III. State Formation and State-Building: Is there a lesson to learn from Sociology?

Dietrich Jung, March 2008

The state of contemporary statehood is of burgeoning interest among scholars and practitioners in international politics. In the context of wider debates over globalization the future role of states has been subject to controversial discussions, and it is particularly the postcolonial state which has occupied this controversy under labels such as 'fragile', 'weak', 'quasi', or even 'failed' states. Yet how should we judge whether a state is weak or whether a state-building process has failed? What is the standard that we should apply in these debates about contemporary state formation? Are we being confronted with an extraordinary process of the decay of states?

This chapter aims to answer these questions from a sociological perspective. It will claim that our normative standards about the strengths and weaknesses of contemporary statehood have travelled from the analytical text books of historical sociology into the organizational blueprints of policy-makers. The sociological concepts themselves are based on abstractions from some particular experiences of state formation in Europe and the very late culmination in the democratic nation state based on the rule of law. Given this Eurocentric bias in historical sociology, it has been asserted that its conceptual tools are ill-equipped for analysing post-colonial states. Contrary to this wide-spread assumption, I will defend the analytical applicability of these concepts as ideal types. The conceptual apparatus of historical sociology can still serve as our core tool-kit for the analysis of contemporary state formation, yet turning it rather uncritically into a normative blueprint for interventions in current state-building processes is flawed. While strategies of intervention in contemporary state-building can be informed by the generalizations of sociology, successful state-building depends first and foremost on in-depth knowledge of the rather unique and path-dependent nature of each attempt to build a modern state.

In order to underpin this argument, I will first discuss the legacy of historical sociology and then briefly present the conceptual apparatus with which it has developed our knowledge about the state. I will then move to an explanation of the different meanings of statehood based on the analytical distinctions of the state as an institution, an image and a social practice. Finally, this chapter will discuss the conditions for contemporary processes of state formation and state-building, before concluding with some tentative policy suggestions based on the conceptual insights of historical sociology.

The Legacy of Historical Sociology

The understanding of the state in international politics has its roots in Max Weber's classical definition of modern statehood. With reference to the violent history of European state-building, Weber defined the central feature of modern statehood as 'the monopoly of the legitimate use of physical force within a given territory' (Weber, 1991: 78). In Weber's words, the war-prone formation of state monopolies of physical force was a long-lasting process of 'political expropriation' in which all political communities other than the state had gradually been deprived of the means of coercion (Weber, 1991: 83). However, the establishment of state monopolies of physical force should not be conceptualized merely in terms of power relations through which power-holders carry out their will despite any resistance from the subordinated. In order to establish consolidated states, the factual monopoly of the use of physical force has to be considered legitimate by both rulers and ruled. Stable systems of political authority do not rest on a monopoly of coercion alone: this state monopoly also has to be anchored in the cultural order of society. A political order needs legitimacy.

Long-lasting political institutions require a stable set of rules, which, in normative and cognitive ways, regulate the social conduct of rulers and ruled. In referring to the inner justification of systems of domination, Weber precisely distinguished political authority from mere power relations by resort to the notion of legitimacy. His concept of legitimacy is intended to give an answer to the question of when and why people obey (Weber, 1991: 78). According to Weber, modern statehood rests on legal or rational authority, i.e. belief 'in the legality of enacted rules and the right of those elevated to authority under such rule to issue commands'. He sharply distinguished this modern authority based on formal legal procedures from pre-modern or traditional forms of authority, which rest on personal ties and the 'established belief in the sanctity of immemorial traditions and the legitimacy of those exercising authority under them' (Weber 1968a: 215).

