Reflections (Hypotheses) on Statebuilding

David A. Lake
University of California, San Diego
April 7, 2020

Max Weber (1978) famously defined the state as an organization "that (successfully) claims the monopoly of the legitimate use of physical force within a given territory." The two key concepts here are a monopoly and legitimacy, which together imply that the state is *ultimate* authority within a given territory.[1] This does not require that the state be the sole authority within a territory. Many other authoritative actors may exist; families, clans, religious institutions, firms, labor unions, and other entities can regulate legitimately more or less of our daily lives. But in what I have elsewhere referred to as the Westphalian compromise, these private authorities are subordinate to the state; that is, private authorities may be more restrictive than the state, but they may not contravene state authority. For instance, rabbis can certify what is kosher (more restrictive than FDA requirements) but families may not conduct honor killings (inconsistent with the state's prohibition on murder).

What are sometimes referred to as "ungoverned spaces" are not entirely ungoverned, of course, and may actually enjoy a higher level of welfare than under some corrupt governments (Leeson 2007; 2014). Rather, by ungoverned spaces we typically mean that state authority is not recognized as supreme or that private authorities continue to compete with the state in regulating the behavior of their members. Statebuilding, therefore, is usually not a process of creating authority where none exists (Hobbes's state of nature) but one of subordinating private authorities to the authority of the state – establishing the state not just as an authority but as the ultimate authority. This process unfolded over centuries in Europe, often violently. In today's fragile states, where non-state authorities survive and, in fact, were often promoted by colonial powers under indirect rule (Boone 2003; 2014; Mamdani 1996), there is no particular reason to expect that statebuilding will be any easier or likely to occur more quickly.

Statehood is most problematic in highly divided societies in which non-state authorities represent groups with conflicting preferences. To accept the ultimate authority of the state risks empowering the state to impose policies on the group that it does not like and may reject, especially if the state is captured or controlled by other groups with whom it disagrees. When groups differ on property rights, tax burdens, the provision of localized public goods and services, and so on, yielding authority to the state risks subordinating the group's interest to a "national" interested defined by others.[2] Subordinating a distinct group to the authority of the state is one of the most awesome decisions that can be made in politics. And since this decision has long-lasting consequences, groups may fight harder in the present over the rules of the

---

[1] There are several steps in this implication that I skip over see. See Lake (2016, 52–56).

[2] We can think of weak states in this way as prone to the social choice problem of cycling in the absence of an agenda-setter (the state). See Lake (2018).

political game and the policies those rules produce (Fearon 1998). States do not lack statehood by accident (Risse 2011).

If statebuilding is largely a transfer of authority from non-state authorities to the state, or the subordination of such non-state authorities to the ultimate authority of a state, I think it is worth pausing for a moment and asking whether statebuilding is morally justified or ethical – and if so under what circumstances? Is increasing the authority of the state, rendering it the ultimate arbiter of authority within a society, always appropriate? Should non-state authorities always be subordinate to the authority of a state? Even when the regime is authoritarian and abusive? Indeed, a case might be made that private, non-state authorities are necessary to check and balance the authority of the state and, thus, should be preserved and even enhanced in the statebuilding process (Lake 2020).

More generally, we might ask, what is the problem to which statebuilding is the solution? In his now classic book on the triumph of the sovereign territorial state over its competitors, Hendrik Spruyt (1994) argued that a principal driver of the consolidation of state authority was that sovereigns preferred to interact or negotiate with other sovereigns, and through mutual recognition and reciprocity they promoted one another as supreme authorities in their territories. If this still holds, then one might argue that the problem is with us – existing states – and not with the entities we recognize juridically as states but that have not yet consolidated their authority. That is, we want others to organize themselves into states because we live in states, not necessarily because states are an optimal way to organize political communities.

I do not necessarily have answers to these questions, but before we turn to the question of *how* to build states, its worth considering if only for a moment *why* we want to build states – and if there might be other, more efficacious ways of solving whatever problem it is we want to solve.

Statebuilding

External statebuilders aim to accelerate and typically influence this eminently political process, often without deep knowledge of local circumstances and power struggles.[3] In most cases, and especially where statebuiding will require substantial resources and effort by the external power, the statebuilder itself will be a political actor and play a necessarily political role in shaping who wins and who loses in the "authoritative allocation of value" (Easton 1953).

