THE STATE, ORDER, AND THE REGION

DRAFT – Comments welcome

Paper presented at the 8th Annual Conference of the
Centre for the Study of Globalisation and Regionalisation
'Regionalisation and the Taming of Globalisation?
Economic, Political, Security, Social, and Governance Issues'
University of Warwick, UK
26-28 October 2005

Abstract
Failed states, now deemed one of the most dangerous threats of the post-9/11 world, are usually described as a modern version of the Hobbesian jungle of anarchical 'war of all against all'. This claim, however, does not paint a full picture: in failed states, there is order, but this order is not of the state. A more moderate version of this claim is put forward by theorists like Zartman who say that as a state fails, social groups rise to power. What both of these approaches have in common is that state failure is portrayed as a momentous, discrete event.
This paper argues that this understanding obscures the nature of state failure which is more of a process than an event. Social groups do not spontaneously arise out of the ashes of the state. Instead, they have existed all along and, in case of those states that eventually fail, have usually been in conflict with state institutions. As the state had not previously affected their lives to any meaningful degree, most citizens will hardly notice its failure.
In the process of failure, a state is increasingly unable to fulfill its role as the gatekeeper between the inside and the outside of a country. Social groups use their transnational ties (to ethnic diasporas, via cross-border linkages or in trading networks) to secure resources, buttress their social control and implement their own forms of order. This paper advances the hypothesis that the weaker the state is, the more transnationalized patterns of order become. In turn, this process affects other states, by opening up new channels for generating resources to social groups in these countries as well.

Daniel Lambach
PhD Candidate
Chair for International Politics
University of Cologne
Gottfried-Keller-Strasse 6
D-50931 Cologne
Germany
email: dlambach@uni-koeln.de

INTRODUCTION

Since the end of the Cold War, a new specter has slowly begun to haunt international politics (and the imaginations of its commentators and analysts). This spook is state failure, uniformly considered to be one of the most dangerous threats that confronts the security of Western nations in the unfolding 21st century.

Research on failed states is generally focused on the factors that contribute to their failure and how to respond to this phenomenon. What happens inside the state after its failure is addressed only rarely and in a relatively superficial manner, usually being described in terms of anarchy, chaos and similar metaphors. This paper argues that, to the contrary, the picture of what happens in failed states is much more complicated than these assertions suggest. There are obvious methodological difficulties in gathering data in or about these countries, but some empirical evidence exists to allow a discussion of this issue.

This paper further suggests that in failed states, societal institutions and networks, who have usually already played an important role in people's lives for a longer time, accrue additional governance functions. This paper lays out the hypothesis that transnational networks in particular become more important for individual strategies of survival.

The paper begins with an overview of current research into and discourse about failed states. Thomas Hobbes' concept of the state of nature, which is often associated with failed states, is discussed. The next section lays out the theoretical foundations of non-state governance that emerges in weak and failing states and also provides evidence from Somalia and Zaire to show the complexity and unevenness of the post-failure environment. In the final section, I formulate the hypothesis that the weaker a state is, the more important transnational networks become. The conclusion summarizes the argument and lays out some of the implications for countries who neighbor failed states as well as some lessons and further directions for state failure research.

HOBBES, ANARCHY AND ANOMIE

State failure as a topic of study has only existed for little more than a decade. The earliest article published which dealt with the subject (and coined the term 'failed state') was published in late 1992.[1] Since then, research on state failure has expanded, especially since September 11th. The rigid dichotomy of early articles which juxtaposed 'failed states' and 'not failed states' has been replaced by the notion of a continuum of stateness, i.e., an axis along which states could be placed according to whether they were considered 'strong', 'weak', 'failing', 'failed', or 'collapsed'. Today, a certain degree of consensus exists about the definition of failure: a state can be considered failed to the degree that it is unable to control the means of violence, defend its monopoly of taxation, enforce its rules and policies, provide public goods and ensure the continued legitimation by its citizens. In William Zartman's

[1] Helman; Ratner 1992.

classic definition, state failure "refers to a situation where the structure, authority (legitimate power), law, and political order have fallen apart"[2].

In politics, the concept of the 'failed state' was taken up relatively quickly, even though the interpretations of it and the discourse surrounding it have undergone severe changes over times. In 1994, at the behest of US Vice-President Al Gore, the CIA convened a group of scientists who were asked to identify early warning indicators for state failure.[3] Boutros Boutros-Ghali, then Secretary-General of the UN, described failed states as follows: "A feature of such conflicts is the collapse of state institutions, especially the police and judiciary, with the resulting paralysis of governance, a breakdown of law and order, and general banditry and chaos."[4]

In contrast to previous decades where failed states were charaterized as insuffiently modernized, economically backwards and lacking institutional capacity and were thus seen as a problem for development policy, they were now associated with civil wars and internal violence. Failed states had become a security problem for their populations, leading to uncontrolled migration and flight to the global North. Now, failed states were approached as humanitarian issues which led to a debate about the possibilites and pitfalls of 'humanitarian interventions' and to an increased international activism in order to contain the problems emanating from failed states. Following the terrorist attacks of September 11th, thinking and discourse about failed states in policymaking circles has changed yet again. This time, failed states are no longer just problems of local security or development, but of global security.