In the 1930s, Norbert Elias critically took up Weber's core definition and conceptualized European state formation as a 'civilizing process.' In doing so, he applied a double perspective:

> The civilizing process, seen from the aspects of standards of conduct and drive control, is the same trend which, when seen from the point of view of human relationships, appears as the process of advancing integration, increased differentiation of social functions and interdependence, and

> the formation of ever-larger units of integration on whose fortunes and movements the individual depends, whether he knows it or not. (Elias 1994: 332)

In his theory of the civilizing process, Elias put together the macro-sociological aspects of state formation and the micro-sociological consequences of this process, that is, the ways in which the evolution of the modern state has shaped social practices. Combining Weber with Freud, he defined the immanent link between the macro- and micro-levels as the conversion of outer constraints into self-restraints, and concluded that the formation of modern states has been reflected in increasingly differentiated patterns of self-control on the part of the individual (Elias, 1994: 443-56). The pacifying institutional setting of modern statehood was accomplished by a particular normative restriction of the public behaviour of individuals. In this sense, state structures and social practices are inseparably knitted together, and the maintenance of public order relies on both functioning state institutions and forms of social action that are able to transform legal authority into daily practices.

In historical terms, however, this civilizing process has not been 'civilized' at all. On the contrary, Elias traced the origin of both the internal pacification of society and the autonomy of the modern individual back to an unrestricted and violent process of elimination in which any individual or small group struggled among many others for resources that had not yet become monopolized (Elias, 1994: 351). In mainly abstracting from the history of France, Elias differentiated between two distinct phases in the emergence of the modern state monopoly of physical force:

1) In the first phase, a factual monopoly of physical force is established. An increasing number of people lose direct access to the means of force, which progressively become centralized in the hands of a few and thus placed outside open competition.
2) In the second phase, this relatively private control over the monopoly of physical force tends to become public, i.e. it moves from the hands of state-makers into a political setting of legal institutions and appointed rulers under the control of the public (Elias, 1994: 345-55).

While the first phase of the monopoly process is associated with absolutist and authoritarian forms of rule, the second phase deposes coercive state-makers and establishes structures of legal political authority. The two phases conceptualize the transition from traditional to rational authority in the emergence of the modern

state. Consequently, state formation comprises not only the establishment of the monopoly of physical force, but also the transition of the normative and institutional order on which this monopoly rests from personal rule towards democratic governance.

From the perspective of 'state-builders', however, this transition of forms of authority was never intended. On the contrary, sociology conceptualized the formation of the modern democratic state as the non-intended outcome of the intended actions of European state-builders. In his article 'War Making and State Making as Organized Crime', Charles Tilly compared the early European state-builders with 'criminal' racketeers. Their interest was not in building states, but in acquiring material resources through coercive action. Accordingly, Elias' first phase of the monopoly mechanism could be understood as a system of protection and extraction, leading to the accumulation and monopolization of the means of physical force in the hand of state-makers. The second phase Tilly described as a long-lasting process of negotiation between state-makers and the emerging capitalist bourgeoisie in which 'the pursuit of war and military capacity, after having created national states as a sort of by-product, led to a civilianisation of government and domestic politics' (Tilly 1990: 206).

In terms of global state formation, this long-lasting negotiation process can be traced in the legalization of state-society relations, which was accompanied by a gradual increase in the state's capacities. The modern state and democratic social practices developed through the expansion and growing density of written formal law, framing the specific social space within which civil society could emerge. In this context, Jürgen Habermas identified four particular steps of juridification:

1) The establishment and consolidation of the monopolies of physical force and of taxation in the absolutist state.
2) The break with the personal monopoly of power in the absolutist state in constitutional monarchies by legally anchoring state power in political institutions and civil law.
3) The bourgeois revolutions initiated the nationalization of the state monopolies, eventually bringing about the democratic nation state, with its separation of juridical, legislative and executive powers.
4) The formation of the welfare state tamed the autonomous dynamics that spring from the accumulative logic of the economic system and incorporated a variety of social functions into the domain of modern statehood (Habermas 1986: 356-63).

The Modern State as Institution, Image and Social Practice

Political scientists summarized this legacy of historical sociology and European state formation in an ideal type of the modern state. In institutional terms, statehood is defined as a centralized form of representative government based on electoral procedures and a set of administrative, policing and military organizations. The modern state claims the legitimate monopoly of physical force which state agencies exert over a certain territory and a relatively cohesive population that forms a community of citizens with political, social and economic rights (cf. Sørensen 2004: 14).

