non-recognition, like other forms of international embargo, drives states into illicit activities.

Soviet-type communist states did not collapse in this sense. The ‘structural shells’ of formal institutions proved readily convertible into new ‘nation-states’, filled by post-communist elites. Informal systems of power inherited from the communist-era security apparatus and *nomenklatura* managers of key state enterprises survived. Post-communist elites were not wholly new, but formed from varying mixes of old *nomenklatura* and new nationalists: coexisting or competing, one coopting another. The outcomes have conditioned the extent to which post-communist states have been able to overcome the debilitating legacies of communism.

#### **4) States that are ‘weak’ may nevertheless prove remarkably durable.**

The Habsburg empire confounded predictions of its imminent demise for at least a century. Whether it was doomed to collapse under the weight of its own internal contradictions, or whether it was destroyed by the ‘exogenous shock’ of the First World War, continues to exercise historians today.

States that have weak legitimacy, corrupt and incompetent political elites, institutions that perform poorly in the delivery of public goods, and lose control over significant portions of their territory may nevertheless survive due to ‘strong societies’: cohesive dominant classes and informal power networks; resilient clan or extended family ties that redistribute resources; large unregistered sectors of economic activity. Such social structures may obstruct or divert reform. Where efforts are made to improve the state’s performance, these will be internally destabilising, and may have unpredictable knock-on effects for the neighbourhood. Security and development policies might jointly focus on how to secure the environment for radical reform

#### **5) What makes ‘weak’ states ‘fail’?**

It is hard to say. A recent addition to the burgeoning literature in this field began by observing: ‘Tolstoy wrote that all happy families are happy alike, while every unhappy family is unhappy in its own way. It is tempting to say the same thing of states...’<sup>ii</sup>

Yet to have a policy, especially one of ‘preventive engagement’, policy-makers need some guidelines. There is already a vast and burgeoning research literature in this field. Clearly, defining state ‘failure’ requires us to specify what we expect states to do. One useful inventory of ‘state failure’ identifies three functional dimensions of the problem: *security* (internal and external); *welfare* (economic, social, environmental); and *legitimacy and rule of law* (political freedoms, human rights, courts and administration). Each dimension is carefully unpacked into 29 discrete indicators.<sup>iii</sup> What this exercise brings out is that states may not be ‘failing’ in all three dimensions at once, and therefore that careful analysis can identify specific areas of weakness to which specific policy instruments may be applied to avert further degeneration – development assistance, political conditionality, institution-building, civilian and military missions. Such a model guides decisions about *how* to intervene, but does not answer the question of *whether* to or not – a point to which we return in Section III.

Moreover, modelling the dynamics of change in the abstract is extremely difficult, involving the complex interaction of many variables. Either the model becomes too complex to be intelligible, or it is simplified to the point of producing self-evident and banal conclusions. What pushes a ‘weak’ state onto a downward trajectory towards ‘failure’ is often the product of the impact of a sudden, unexpected, and/or exogenous ‘trigger’. By definition, it is difficult to build such triggers into a model. Turning a failing state around is almost always due to skilful, constructive leadership – a scarce commodity that cannot be guaranteed to appear at the right time.

## **6) Neighbourhoods matter to the failure – or survival - of states.**

The question ‘*Where* are failing states?’ not only promises a less ambiguous answer than the question of *what* they are; it may also help to clarify some of the roots of weakness. Starting from the parts of the world we know best – central, eastern and south eastern Europe – we would put forward the following ingredients of a common geopolitical predicament predisposing states of this region to endemic weakness and recurrent failure:

- Peripheral territories of the Habsburg, Russian and Ottoman empires
- ‘Shatter zones’ of Great Power rivalry under the empires, in the two World Wars, and Cold War
- Late state formation; contested and frequently redrawn borders
- Transposition of a ‘western’ model of state-building (the unitary, centralised, and homogenised ‘nation-state’) into an environment of considerable ethnic heterogeneity
- Long-term economic backwardness relative to western Europe, combined with repeated failures to ‘catch up’ by state-sponsored and highly politicised modernisation drives.