Indicative of this change is the alarmist rhetoric that officials in most Western countries have adopted. For example, Jack Straw, the British Foreign Secretary stated: "Chaos not only brings drugs to our streets, but also human trafficking to our ports and borders. And on 11 September it brought mass murder to the very heart and symbol of the success of the Western world."[5] In the same vein, German Foreign Minister Joschka Fischer denounced failed states as the "black holes of global politics."[6]

Not surprisingly, this kind of political rhetoric has been eagerly taken up, copied and expounded upon by political analysts and commentators. The editorialist Sebastian Mallaby, for example, described failed states as "chaotic states that provide profit and sanctuary to nihilist outlaws"[7]. Similar statements can be heard from the camp of 'Afro-Pessimists' and cultural doomsayers. Erhard Eppler, a German politician and intellectual uses the French term "entités chaotiques ingouvernables" and considers failed states "terra incognitae" – unknown lands where no TV crew dares to venture.[8] It should not be surprising that some of these

[2] Zartman 1995: 1. Also see Rotberg 2003.
[3] See Esty et al. 1995. The researc quickly broadened to include several different types of political violence.
[4] Boutros-Ghali 1995: 9.
[5] Straw 2001. Generally see Lambach 2004.
[6] Fischer 2002.
[7] Mallaby 2002: 2.
[8] Eppler 2002: 51.

commentators, including Mallaby, advocate a return to imperialism in order to deal with failed states.[9]

The best-known of these writers is the well-known Afro-Pessimist Robert Kaplan who gripped Western imaginations with his vision of a 'coming anarchy'. The world, he writes, will be split into two parts: "Part of the globe is inhabited by Hegel's and Fukuyama's Last Man, healthy, well fed, and pampered by technology. The other, larger, part is inhabited by Hobbes's First Man, condemned to a life that is 'poor, nasty, brutish, and short.'"[10] He is not alone in his reference to Thomas Hobbes[11] who is probably the most frequently quoted classic in the literature on failed states since his account of the 'state of nature' (what Kaplan refers to as the 'First Man') and the ensuing of 'war of all against all' provides such a lurid description of the chaos that supposedly reigns in these countries.

Thomas Hobbes' State of Nature

In his *Leviathan*, Thomas Hobbes has laid out his famous argument why people without a sovereign would inevitably fall into a state of perpetual war of one against another:

> „Hereby it is manifest that during the time men live without a common power to keep them all in awe, they are in that condition which is called war; and such a war as is of every man against every man. [...] In such condition, there is no place for industry, because the fruit thereof is uncertain: and consequently no culture of the earth; no navigation, nor use of the commodities that may be imported by sea; no commodious building; no instruments of moving and removing such things as require much force; no knowledge of the face of the earth; no account of time; no arts; no letters; no society; and which is worst of all, continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short."[12]

Jean Hampton has identified two different explanations that Hobbes offers why such a state of affairs was inevitable.[13] The first one is the rationality account which is based on the premise that human beings are primarily motivated by self-preservation. Due to a general scarcity of goods in the state of nature, competition over them will ensue, leading to a climate of distrust. The combination of competition and fear will lead to the war of all against all. Contracts need not be honored and neither law nor morality can condemn those who break them. The similarity to the Prisoner's Dilemma from game theory is obvious here.

The second explanation is the passions account. In his earlier works and in chapter XV of the Leviathan, Hobbes says – in direct contradiction to the rationality account – that

---

[9] Also see Ferguson 2004.
[10] Kaplan 1994.
[11] Also see, e.g., Kreijen 2004: 249 and Jackson 1992: 83-85.
[12] Hobbes 1651: Ch. XIII, Verses 8-9.
[13] See Hampton 1986: 58-79.

contracting is rational in the state of nature and that the chances of self-preservation are vastly increased for individuals who band together. But if contracting is rational, then breaking a contract would be irrational (or be motivated by the fear of irrationality on the part of the others). The main reason for such behavior, says Hobbes, is the drive for glory that is inherent in all human beings. However, Hampton shows in a detailed argument that the passions account cannot be reconciled with Hobbes' further argument, especially concerning the eventual emergence of a sovereign.[14]

Having discounted one of the explanations, Hampton then returns to the rationality account. There, in the terminology of game theory, Hobbes is stating that defection is the rational (i.e., profit-maximizing) strategy. And that is correct – if it were a one-time game. However, it is unlikely that people in the state of nature would interact just once, fully expecting never to see each other again and then go their separate ways. Instead, the state of nature needs to be modeled as a repeated game which allows learning processes. In such a game, cooperation suddenly becomes the superior long-term strategy. However, if cooperation is now the rational thing to do, then defection suddenly becomes irrational, and, similar to the passions account, this is simply irreconcilable with Hobbes' argument.[15]

So we can see that theoretically, there is nothing inevitable about war and conflict under conditions of anarchy. Take another well-known example: the stag hunt. In the original version by Jean-Jacques Rousseau, two hunters could either cooperate to catch a stag (the superior outcome), or defect instead and catch a hare each. However, if one defected and the other did not, the stag would escape and only the defector would have something to eat. This model can be extended to accomodate multiple hunters; for example, if four out of five hunters cooperate and one defects to catch a hare, the other four go empty-handed.

