

**ARTICOLE**

**DYSFUNCTIONAL STATE AND FAILED STATE**

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**Abstract:** *This article gives an analysis of ontological conditions of a state – a "Dysfunctional State" and a "Failed State". The author explores the essential features and concepts of these types of default state. An issue of total, local and particular dysfunctionality of State is touched upon as well as of total failure of a state.*

**Keywords:** *the state, a crisis of public management, a Dysfunctional State, a Failed State.*

Research into a measure of due care in organization and implementation of effective public management, analysis of models of efficient public management will be more comprehensive and more objective if one would consider an opposite state of public management, when such management due to critical deficiencies in its design, organization and implementation is dysfunctional or completely defaulted.

This subject is all the more burning, since today it is failed states, fallen apart states and some quasi-states, which are regarded to be one of the sources of threats (including terrorist threats)<sup>1</sup>.

According to S. Patrick, failed states are the weak link in the world's collective security, since such states often provide conditions under which international terrorist groups can freely carry out their activities<sup>2</sup>.

From the standpoint of assessment of stability and quality of organization and implementation of public management, implementation by public authorities of their public functions, it would be reasonable to single out the following negative conditions of a state:

- a Dysfunctional State;
- a Failed State.

**Dysfunctional State**

Many authors wrote about specific features of a Dysfunctional State, using, however, rather varied terminology for interpretation of such a condition and conditions of public management, implemented therein, also dysfunctional.

In general terms, a concept of dysfunction describes inaccurate execution of a certain function(s) or a functional disorder (failure) of any body or mechanism.

In sociology, the concept of dysfunction reflects a "social activity, which provides negative assistance in maintaining a social system or its efficient operation"<sup>3</sup>. Besides, according to the dictionary under the editorship of N. Abercrombie, S. Hill and B.S. Turner, «a social activity or institution has dysfunctions when some of its consequences impede the workings of another social activity or institution. Any particular activity may have dysfunctions for one other activity and eufunctions (helpful functions) for another or, indeed, a mixture of dysfunctions and eufunctions for the same activity»<sup>4</sup>.

According to our concept, a Dysfunctional State is a state, a public authority and public management wherein are implemented with critical shortcomings, or a state, where separate verticals or segments of public power are critically disorganized (from serious inefficiency to partial collapse) and structurally defective, or where constitutional imperative of priority of people in respect of authorities, to which people delegate the powers of public government has been eliminated and public interests are ignored.

Dysfunctionality of a state can be both local (as exemplified by the territory of the Koryak Autonomous Okrug in Russia in the early - mid 2000s) and total (Russia in the 1990s).

Local dysfunctionality of a state may characterize critical downfall of efficiency of public management in a certain area of public relations or in a certain part of the territory. In such a case local dysfunctionality of a state may be both long- and short-term (a governmental crisis).

Some elements of dysfunctionality (particular dysfunctionality) characterize public management in Russia in a number of areas of public relations today as well (besides, such elements can also be found in other countries, such as the U.S., France, Spain, Greece, Portugal).

Dysfunctionality of a state may be intra-structural, for example, where roles and significance of judicial and legislative branches of government are significantly reduced, and all the fullness of the real power is misappropriated by the executive power or a head of state (unless he/she is part of neither these branches of power), or when public management within any individual body of public management, from among those disorganization of which causes a very wide public attention, is disorganized.

Dysfunctional states will most definitely include states with reduced sovereignty, imposed on them from outside, since ensurance of sovereignty is one of the most important functions of the state.

### **Failed State**

A concept of "Failed State" ("Default State") has come into existence in the form of a wide set of ideas not later than the beginning of the 1990s<sup>5</sup>, and in the broadest sense, reflects a breakup of all major structures of legal power and inability of state to discharge its basic public functions.

According to Edward Newman, a Failed State is a state, which is completely unable to maintain public services, institutions, or authority, and that central control over territory does not exist. State failure implies that central state authority and control do not de facto exist<sup>6</sup>.

Robert H. Jackson points out that a Failed State has a "negative sovereignty", in which case it may even enjoy a certain degree of legal freedom from external interference at the international level, however it is unable to operate normally, ensure public order and provide public services<sup>7</sup>.

According to our concept, a **Failed State** is a state, where public order is exposed to serious systemic and functional breakdown, and which by virtue of total collapse (destruction of the structure of public authority under the effect of total systemic crisis as a result of external intervention or other factors) has lost the ability and / or opportunity to consistently, fully and properly exercise public power and public management to the extent of its national borders, has lost the monopoly on the means and measures of authoritative coercion and is unable to monopolize the use of force in relation to other (non-government) entities in society (first of all, for the purposes of establishment, maintaining and protection of law and order), is no longer capable to exercise its main public functions and provide public services, and is also unable to ensure minimum necessary legal, law enforcement and economic conditions for life, safety and development of the population.

In such states, public authorities, collapsing, lose their legitimacy. The state is becoming illegitimate in the eyes of its population; confidence of the population in the ability of the public authorities to retain, implement and defend its supreme authority is reduced to zero.

Failure of a state can be both local and total.

In this connection, failure of a local government may characterize in a certain period of time a strong state (for example, territory of the flood zone in New Orleans (the US) in 2005 for some time). Local failure of state may also characterize in a certain period of time a Dysfunctional State (for example, the territory of Chechnya in Russia in the 1990s).

It is noteworthy, that not every coup d'etat transforms a state into a Failed State. It all depends on the conditions of the coup and its consequences. Such consequences may result in particular dysfunctionality (Pinochet's coup in Chile), as well as in complete liquidation of state.