In the academic field, this ideal type of state is primarily an analytical instrument to measure empirical statehood: it does not directly portray the 'real world' but represents an instrument of academic research. The definition, therefore, disregards both the historical length and the social and developmental steps which eventually resulted in this form of modern social contract between state-builders and society. Yet this image of the state has travelled from the social sciences into the conceptual world of political actors and societies at large. It has acquired a normative quality, telling us what a state ought to be. It is a globally relevant ideal of political order according to which we imagine the modern state as a transcendental and neutral power, a democratically controlled arbitrator standing above social conflicts. With this image of the state in mind, we judge political action in accordance with distinctions such as legal/illegal, formal/informal or public/private in order to measure and judge social action. Yet already Max Weber was well aware that the three dimensions of the state as an institution, an image and a social practice do not necessarily match:

> When we inquire as to what corresponds to the idea of the 'state' in empirical reality, we find an infinity of diffuse and discrete human actions, both active and passive, factually and legally regulated relationships, partly unique and partly recurrent in character, all bound together by an idea, namely, the belief in the actual or normative validity of rules and of the authority-relationships of some human beings towards others. This belief is in part consciously, in part dimly felt, and in part passively accepted by persons who, should they think about the 'idea' in a really clearly defined manner, would not first need a 'general theory of the state' which aims to articulate the idea. (Weber 1904: 99)

In reality the modern state is both an abstract and coercive macro-structure and a network of interdependent social actions in everyday life. Modern statehood consists of two dimensions: historically developed and relatively stable institutional structures, and culturally defined social processes. The institutional structure gives societies politi-

cally isomorphic forms. In this sense, the sociological definition of the national state developed into a formal blueprint for the political organization of societies. Modern statehood is a central feature of world culture, and its ideal image has been formalized in most state constitutions (cf. Meyer *et al.* 1997). Yet the second perspective, the state as social practice, characterizes the actual social content of statehood as forms of permanent interaction and ephemeral social groupings. On this level, we can observe a complex and often amorphous tangle of social actions of which we make sense in reference to the ideal image of the state. Apparently, the rules of statehood as an organizational pattern and the logic of social practices do not necessarily correspond. In particular, the post-colonial state is characterized by competing and conflicting organizing principles and social practices. This contradictory interface between the state as institution, image and social practice becomes particularly transparent when we zoom in on individual political leaders.

Francois Médar, for instance, analysed African statesmen as 'political entrepreneurs', a reference to both the symbolic and material sides of legitimate rule (Médar 1992). In accumulating economic, political and social resources, the political 'big men' act through a system of personalized power in the name of the abstract institution of the state. In this way, these statesmen represent both the patriarchal chief of an extended network of personal ties (traditional authority) and the head of a formally institutionalized system of rule (legal authority). The contradictions in their position are apparent in three strategies of social action that are necessary for their political survival. In order to extract resources from international and transnational donors, they have to pretend that they are acting according to the standards of modern statehood, that is, following the rules of good governance which emanate from the normative image of the state. As political entrepreneurs, however, they apply strategies of personal enrichment in accumulating external and internal resources within their networks of personal ties. Finally, they must meet the normative expectations of 'traditional' African societies for a redistribution of their resources within a system of clients. Caught in this pattern of often contradictory organizational and social constraints, the 'big man entrepreneur' must act according to a hybrid normative setting, containing elements of both the universal image of the state and the particularistic values of local social practices.

In labelling African states as weak, fragile or even failed, we are applying the sociological definition of the state in a normative way. Social practices which are based on traditional reciprocity turn into corruption and nepotism, and the informal distribution of social resources appears as an illegal strategy. In particular, states

with strongly donor-dependent economies have to please the expectations of two different audiences. The big man entrepreneur must take into consideration both the formal norms of the supply side and the social norms of his local constituencies. The dynamics of contemporary state-formation have to be sought in these structural contradictions, which provide a framework in which current state-builders act. What does this mean for the field of applied policies?