What Rousseau's and Hobbes' models share is an atomistic concept of the individual as a person without any pre-existing relations, social pressures or long-term environment. However, the state of nature is only a thought experiment and cannot be applied to the real world.[16] People do not live in a bubble once the sovereign is gone – instead, they live (and continue to live) in a tight network of kin, ethnic, religious, cultural, and economic ties. Through these linkages, people get to know each other, accrue social capital and learn the value of trust. Trust is the missing link between the state of nature and the possibility of order. The stag hunt, which is meant to show the impossibility of cooperation under conditions of anarchy, gets a quite different outcome if a) the defecting hunter can expect to get roughed up (and possibly his hare stolen) when he returns to the tribe, and b) tribes whose members cooperate have a much greater chance of survival than those groups whose members only look out for themselves.

---

[14] Hampton 1986: 74.
[15] Hampton 1986: 78.
[16] It should be noted that the prisoner's dilemma forms the basis for the security dilemma. The application of the security dilemma to intra-state conflict and state failure has been attempted by Posen 1993 and Kasfir 2004, among others.

Anarchy?

Obviously, the results of the Hobbesian anarchy are somewhat different from the chaos that people expect. But, as V, the title character in the novel *V for Vendetta* remarks: "Anarchy means 'without *leaders*'; not 'without *order*'."[17] A better, if seldom used[18], word for a condition of disorder is anomie.

Anomie as a concept was coined by Emile Durkheim to describe situations where there is a lack of social norms or where such norms are weak. According to Helmut Thome, norms have three basic functions: integration, guidance and coordination. If social norms are deficient in any of these dimensions, anomie occurs.[19] The notion of anomie fits the 'cataclysmic' understanding of state failure quite well. As legal norms break down with the collapse of the state, social norms are insufficent to structure the post-collapse life of the citizens on their own.

Describing state failure as a process of escalating anomie rests on the implicit hypothesis that the state is the only institution that is able to impose order in society. Even though state failure research has overcome the rigid distinction of 'failed state' and 'not failed state', the fear of the unknown and of the downfall of civilization is clearly visible between the lines.[20] The academic and political discourse often employs metaphors of darkness, emptiness, blankness, shadows, and decay. As Pinar Bilgin and Adam D. Morton have pointed out, these metaphors have a signalling function reminiscent of Joseph Conrad's novel *The Heart of Darkness*.[21]

This focus on anomie creates a dichotomy between the supposedly well-ordered days of yore and the current situation which is characterized as violent, disorderly and ungovernable. And while this might be true in some cases or areas, it should not be assumed to be true in every instance. State failure cannot be thought of as an identifiable threshold between these two realms. Instead, state failure needs to be conceptualized as a process or, better yet, as a condition.

STATE FAILURE AS A CONDITION

Current research acknowledges that state failure is not a discrete event. William Zartman characterized it as "a long-term degenerative disease"[22] while Chester Crocker described it as "a gradual process."[23] The concept of a process is better than thinking about state failure as an event, but it has led to its share of misunderstandings. The most prominent is the idea that if state failure is a process, it necessarily starts from a defined condition of stable statehood and,

[17] Moore; Lloyd 1990: 195.
[18] Rotberg 2004: 3 represents an exception.
[19] Thome 2003.
[20] Pragmatic examples to the contrary are Mehler 2004 and Ottaway 2002.
[21] Bilgin; Morton 2005: 16.
[22] Zartman 1995: 8.
[23] Crocker 2003: 34.

conversely, that if the state had never been present at all (e.g., in Congo-Kinshasa in 1960), it can hardly be considered to have failed.

Of course, this criticism is both logically correct and trivial – the contition at the end of the process, i.e. statelessness, is the same in either case. Accordingly, the concept of state failure can (and should) be applied to cases where effective stateness has been historically doubtful. However, the critique points out the shortcomings the process approach. Better to conceive of state failure as a condition of stateness and statelessness that is not weighed down with the assumption of a downward trend that is implicit in the process concept.