What does this suggest? *Firstly*, that neighbourhoods matter. In this case, Great Powers (‘strong’ states) have been, and no doubt will continue to be factors in the failure – or survival - of their neighbours. The EU may want to surround itself by a ‘ring of well governed countries’, but Russia is seeking a ‘buffer zone’ of weak and dependent states. For the EU, the challenge of inducing Russia to become a more constructive partner is an essential complementary prong of its ‘neighbourhood strategy’. For now, competing EU and Russian objectives leave the ‘new neighbours’ caught between the two - a familiar predicament.

Much of this might apply, *mutatis mutandis*, elsewhere: in Africa or Brzezinski’s ‘arc of instability’ from the Middle East to Pakistan. But ‘Great Powers’ and colonial legacies do not explain everything: as Fred Halliday notes, ‘Colonialism, significantly, did not touch some of the countries of the region [e.g. Afghanistan and Yemen] and it is here that no effective modern state was ever created...[I]t was...the historical *absence* of a state that provided the context for modern wars and for the growth of transnational armed militias.’<sup>iv</sup>

## **8) Externally imposed or derived ‘models’ do not help.**

A second point can be drawn from the CEE/SEE experience: that imported and/or ‘top-down’ models of political and economic ‘modernisation’ may end up by weakening states rather than strengthening them. ‘Ownership’ of reform may have been grasped by elites, but society remains at best a passive object, not the subject of change.

Communism was not the last of these grand experiments. EU integration ‘worked’ for the central and east European new member states by offering a secure framework supportive of states undergoing radical political and economic reform. But adopting and implementing the *acquis* involved certain short-cuts in the democratic process which led to worrying alienation of the people from the state and politics.

Will EU integration work for the remaining ‘potential candidates’ in the Western Balkans? Here, ‘state-building’ is even more obviously at the forefront of the agenda. The EU’s first police and military missions have been put into operation in FYROM and Bosnia. The EU has been directly implicated in redrawing the constitutions of FYROM and the Serbia-Montenegro – but to what effect? International ‘protectorates’ in Kosovo and Bosnia are even more far-reaching experiments, but seem to be hindering as much as helping the emergence of functional, legitimate self-governing institutions. Where external ‘leverage’ is at its maximum, accountability may be undermined and societies disengaged.

## ***III When is a failing state a security threat?***

### **1) Conventional Wisdom**

That failing states pose one of the most important security threats now faced by the international community has become a mantra found in all national and international security concepts. This mantra is founded on the premise that failing states represent an urgent threat that must be addressed as early and comprehensively as possible. Having accepted this point, most discussions then move onto discussing how the international community should respond to them. As a result, thinking about failing states focuses often on a debate on three questions:

*a) When are states at risk of failing?*

If one can determine risk indicators, then the international community may formulate early policies to prevent a state from failing. The point here is that *prevention* is easier and cheaper than *cure*.

*b) What should the international community do when a state has failed?*

This question centres on which strategies should be employed to derail the logic of state failure once it has occurred – by restoring law and order, promoting institutional strength and good governance, and providing economic assistance.

*c) Which actors should be involved in restoring state strength?*

Which international actors are best able to undertake 'state-building' actions? The question here involves also how to balance questions of efficiency and legitimacy?

These questions are based on the premise that failing states are an urgent threat that requires mobilisation and forward thinking. It is worth examining this premise more closely.

**2) What kind of threat, and to whom?**

Exploring the nature of the threat requires making the referent of security more explicit. The security referent may reside at three levels: local, regional and international.

*a) The local level*

At the local level, the security referent is the population directly affected by lack of state capacity in a given area. This area may encompass the entire territory of a state, or it may be limited to an area within a state, where state capacity is failing or non-existent.

At this level, the failing state can impact on the physical security of individuals or groups of peoples in three ways: a) through the absence of law and order; b) through a deliberate policy by a state that is targeted against certain peoples; c) through the rise of non-state armed groups that are unaccountable and act for private goals.

More widely, general infrastructural weakness can create a threatening environment in terms of health care and the provision of basic needs. In addition to concrete physical threats, failing states can pose threats to the human rights of populations, including national minorities or ethnic groups.