And it is not by no means every Failed State is a state, shaken by internal conflicts and even riots in the streets (for example, events in France in May 1968 did not result in downfall of the state in this country).

On the other hand, a Failed State does not necessarily imply a complete paralysis and collapse of public administration. Sometimes a Failed State may externally look quite orderly and organized.

In this case, according to Robert I. Rotberg, «Failed states exhibit flawed institutions. That is, only the institution of the executive functions. If legislatures exist at all, they ratify decisions of the executives. The judiciary is derivative of the executive rather than being independent, and citizens know that they cannot rely on the court system for significant redress or remedy, especially against the state... The military is possibly the only institution with any remaining integrity, but the armed forces of failed states are often highly politicized, devoid of the esprit that they once demonstrated»<sup>8</sup>. It is also necessary to take into account,

that failed states are not homogeneous. The nature of state failure varies from place to place, sometimes dramatically. Failure and weakness can flow from a nation's geographical, physical, historical, and political circumstances, as well as, as a result of taking of resonant destructive decisions (as a rule, as a result of systematic taking of such decisions) by public authorities<sup>9</sup>.

Failure of a state may also occur due to internal factors, such as critical shortcomings of public management in the economic sphere, resulting in mass poverty or hunger, as well as such factors as total corruption, system-wide critical failures in the local government system, interethnic and inter-faith conflicts.

It is noteworthy, that at Failed States civilian law enforcement agencies and organizations may have become corrupt or failed altogether. In failed states, especially during and immediately after conflict, military police forces are the only organizations able to fill this void<sup>10</sup>.

A Failed State has certain characteristics, and these characteristics vary in studies, carried out by different authors. For example, a Failed State is unable to exercise its authority to the extent of its territory to the full; it is unable to ensure provision of basic public services, anticipated by citizens in modern conditions, and at least such guarantees as a minimum level of personal security and economic stability; it is also unable to ensure operation of bureaucratic and judicial institutions and wellbeing of the population. In addition, such characteristics also include steady degradation of infrastructure, necessary for the citizens of such a state; a growing lawlessness; a humanitarian crisis; a critical decline in GDP per capita; inflation; corruption; a complete lack of accountability of bodies, exercising public control; inability to collect taxes; significant inequality between various social groups, reduction in the social standards and quality of living of population; nonobservance of principle of independence of judicial system of the state; increase in the number of committed violent crimes; civil wars, characterized by increasing levels of violence; illegitimate privatization by the private sector of educational and health care institutions and other social services; as well as displacement of the national currency<sup>11</sup>.

It is obvious, that a state is becoming a Failed State in case of combination of a few of such characteristics, but not as a result of existence of at least one of them. However, these are largely interrelated problems.

At present, the index of Failed States is maintained by the Peace Fund (headquartered in Washington, DC) on the basis of certain indicators, which include:

- pressure on the population, resulting from its high density (this includes high death rate, natural disasters, deficiency of drinking water and food);
- inability of the state to ensure safety for social groups, subjected to pressure and in respect of which violence is committed;
- an increased level of emigration (especially of skilled and educated population) associated with inadequate government policies;
- fall in the level of gross national product;
- a forced transfer of population, which may result, among other things, in inadequate provision of public services;

- emergence in the territory of the state of private armed detachments and guerrillas;
- high levels of poverty among certain ethnic groups of the population;
- continuing human rights violations;
- increased level of corruption;
- fragmentation of ruling elites;
- interventions in the territory of state from outside<sup>12</sup>.

At the same time, despite an abundance of various approaches to the concept of a failing (ed) state and its characteristics, one of the most serious shortcomings of the concept of a Failed State is nonexistence of a clear coordinated universal definition of such a state as well as clear and universal criteria therefor<sup>13</sup>. Until now, researchers have failed to agree on which criteria should be used to distinguish Failed States from all other states internationally<sup>14</sup>.

Moreover, a number of researchers point out that if a formal approach to application of some of these criteria is to be used in respect of states with different forms of government and political regimes, some of these states will be referred, based on such criteria, to Failed States, although actually they are other than such<sup>15</sup>.

Therefore, a key issue in classifying a state (a quasi-state) as a “Failed State” on the basis of specific criteria (sets of criteria) is a degree to which an assessed state falls within such criteria, and a level, which processes of collapse and destruction have reached in the assessed state.

From a Failed State it is necessary to distinguish a weak state, understanding of essence of which is associated with other conditions and factors.

According to Edward Newman, at the weak states central government has a poor capacity to control public order within its territory, is unable to consistently control its borders, cannot reliably maintain viable public institutions or services, and is vulnerable to extra-constitutional domestic challenges. A Failed State, on the contrary, is in principle unable to ensure operation of public institutions, and control of the state territory on its part is practically nonexistent. In a Failed State, according to the said author, the central public authority is nonexistent de facto<sup>16</sup>.

Weakness of a state may be associated with certain dysfunctions, but may be initially caused by other reasons.

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<sup>1</sup> Newman E. Failed States and International Order: Constructing a Post-Westphalian World // Contemporary Security Policy. – 2009, December. – Vol. 30. – № 3. – P. 421–443. – P. 422.

<sup>2</sup> Patrick S. Why failed states shouldn't be our biggest national security fear // <[http://www.washingtonpost.com/opinions/why-failed-states-shouldnt-be-our-biggest-national-security-fear/2011/04/11/AFqWmjkD\\_story.html](http://www.washingtonpost.com/opinions/why-failed-states-shouldnt-be-our-biggest-national-security-fear/2011/04/11/AFqWmjkD_story.html)>.

<sup>3</sup> Collins Dictionary of Sociology / David Jary, Julia Jary. Second edition. – London: HarperCollins Publishers, 1995.

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