Whether we think of state failure as an event, as a process or as a condition, the concept does not address a vital point: when we look at a situation of intra-state anarchy through the prism of state failure, we see what's not there (anymore), just as how a rectangle of dirt around a patch of clean wallpaper suggests that there is a painting missing. This insight is undoubtedly important, but it also does not get us very far. The notion of state failure is useful in alerting us to what is not there but we then must proceed to analyze what it is that is there. State failure has become an environmental condition for other social processes and therefore, our focus must shift towards these processes taking place inside the failed state.

Non-State Governance

As we saw, anarchy does not necessarily lead to chaos and war. Instead, it can also lead to localized patterns of order or, to put it another way: governance happens. Usually, the state is supposed to do it (government), but if he is unable or unwilling, other institutions will gladly attempt to fill the void. For the time being, we can subsume this under the heading of 'non-state governance'. Referring to Max Weber's classic definitions of power and the state, we can discern the forms that non-state governance can take.

To Weber, social relations are characterized by power (*Macht*), with power being defined as the chance to get one's way, even against resistance.[24] Power is a personal quality and therefore tied to the person wielding it. Once power is institutionalized and depersonalized, it becomes domination (*Herrschaft*). Domination is exercized in relationships of order and submission. If these relationships are administered within the framework of an organization (*Verband*) this constitutes an organization based on domination (*Herrschaftsverband*). Such organizations are characterized by the presence of a ruler, its relative closedness and, possible, the existence of an administration or a bureaucracy. When such organizations are territorially bounded, display a certain degree of longevity and employ force to ensure the implementation of their rules, they become political organizations (*Politische Verbände*). Finally, a state is a political association that has successfully (and legitimately) monopolized the means of violence in its territory and does not acknowledge any superior authority.

This understanding of power and domination offers numerous niches for alternative modes of governance at multiple levels of complexity and institutionalization. One of the simplest

[24] For the following, see Weber 1972.

arrangements is the relationship of authority inside the family household, followed by the structures of a corporation which could be characterized as an *Herrschaftsverband*. Tribes and ethnic groups represent examples of political associations with some of them (especially secessionist groups) achieving proto- or de facto statehood, building "states within states"[25].

It should be clear that there are so many institutions based on domination and administering authority outside the state that V's dream of order without leaders will remain just that. While the central leadership may be gone, other associations and new leaders have risen to the top. But who are these new leaders and where do they come from?

State-Society Relations

For the most part, they have always been there (Joel Migdal calls them 'strongmen'[26]), relying on pre-existing structures of authority which can be anything from years to centuries old. Some might have only recently emerged as authorities, usually by virtue of their local monopoly of violence (warlords). They are situated in what might be called, for lack of a better term, society. And of course, they have existed in society even while the state was still predominant (or at least present).

In cases of state failure, the relationship that these social groups have with the state (if such a state exists) or the attitudes that such groups have towards central political control (if no state has ever existed) is of central importance for understanding the fate of the state, or its chances for survival. Joel Migdal has outlined a model of state-society interaction which is quite useful here. In his theory, states and social groups continually compete for 'social control' over segments of the population. These conflicts are about the very basic question whose rules will be enforced and heeded. In one telling episode he recounts the conflicts that were generated by the process of state formation in post-Ottoman Turkey:

> "Mustafa Kemal of Turkey locked horns with religious organizations over whether men should wear hats with brims or without. As with so many other skirmishes, the issue was not so inconsequential as it may first appear; over 70 people were hanged for wearing the wrong hats. In reality, the conflict was over who had the right and ability to make rules in that society."[27]

Conflict with social groups keeps states weak. States who are unable to bargain or force their way out of such confrontations will be hamstrung in their attempts to enforce their particular ideal of order in parts or the whole of society. Joshua Forrest's research on Guinea-Bissau provides an interesting case study of continued state weakness. Guinea-Bissau is characterized by a high degree of ethnic fractionalization. Nevertheless, during the Portuguese

[25] Kingston; Spears 2004.
[26] See Migdal 1988.
[27] Migdal 1988: 30.

drive for colonization in the late 19th century, ethnic groups banded together to resist the imperial incursion. In the end, it took Portugal some twenty years before it had managed to defeat the last of its enemies. As a result, the colonial state in Guinea-Bissau, similar to other Portuguese colonial administrations, was exceptionally despotic. This strategy of overt violence, however, was not a display of its strength in relation to the indigenous groups but a sign of its weakness and its incapability to implement its policies in a peaceful manner.

Faced with frequent campaigns of state terror, society in Guinea-Bissau developed a strongly anti-statist tradition, valuing independence and autonomy of its constituent groups above all else. After decolonization, the post-colonial administration not only inherited the outward trappings of statehood from the Portuguese but also its fractured relationship with the people it was supposed to govern. To this day, the state in Guinea-Bissau has remained very fragile, even in comparison to other West African counterparts.