*b) The regional level*

One lesson learned in the 1990s is that failing states spread failure. The spill over into neighbouring states and regions may occur in a number of ways, including forced migration and refugee flows, the spread of organised crime, the exacerbation of regional tensions *between* states as well as tensions *within* neighbouring states, as well as regional militarisation and neighbourhood arms races. The impact of state weakness in Sierra Leone and Liberia on the stability of West Africa is a notable example.

Failing states affect regional security also by creating opportunities for intervention by regional or great powers. Regional powers may intervene for defensive reasons; that is, to offset negative spill over or to prevent the territories of failing states from becoming safe havens for groups that seek to undermine their security. They may also intervene for coercive reasons to advance their interests abroad and establish a forward position in a given region.

### c) *The international level*

Failing states pose threats at the international level in a number of ways. Most notably, such areas may become safe havens for international terrorist and extremist groups, whose aims, if achieved, could have dire consequences for international peace and security. Failing states may become the source for/transit zone of other transnational networks, such as organised crime dealing in arms and weapons, drugs production, and human trafficking. These networks may also engage in the illicit production/transit/sale of otherwise legal economic activities, such as cigarette smuggling or the production of steel that is dumped onto international markets.

Failing states may also impact on international security by creating a permissive environment for the propagation of diseases. For example, the separatist state of Abkhazia inside Georgian borders is propagating (to be fair, like much of the former Soviet Union) a form of tuberculosis that is multi-drug resistant through inappropriate policies and overall (separatist) state weakness. Failing states can create environmental threats that may have much wider impact. Finally, failing states may impact on strategic economic concerns, for example, by preventing investment in energy resource development or threatening the security of strategic transportation.

### **3) Failing states are a threat, but are they the *main* threat?**

Failing states do matter. But they matter in different ways at different levels to different people. The blanket assumption that failing states are a *principal* threat to international peace and security should be qualified. It is worth recalling two points:

-International terrorism may be more active inside the Euro-Atlantic community than in failing states. Real resources are more easily found in our 'strong' and developed states rather than in failing state areas. This is not to say that failing states are not potential safe havens; they are. However, our own states are also crucial safe havens.

-Failing states may be 'failing' only from a classically Weberian and European perspective: that is, there is no rational bureaucracy acting for the collective good, no monopoly on the use of force, and there is no *Rechtsstaat*. Yet, there is almost always law and order in these areas; it is simply not one that we recognise or condone. For example, the separatist states of the former Soviet Union can be considered in some respects as stable and 'strong' as the states from which they have separated. It is not true to say Somalia has entirely failed; Somaliland has produced quite durable law and order.

### **4) Dilemmas**

Thus, defining the urgency of the threat posed by failing states and the appropriate policy responses is less automatic than it seems at first and more political. The point is obvious, but it is worth repeating as a baseline for discussing the policy implications of state failings.

Defining a particular state as ‘failing’ is different from defining it as a security threat to which the EU must respond. The policy-making context is characterised by constrained resources, dispersed political energies, and often insufficient information. This applies *a fortiori* to policy decisions on preventive engagement in states at risk of failing, where the urgency of acute crisis is lacking. In many cases, the threat posed by failing states is not urgent or acute. It is more akin to a steady pulse that is emitted but never reaches the level of urgency. The throb of threat may be diffuse and difficult to source.

As a result, one fundamental dilemma posed by failing states is that of triage. With regard to the EU, the following questions must be posed: When does a particular failing state become so urgent as to require urgent action? Also, when is the threat of possible failure so clear that the EU can decide to undertake preventive action?

## **5) Discarding Mental Maps**

Thinking about failing states is often led by three mental maps:

### *1) The Somali Map*

The Somali map says that failed states are quicksand where foreign assistance is arduous and costly, and where external security intervention is often counter-productive and humiliating. The Somali map tells us that we should avoid failing states like the plague.

### *2) The Afghan Map*

The Afghan map says that failing states pose the ultimate danger to international peace and security by providing a safe haven for international terrorism. The Afghan map tells us that failing states should be eliminated as quickly as possible, even if the result is instability in a different and less urgent manner (i.e., souring drugs production but no terrorist bases).