Important work has been done on the positive role of external guarantors of peace agreements between warring factions. We now know that compromise peace deals are possible only when external states or international organizations guarantee the terms of the settlement (Walter 2002), and that such agreements are more likely to endure when peacekeepers are present (Fortna 2008) and can be monitored at relatively low cost through mechanisms like election observers (Matanock 2017). As an arbiter of the peace, the external guarantor can play a relatively neutral role. Yet, such cases are unusual, or at least a limited subset of weak or fragile states. The warring parties have fought to a stalemate and are ready to compromise, an agreement is largely in place, and the external party arrives rather late in the game to guarantee the terms of the

---

[3] For one of many such critiques, see (Autesserre 2014).

settlement. We cannot generalize the role and effect of external powers on statebuilding beyond such cases where the parties are ready to settle.

In other cases of chronic state fragility or on-going conflict, external statebuilders step into fraught situations of political unrest in which various groups have not yet agreed to negotiate their differences. Indeed, as implied above, groups may see insurmountable risks in subordinating themselves to states they do not control or trust to act in their best interests. In these harder cases, all statebuilders are inevitably political actors. Even when self-consciously "neutral," they have political effects. The liberal model of statebuilding employed by the international community during the 1990s and 2000s, for instance, was understood to be both neutral and progressive (Paris 2004). By encouraging the rule of law (ultimate authority of the state) and democracy (or at least participatory systems of rule), this liberal model privileged groups that were numerically larger and had greater prospects of winning in free and fair elections. Smaller groups or those whose political power rested on the potential for violence invariably resisted. When election rules were designed to "balance" across groups, giving more voice to minorities, this was opposed by majority groups, as in Iraq. Even the very presence of external organizations may distort domestic politics; in Somalia, for instance, NGOs paid the warlords for "protection" (often a protection racket) and thereby increased the resources and, thus, political power of these violent actors relative to others within the domestic arena. For statebuilders, just "being there" can have distortionary effects.

In many cases, however, the external power does not even aspire to be neutral. In the extreme, external actors may actually aim to subvert the state (Lee 2020). In most other cases, statebuilders will only intervene when they have interests of their own in the policies (usually foreign policies) and practices of the country (Lake 2016). When the statebuilder lacks its own interests in the state, it will not intervene or, if it does, it will withdraw at the first sign of trouble, as the United States did in Somalia. A statebuilder will only commit substantial resources and effort in a country when it cares deeply about the policies a future state will adopt. To ensure the "right" policies are enacted and "institutionalized" against future challenges, the statebuilder will inevitably side with one faction or coalition over others and support a compliant leader over potential contenders, much as the United States did in backing Nouri al-Malaki in Iraq after the war. When the effort required is large, statebuilders will not just be unwittingly political but intentionally political.

To extend this argument further than I have in the past (Lake 2016), by siding with one group (or coalition) and supporting a leader of that faction:

1) The statebuilder strengthens its ally over other groups. By backing the group and institutionalizing its power, the statebuilder tips the balance of power domestically in favor of that faction and its preferred policies. To alter the domestic political equilibrium in this way requires that the aid by the statebuilder be credible over the long term (i.e., longer than the time horizons of the groups who would challenge the supported group).

2) By strengthening the group and, indeed, guaranteeing its political survival in the face of domestic opposition, the statebuilder creates a risk of moral hazard, wherein the group and its leader may act in riskier ways and adopt more extreme policies than otherwise.

3) By committing to the group and its leader in exchange for foreign policies preferred by the statebuilder, using contingent rewards and sanctions to control agency slack can be counterproductive. It would seem that principals (statebuilders) ought to be able to control their agents (leaders) (Berman and Lake 2019). But to cut aid or limit support for the regime undermines its status, encourages challenges from other groups, and makes it less likely the statebuilder will get the policies it prefers. The statebuilder must balance the desire to control the behavior of any leader against the favored leader's hold on power. Even when the leader is the best of a bad lot, from the perspective of the statebuilder, punishing the leader for defying its wishes only threatens to bring down the very regime it is attempting to build. This implies that control will always be imperfect and leaders will sometimes act opportunistically.

4) Unless the group constitutes a clear majority, the leader representing that group can only stay in power through non-democratic means, whether through authoritarian rule or simply widespread electoral fraud. This will almost inevitably be the case with groups that cannot achieve power on their own and need the support of an external statebuilder to consolidate their authority via the state over others. U.S. support for its SOBs in Central America during the early twentieth century is instructive here, as was U.S. support for Karzai and now Ghani in Afghanistan.