Local-Level Repercussions

Guinea-Bissau is a striking example of a state that never was even partly able to assert itself nationally. But if the state of Guinea-Bissau were to fail, what would that imply for its citizens? This paper follows suggestions by David Keen and Denis Tull by arguing that, for many of them, not much would change – some people would suffer, most would not find anything amiss, and a select few might even prosper. This is reminiscent of an article by David Keen on the political economy of civil wars entitled 'War and Peace: What's the difference?' Keen argues that this ostensibly simple question overlooks the fact that sometimes those two concepts cannot be easily distinguished from each other. There is, he says, a period of transition between these two states in which social norms gradually change to accomodate a change in the level of violence. What is crime during peacetime is transformed into an act of war and vice versa. For example, even though the various civil wars in Central America were declared over in the early 1990s, the murder rate and overall level of violence in society is still incredibly high. To Keen, violence is subject to cost-benefit analysis. Therefore, calling a situation 'war' simply means that violence takes place in a different cost-benefit framework. War should not be seen as disorder and breakdown, but as a transition from one system of order to another.[28]

In his study of North Kivu (an eastern province of the Democratic Republic of the Congo that has near-constant episodes of violence since the early 1990s), Denis Tull does not see the end of the state but rather a transformation of politics. In North Kivu, the dominant guerilla group, the RCD (*Rassemblement Congolais pour la Democratie*) has taken over the state apparatus in order to facilitate the extraction of natural resources and the appropriation of rents. It has preserved the illusion of the state, for instance, to be recognized as a political actor and thus get invited to peace talks. The real power, however, is exercised through

[28] See Keen 2001. Also see Elwert 1999 on the transformation of economic incentive structures and the development of 'markets of violence'.

patronage networks into which the RCD is trying to recruit local chiefs, by force if necessary.[29] There is a considerable level of violence, not least because of the presence of several armed factions split along ethnic lines and their international sponsors fighting for control over the lucrative trade in minerals and diamonds.

An even more lucid example is provided by Ken Menkhaus in his reports on Somalia which has existed in a state of statelessness since at least 1991. His research shows that violence has generally subsided somewhat after a few years of protracted armed conflict, in some areas being replaced by an uneasy peace. In the north and northeast, proto-states have emerged that show a relatively high level of institutional capacity while the south is still characterized by frequent violence. However, the imagery of "'Mad Max' warlordism, refugees, teenage bandits, and walking corpses"[30] hardly fits reality anymore. Instead,

> "local communities have responded with a wide range of strategies to establish the minimal essential elements of governance. What has emerged in Somalia are fluid, localized polities involving authorities as diverse as clan elders, professionals, militia leaders, businessmen, traditional Muslim clerics, Islamic fundamentalists, and women's associations. Some political functions, such as the adjudication of disputes by clan elders, are time-honored in Somali society; other practices reflect new hybrid arrangements by communities adapting to and coping with the pressures of protracted state collapse."[31]

Menkhaus highlights the importance of traditional institutions and authorities (customary law, blood payments, *sharia* law) for mediation and the adjudication of disputes. It is no coincidence that in the area that is still plagued by violence, the south of the country, local authorities have been displaced by armed militias from outside clans. Where warlords have replaced strongmen, institutions for reconciliation are too weak to stop the violence.

In addition to traditional authorities creating a radically localized politics, Menkhaus also highlights the role of merchants who by nature transcend locality. Surprisingly, commerce in Somalia is alive and well.[32] Trade between coastal and landlocked areas has led to "the evolution of a sophisticated trade network across clan and conflict lines, creative credit schemes, and extensive use of telecommunications from the Somali interior to Abu Dhabi and London. [...] In more than one instance, merchant pressure for open roads has been instrumental in forging peace accords."[33]

These examples, and the case of Somalia in particular, show the importance of traditional structures of authority that enjoy local legitimacy. If such institutions continue to function in a

---

[29] See Tull 2003.
[30] Menkhaus 1998: 220.
[31] Menkhaus 1998: 220.
[32] Also see Fisher 2000.
[33] Menkhaus 1998: 223-224.

situation of statelessness, they are able to mitigate chaos and violence to the degree that a local peace can emerge. Where such institutions are destroyed, war entrepreneurs have more or less free reign. Indeed, evidence from Sierra Leone's civil war corroborates this hypothesis; there, observers noted that child soldiers frequently used excessively brutal violence against their former village elders, schoolteachers and other figures of authority. For the warlords who enslaved the children, this served a twofold strategic purpose: firstly, the children are psychologically primed to kill by humiliating people who formerly had power over them, and secondly, getting rid of local authorities removed potential obstacles for domination by the warlord and his militia.