### *3) The Kosovo Map*

The Kosovo Map says that the threat of failing states requires massive military intervention followed by equally massive civilian assistance. This map tells us that only ‘neo-trusteeship’ is a viable solution to the failing state problem. This map is the most false in its assumptions: Kosovo was weak before international intervention but not failing as it has become since (and, of course, it is not yet clear whether Kosovo is a ‘state’ at all).

Not always explicit and based on incorrect analysis, these mental maps often guide policy thinking about failing states in ways that may not be consistent with the particular reality of a given case or with the resources that may be mobilised to respond to a particular failing state threat.



## 5) Thinking Afresh

In order to think afresh about the problem of failing states, one could consider the following questions:

**a) Should we revisit *uti possidetis*?**

The UN General Assembly Resolution 1514 (“Declaration on the Granting of Independence to Colonial Countries and Peoples”) of December 14, 1960, set forth the rules of the current state regime by freezing the territorial map. After this resolution, states could no longer vanish or be ‘decertified’ - no matter how weak or non-existent they were. Does this remain appropriate for the current international system? Should one start to rethink – as we are doing in practice already in the western Balkans – the rules on ‘decertifying’ and recognising states?

**b) Is there a hierarchy of collective goods?**

Given the complexity of state weakness and the difficulty of predicting ‘states at risk,’ should we decide to concentrate on a single set of factors that can be considered vital in tipping the balance towards failure or greater strength? Could the notion of ‘sustainable security’ be a decisive ‘tipping’ factor? Sustainable security takes in a state’s monopoly on the use of force, its control over its territory and borders, and the existence of working rule of law.

**c) Can we devise partial forms of neo-trusteeship?**

Neo-trusteeship does not have to include painting a country blue and golden as a European protectorate. It could mean international control of one or two policy areas inside a weak state – such as border monitoring – that could a wider beneficial impact on a given state and neighbourhood.

**d) Should we devise new strategies of containment?**

Strategies of containment towards failing states would seek to isolate their impact on their neighbourhood and wider international security, without implying comprehensive involvement in a given state. If triage is accepted as necessary, should such strategies be considered formally?

**e) How to make best use of regional and great powers?**

Given the increasing role played by regional organisations, regional and great powers in regional peace and security, how we can make the most of these actors in terms of bolstering their efficiency and ensuring their accountability and legitimacy?

**f) Can we sub-contract some policy areas?**

Private security agencies are already active in many countries, strong and failing. With regard to security and territorial control questions, should we seek to increase and formalise the role of private security providers?

**g) How to handle the question of leadership?**

Given the importance of local leaders as positive catalysts as well as spoilers in failing states, what can we do to bolster good leadership and to contain dangerous leaders?

#### ***IV Concluding Remarks***

Failing states may well expose the divergent priorities of security and development policy-makers. Such states are very likely to be poor performers in economic terms. Removing blocks on economic development and poverty eradication may require far-reaching social, political and economic reform that (if it happens at all) will be domestically destabilising, at least in the short term, which may also have unpredictable knock-on effects for the state's neighbours. Security planners will be tempted to argue 'if it ain't broke, don't fix it', especially if the state is located in an already highly unstable neighbourhood. But this may amount to 'grooming the state for failure' later.

For the EU, addressing failing states raises a number of questions: How to combine harmoniously development strategies and security strategies? How to determine when and how to invest limited resources? Finally, how to ensure the integration of EU tools and approaches?

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<sup>i</sup> M.Los and A.Zybertowicz *Privatising the Police State: the Case of Poland* (Palgrave: London, 2000)

<sup>ii</sup> S.Chesterman, M.Ignatieff and R.Thakur *Making States Work: from state failure to state-building* (International Peace Academy/United Nations University; New York, July 2004)

<sup>iii</sup> U.Schneckener 'State functions and indicators of state failure' *SWP States at Risk Project*, (manuscript; Berlin, 2004)

<sup>iv</sup> F.Halliday *Two Hours that shook the World* (Saqi Books; London, 2002), p.41