Implications

To partly address the question of "why statebuilding," this analysis suggests that in difficult cases of prolonged internal political instability, external statebuilders are not really building states per se but rather attempting to promote and support one group, faction or leader that will adopt policies preferred by that statebuilder. In internal political struggles, external statebuilders are partisans who favor domestic actors who favor them. To put it bluntly, the problem is not so much building states but building states that will be allies in the statebuilder's own political agenda. Statebuilding is most likely to succeed in two (somewhat depressing) circumstances.

Easy cases: Success is possible, but not guaranteed, when the parties have fought to a stalemate and agree on the terms of a settlement, that agreement is not itself credible, and the external party can guarantee its terms at little cost to itself. The unfortunate conclusion here is that reaching a stalemate may require considerable bloodshed. This echoes the old criteria of waiting until a conflict is "ripe" for settlement (Zartman 1985), which the international community no longer seems willing or able to do. Here, at relatively low cost to itself, the statebuilder can play the role of a relatively neutral arbiter and assist in bringing about a relatively stable outcome.

Hard cases: Success may be possible in cases of chronic political instability in which no one group (or coalition of groups) can achieve political dominance but only when the statebuilder is willing to commit substantial resources and effort over the long run to support its local ally in power. The unfortunate conclusion here is that such an externally-supported regime will likely be undemocratic and repressive. Although its intensity may vary, there is a clear tradeoff between the liberal model of statebuilding employed in the past two decades and the success of the

statebuilding effort itself. This further implies that if building autocratic states is not politically acceptable within the statebuilder's own domestic political system, it should not be attempted.

References

Autesserre, Severine. 2014. *Peaceland: Conflict Resolution and the Everyday Politics of International Intervention*. New York: Cambridge University Press.

Berman, Eli, and David A. Lake. 2019. *Proxy Wars: Suppressing Violence through Local Agents*. Ithaca, NY: Cornell University Press.

Boone, Catherine. 2003. *Political Topographies of the African State: Territorial Authority and Institutional Choice*. New York: Cambridge University Press.

———. 2014. *Property and Political Order in Africa: Land Rights and the Structure of Politics*. New York: Cambridge University Press.

Easton, David. 1953. *The Political System: An Inquiry into the State of Political Science*. New York: Knopf.

Fearon, James D. 1998. "Bargaining, Enforcement, and International Cooperation." *International Organization* 52 (2): 269–305.

Fortna, Page. 2008. *Does Peacekeeping Work? Shaping Belligerents' Choices after Civil War*. Princeton, NJ: Princeton University Press.

Lake, David A. 2016. *The Statebuilder's Dilemma: Legitimacy, Loyalty, and the Limits of External Intervention*. Ithaca, NY: Cornell University Press.

———. 2018. "Coercion and Trusteeship." In *The Oxford Handbook of Governance and Limited Statehood*, edited by Thomas Risse, Tanja A. Borzel, and Anke Draude, 293–311. New York: Oxford University Press.

———. 2020. "The Organizational Ecology of Global Governance."

Lee, Melissa. 2020. *Crippling Leviathan: How Foreign Subversion Weakens the State*. Ithaca, NY: Cornell University Press.

Leeson, Peter T. 2007. "Better Off Stateless: Somalia Before and After Government Collapse." *Journal of Comparative Economics* 35 (4): 689–710.

———. 2014. *Anarchy Unbounded: Why Self-Governance Works Better Than You Think*. New York: Cambridge University Press.

Mamdani, Mahmood. 1996. *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*. Princeton, NJ: Princeton University Press.

Matanock, Aila. 2017. *Electing Peace: From Civil Conflict to Political Participation*. New York: Cambridge University Press.

Paris, Roland. 2004. *At War's End: Building Peace After Civil Conflict*. New York: Cambridge University Press.

Risse, Thomas, ed. 2011. *Governance Without A State? Politics and Politics in Areas of Limited Statehood*. New York: Columbia University Press.

Spruyt, Hendrik. 1994. *The Sovereign State and Its Competitors: An Analysis of Systems Change*. Princeton, NJ: Princeton University Press.

Walter, Barbara F. 2002. *Committing to Peace: The Successful Settlement of Civil Wars*. Princeton, NJ: Princeton University Press.

Weber, Max. 1978. *Economy and Society*. 2 vols. Berkeley, CA: University of California Press.

Zartman, I. William. 1985. *Ripe for Resolution: Conflict and Intervention in Africa*. New York: Oxford University Press.