NON-STATE GOVERNANCE AND TRANSNATIONAL RELATIONS

The state is the gatekeeper between the inside and the outside of the country. Nominally, he controls the institutions that represent the threshold: the territorial boundaries, currency exchange mechanisms and rules of citizenship, migration and asylum. However, in many countries, the state fails to fulfill this role, especially in Sub-Saharan Africa. Jeffrey Herbst recounts that colonial administrations were usually unable to control their hinterlands, a deficiency that they bequeathed to their post-colonial inheritors. Since the hinterlands were usually desperately poor and therefore hard to tax, there was little incentive for colonial and post-colonial leaders alike to extend the political infrastructure into these areas. "As a result, how power was actually expressed was often similar to the precolonial model of concentric circles of authority. States had to control their political cores but often had highly differentiated control over the outlying areas. Indeed, there was often no immediate imperative to improve tax collection in the hinterlands or to do the necessary work so that those outside the capital could be bound to the state through symbolic politics."[34] While the physical boundaries have remained unchanged, the land in the border provinces remains, in most cases, essentially outside of state control to this day.

Boundaries and Trust

Boundaries of weak states are not so much the well-defined borders that maps suggest rather than frontiers, i.e., areas of questionable sovereignty where one state 'bleeds' into another. In his research on the American gun culture, the psychologist Dov Cohen found that opposition to gun control and support for expansive definitions of self-defense was strongest in former frontier territories, i.e., those areas who were settled before the state had established itself there. He concluded that the ability to defend oneself was based on cultural norms that are still prevalent in these states more than a century after their settlement. Cohen identifies a crucial psychosocial variable that lies behind these norms: "The logic of the frontier is that

[34] Herbst 2000: 134.

where there is no effective law enforcement, a reputation for meaning what you say and not backing down is absolutely essential."[35]

Reputation and related qualities like honor and trust are key social currencies in settings of statelessness. That is the reason why institutions play such an important role: through institutions like ethnicity, nationality, kinship, or marriage, personal relationships are imbued with an additional layer of trustworthiness. At worst, they enable complete strangers to trust each other only because they come from the same town or are members of the same religion. Institutions can make up for a lack of trust. Where such institutions are absent (or do not cover specific relationships, like trade) or where they have been destroyed or have become illegitimate (as in Sierra Leone or southern Somalia), trust can only come from personal networks, greatly limiting the possibilities for cooperation and peace.

The Transnational Dimension

To summarize the preceding argument: the weaker the state, the more important access networks and institutions become for survival. In addition, I would like to put forward the hypothesis that not only do networks become more important but that *transnational* networks in particular become more important. There are two arguments that support this hypothesis; one is structural, one functional.

The structural argument is fairly simple: around the world, processes of migration, urbanization and globalization combine to disperse, decentralize and transnationalize social groups. Members of an ethnic group do not simply reside in that group's (traditional or mythical) homeland, but also in the capital city of the country, in other countries of the work as well as in global metropolises like New York or London.[36] A greater reliance on social networks leads to a transnationalization of personal contacts all by itself.

The functional argument in favor of my hypothesis is that transnational networks offer opportunities to citizens in weak and failed states that purely localized groups do not. Transnational networks represent a connection to the outside. They offer economic opportunities, like trade or finding jobs abroad, as well as political ones, e.g., mobilization of the diaspora or the possibility to lobby outside leaders and gain the attention of the media.

Janet MacGaffey and Rémy Bazenguissa-Ganga have studied the life of Congolese merchants who conduct (mostly low-level) trade between France and Africa. The trade takes place through personal connections that the trader has established himself and activates as they are needed. This is in contrast to traders from West African countries who structure their networks around religion and ethnicity. For these traders, supporting religious institutions like *marabouts* (clerics), Koranic schools, charities, and mosques is a way of converting economic into social capital and reputation. Showing oneself to be a good Muslim places a trader in

[35] Cohen 2003: 1082.
[36] See theories of transnationalism, e.g., Portes; Guarnizo; Landolt 1999.

good standing with the community and increases other traders' trust in him.[37] Here, again, we see the importance of institutions and personal trust in regulating relationships in functional areas of statelessness.

When analyzing these networks, it makes little sense to classify them by the kind of exchanges and relationships (e.g., economic, social, cultural, political) that their members conduct.[38] The cases show that these distinctions are very hard to delineate empirically. For example, a Congolese trader in Paris might have several relatives and friends at home working for him, preparing goods that he will sell in France. He understands that there is an expectation on the part of his friends to be rewarded for their support. Sometimes he pays them, sometimes he gives them gifts, something he gives them nothing. Furthermore, they might expect his help (or his family's) sometime in the future. His family members, on the other hand, will not get paid for their help. However, he will be obligated to support them in times of need and share his wealth with his kin. In this example, it is impossible to classify a certain relationship as either economic or social. Instead, they are both. When studying networks and institutions, it is better to ask: Who are the actors? Which social spaces do they inhabit? How is their relationship structured? Which institutions, if any, provide the most salient connections?