State Formation, State-Building and International Intervention

In a recent article, Francis Fukuyama argued for "Stateness' First' (Fukuyama 2005). He discerned in contemporary interventionist policies a contradiction between state-building and the promotion of democracy, between, on the one hand, the monopolization of physical force in the hands of the state and, on the other hand, the building of public and legal institutions which can constrain the state's power monopoly. Indeed, applying the categories of historical sociology, contemporary state formation is characterized by a confusion of the (chrono-)logic of the two phases of the monopoly mechanism. In cases such as Afghanistan and Iraq, institutional features of the second phase – constitutions, elections, representative bodies – were implemented before achievement of the first phase, the establishment of a legitimate state monopoly of physical force. Oriented toward the normative image of the modern state, current state-building processes tend to invert the social logic of European state formation, in which the coercive formation of state monopolies preceded both the juridification of political authority and the enhancement of state capacities.

Contrary to European state formation, post-colonial state-builders achieved a form of 'negative sovereignty', a formal legal entitlement which actually hides the lack of empirical statehood, that is, the social content related to the definition of the modern state (Jackson 1990). The decolonization process established statehood only as a form of external representation, as a formal territorial and legal framework of international politics guaranteed by the world state system and by international law. Behind the façade of modern state institutions, however, social practices of a quite different nature have continued. The synchronization of the state as an institution and as daily social practices, as in Elias' model of the civilizing process, is still under way. From this perspective, 'fragile states' are not a new phenomenon at all. On the contrary, measured by the standard of the ideal image of modern statehood, most post-colonial states have been defective states from the beginning. In many of them a legitimate monopoly of physical force has not yet been achieved, and the so-called new wars of our times are therefore less an expression of state decay than an indica-

tion that the 'classical' European path to modern statehood has been derailed (cf. Jung 2005).

If at all, the term 'state decay' applies to some states of the former socialist world. There, relatively firm monopolies of physical force had been established, yet in some cases the second phase of Elias' monopoly mechanism ended in the at least temporary dissolution of the first. In these cases, the simultaneous introduction of grand schemes of political and economic liberalization eroded the core institutions of the state rather than brought about the blessings commonly associated with the democratic state. Contemporary state formation does not seem to be following the state-building logics which historical sociology abstracted from the European experience. The sociological perspective can tell us what went wrong, but does it also show us how to do it right?

Looking at current state-building in Afghanistan, Iraq or the territories of the former Yugoslavia, I suggest not. In these territories, a multiplicity of actors are involved in taking over a broad range of tasks, from combating and disarming militias to the building of political, social and economic institutions. Although oriented towards the image of the state, these 'new protectorates' only dimly remind us of forms of legal political authority which we can call a state. Rather, we are confronted with a kind of 'controlled anarchy' (Schlichte 2003), with fragmented political arrangements in which various international, transnational, regional, national and local interests and competences overlap. For all these actors, the image of the state serves as a central normative reference while they follow their own goals on the ground. Whether these complex social arrangements will ever lead to viable states nobody knows.

The lesson we can learn from historical sociology is to understand state formation as an ongoing and open-ended process. State formation is characterized by both successful state-building and state decay, and in European history too, more states may have disappeared than became established according to our modern image of the democratic state. Both phases of the monopoly mechanism are extremely fragile and war-prone periods of institution-building and social transformation. What decides success or failure is contextual and cannot be derived from the abstract concepts of sociology. In Afghanistan, for instance, the Taliban were the first political force ever to come close to establishing a factual state monopoly of force over Afghan territory. From the perspective of historical sociology, that is, they successfully built up the core institutions of modern statehood. Their fall was not due to contradictions in the inner logics of state-building, but a result of the historical political context in which

they acted. Due to political interests and normative demands on the international level, state-building in Afghanistan had to start again from scratch, involving a new coalition of old and new actors. Given this general contingency of the historical context, contemporary state-builders are facing the same general uncertainty as their European predecessors, namely that even their intended actions will have unintended outcomes. This applies also to policies of international interventions whose political rationale and public justification cannot be found in sociological reasoning or long-term state-building strategies guided by scholarship. The decision-makers in both state agencies and non-governmental organizations are not driven by sociological grand schemes, but by their own organizational interests and the dominant issues of every-day politics.

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