CONCLUSION: THE REGIONAL EFFECTS OF STATELESSNESS

I have argued above that the concept of 'state failure as chaos' paints a misleading picture. However, the theory of state failure in and of itself is unable to correct this misconception, because it largely ignores what happens after the state has failed; it is focused too much on the 'downward spiral' of decaying stateness to give an account of statelessness. Histories of state weakness have hastened the development of institutions and networks that offer people strategies of survival and economic opportunities. State failure research needs to have a closer look at the concept of statelessness to go beyond existing conceptions of this situation that are little more than apocalyptic visions cloaked in Hobbesian metaphors.

Of course, just as state failure does not leave behind a blank slate, neither does it take place in a geographic vacuum. As I argued in the previous section, transnational networks become more important in these circumstances. While these networks might be global in nature, this does not mean that they are spread evenly around the world. Instead, most will exhibit a greater density in the immediate region, with major nodes in neighboring states. Through these networks, the failure of one state can greatly affect other countries.

For one thing, refugees – an inevitable byproduct of state failure – will flee from the failed state, usually travelling to other states where institutions and personal networks provide some connection to diasporas (some 90% of refugees remain inside their home region). For their host country, refugees represent a great financial burden which is usually only partly

[37] MacGaffey; Bazenguissa-Ganga 2000: 12-14.
[38] As, e.g., Pugh; Cooper 2004 and Itzigsohn et al. 1999 do.

alleviated by international assistance through UNHCR. They contribute to economic and social conflicts by competing in the job market, thus lowering local wage levels. There is the possibility that refugees may upset the ethnic balance within the province where they are sheltered. International and local funds necessary for the support of refugees usually go to areas that are relatively poor and underdeveloped compared to the rest of the country which might upset fragile political balances. Refugee flows can also lead to a spread of infectious diseases like Malaria and HIV.[39]

Not least, civilian refugees are notoriously hard to separate from former fighters. Dealing with refugee warriors has been a recurring problem for the UNHCR. Refugee camps have been taken over wholesale by rebel organizations for use as bases for cross-border raids as well as for training and recruitment. Refugees also contribute to the spread of small arms by either bringing them into their host country or by creating local demand.[40] Therefore, refugees are not only a problem for their host country in and of themselves, they also serve as a structural factor for a broad range of other negative effects. Even if only some of the consequences mentioned above materialize in a given case, they are sufficient to create serious problems for the host state.

Another area in which state failure affects neighboring countries is the transformation of economic networks. During conflict, these networks are utilized by war entrepreneurs and conflict parties to import small arms and military equipment, export conflict goods (e.g., drugs, timber, minerals, diamonds), and conduct financial transactions. It is through these networks that small arms find their way into the region and that organized crime gains a foothold in the failed state and surrounding countries or, if it was already present, extends and entrenches its position.

BIBLIOGRAPHY

Bilgin, Pinar; Morton, Adam D. (2005): Globalisation, Security and 'State Failure'. Paper presented at the 1st World International Studies Conference, Istanbul, 24-27 August 2005.

Boutros-Ghali, Boutros (1995): Concluding Statement of the United Nations Congress on Public International Law: Towards the Twenty-First Century: International law as a language for international relations. New York, 13-17 March 1995.

Cohen, Dov (2003): The American National Conversation about (Everything but) Shame. In: Social Research, 70:4, 1075-1108.

Collier, Paul et al. (2003): Breaking the Conflict Trap: Civil war and development policy. World Bank Policy Research. <http://econ.worldbank.org/prr/CivilWarPRR/>

Crocker, Chester (2003): Engaging Failed States. In: Foreign Affairs 82:5, 32-44.

Elwert, Georg (1999): Markets of Violence. In: *ibid.*; Feuchtwang, Stephan; Neubert, Dieter (eds.): Dynamics of Violence: Processes of escalation and de-escalation in violent group conflicts. Berlin: Duncker & Humblot, 85-102.

[39] See Collier et al. 2003: 39.
[40] See Mogire 2004.

Eppler, Erhard (2002): Vom Gewaltmonopol zum Gewaltmarkt? Die Privatisierung und Kommerzialisierung von Gewalt. Frankfurt: Suhrkamp.

Esty, Daniel et al. (1995): State Failure Task Force Report. McLean: Science Applications International Corporation, 30 November 1995.

Ferguson, Niall (2004): Colossus: The price of America's empire. New York: Penguin.

Fischer, Joschka (2002): Speech at the celebration marking the 50th anniversary of the German United Nations Association, 19 March 2002.

Fisher, Ian (2000): Somali Businesses Thwarted by Too-Free enterprise. In: New York Times, 10 August 2000.

Hampton, Jean (1986): Hobbes and the Social Contract Tradition. Cambridge: Cambridge University Press.

Helman, Gerald B.; Ratner, Steven B. (1992): Saving Failed States. In: Foreign Policy 89, 3-20.

Herbst, Jeffrey (2000): States and Power in Africa: Comparative lessons in authority and control. Princeton: Princeton University Press.

Hobbes, Thomas (1651): Leviathan or the matter, forme and power of a common-wealth ecclesiasticall and civill. <http://en.wikisource.org/wiki/Leviathan>

Itzigsohn, José; Dore Cabral, Carlos; Hernández Medina, Esther; Vázquez, Obed (1999): Mapping Dominican Transnationalism: Narrow and broad transnational practices. In: Ethnic and Racial Studies 22:2, 316-339.

Jackson, Robert H. (1992): The Security Dilemma in Africa. In: Job, Brian L. (ed.): The Insecurity Dilemma: National security of Third World states. Boulder, London: Lynne Rienner, 81-94.

Kaplan, Robert (1994): The Coming Anarchy. In: The Atlantic Monthly 273:2, 44-76.

Kasfir, Nelson (2004): Domestic Anarchy, Security Dilemmas, and Violent Predation. In: Rotberg, Robert I. (ed.): When States Fail: Causes and Consequences. Princeton: Princeton University Press, 53-76.

Keen, David (2001): War and Peace: What's the difference? In: International Peacekeeping 7:4, 1-22.

Kingston, Paul; Spears, Ian S. (eds.) (2004): States-Within-States: Incipient political entities in the post-Cold War era. Houndmills: Palgrave Macmillan.

Kreijen, Gerard (2004): State Failure, Sovereignty and Effectiveness: Legal lessons from the decolonization of sub-Saharan Africa. Leiden, Boston: Martinus Nijhoff.

Lambach, Daniel (2004): The Perils of Weakness: Failed states and perceptions of threat in Europe and Australia. Paper presented at the conference 'New Security Agendas: European and Australian Perspectives', King's College London, 1-3 July 2004. <http://www.politik.uni-koeln.de/jaeger/downloads/lambach02.pdf>

MacGaffey, Janet; Bazenguissa-Ganga, Rémy (2000): Congo-Paris: Transnational traders on the margins of the law. Oxford, Bloomington: James Currey.

Mallaby, Sebastian (2002): The Reluctant Imperialist: Terrorism, failed states, and the case for American empire. In: Foreign Affairs 81:2, 2-7.

Mehler, Andreas (2004): Oligopolies of Violence in Africa South of the Sahara. Hamburg: Institute for African Studies Discussion Paper. <http://www.duei.de/iak/de/content/aktuelles/pdf/MehlerOligopolies.pdf>

Menkhaus, Ken (1998): Somalia: Political order in a stateless society. In: Current History 97:619, 220-224.

Migdal, Joel S. (1988): Strong Societies and Weak States: State-society relations and state capabilities in the Third World. Princeton: Princeton University Press.

Mogire, Edward (2004): A Preliminary Exploration of the Linkages Between Refugees and Small Arms. Bonn International Center for Conversion Paper No. 35, July 2004.

Moore, Alan; Lloyd, David (1990): V for Vendetta. New York: DC Comics.

Ottaway, Marina (2002): Rebuilding State Institutions in Collapsed States. In: Development and Change 33:5, 1001-1023.

Portes, Alejandro, Guarnizo, Luis E.; Landolt, Patricia (1999): Introduction: Pitfalls and promise of an emergent research field. In: Ethnic and Racial Studies 22:2, 217-237.

Posen, Barry R. (1993): The Security Dilemma and Ethnic Conflict. In: Brown, Michael E. (ed.): Ethnic Conflict and International Security. Princeton: Princeton University Press, 103-124.

Pugh, Michael; Cooper, Neil (2004): War Economies in a Regional Context: Challenges of transformation. Boulder, London: Lynne Rienner.

Rotberg, Robert I. (2003): Failed States, Collapsed States, Weak States: Causes and indicators. In: *ibid.* (ed.): State Failure and State Weakness in a Time of Terror. Washington D.C.: Brookings Institution Press, 1-25.

Rotberg, Robert I. (2004): The Failure and Collapse of Nation-States: Breakdown, prevention, and repair. In: *ibid.* (ed.): When States Fail: Causes and consequences. Princeton, Oxford: Princeton University Press, 1-49.

Straw, Jack (2001): Order Out of Chaos: The future of Afghanistan. Speech at the International Institute of Strategic Studies, London, 22 October 2001.

Thome, Helmut (2003): Das Konzept sozialer Anomie als Analyseinstrument. In: Waldmann, Peter (ed.): Diktatur, Demokratisierung und soziale Anomie. München: Vögel, 37-59.

Tull, Denis M. (2003): A Reconfiguration of Political Order? The state of the state in North Kivu (DR Congo). In: African Affairs 102:408, 429-446.

Weber, Max (1972): Wirtschaft und Gesellschaft: Grundriss der verstehenden Soziologie, 5th edition. Tübingen: Mohr Siebeck.

Zartman, I. William (1995): Introduction: Posing the problem of state collapse. In: *ibid.* (ed.): Collapsed States: The disintegration and restoration of legitimate authority. Boulder: Lynne Rienner, 1-11.