



Research workshop

The State of the State in the Middle East

5 December 2019

9:00 – 17:30

Hatfield College Dining Room

Durham University



In Lieu of a Concept Note for the Workshop

The State of the State in the Middle East

Emma Murphy (Durham University) and Oliver Schlumberger (University of Tübingen)

Events in the first decades of the 21st century have led us to believe that it is time to revisit our understanding of the state in the Middle East and North Africa.

Before the Arab Uprisings, the scholarly community drew heavily on what may be considered as classical works of great merit on “the Arab state” (most notably, Hudson 1977; Luciani 1990; Owen 1992, Richards and Waterbury 1992, Migdal 1988 and Ayubi 1995). There were important texts in laying out the conceptual groundwork for any study on the state in this particular world region, providing us with crucial ‘entry points’ for studying aspects of states in terms of legitimacy, power, behaviour, functions, institutional composition and leverage, security, social contracts, and historical political economy. This literature was the bed-rock for debates in the 1990s around the regional disposition towards authoritarianism in an era of liberalizing economic reforms, and connected apparent regional exceptionalisms into universally-relevant often theory-driven research in political science.

The disruptions in MENA politics since the early years of the twenty-first century – and specifically the mass protests, strikes and uprisings of 2010/11, have inevitably refocused the gaze of many researchers on society rather than the state. New emphasis has been placed on social movement theories, for example, even as research space has opened to allow more in-depth study of civil and political activisms, behaviours ‘from below’ and the ever-reified ‘public opinion’.

While this is of course important and innovative work, it cannot stand entirely in isolation from a re-evaluation of the MENA state. Activist efforts to refashion the state-society bargain or social contract engage with the state as political and legal institution(s), as (re)distributive and coercive actor, as broker for national, supra-national and sub-national identities, and as a site for contests over power. Sinister formulations of a ‘deep state’ stand alongside renewed questions over the relative strength or fragility of the state, its implications for social and political security, and consequently the resilience (or its absence) of regional identities, relations, structures and institutions. Simultaneously, both the globalizing impact of neo-liberal capitalism and tectonic shifts in distributions of global power, are placing new demands on MENA states whilst arguably impacting their capacities for action.

It is timely then to ask whether, given that several decades have passed since these major texts were published against the backdrop of their times and of arguably vastly different empirical realities, whether and in what ways they continue to serve to illuminate our understanding of the MENA state and its role and relations in both national and international contexts.

Let us take, for example, Hudson's famous "search for legitimacy" by states: there can be little doubt that both the objects and the subjects of the states' claims have significantly altered. Mass mobilizations against the state (or the regimes which have colonized it) have characterized the entire region, incorporating republics and monarchies, Islamic and secular regimes. None have been immune to the popular clamour that they have failed, that they have been exclusivist, that they have denied their populations dignity and equality. Where now do they make their legitimacy claims, to what purpose and to what audience?

The more material dimensions of actors, structures and processes such as state performance and "delivery" have also experienced important transformations during recent decades. The neo-liberalization of the state and its role in economic and social policy-making over the past three decades have transformed statist welfarism into new forms of cronyism, exclusionary distribution, and – in places – fantastical 'fast' capitalism. Are concepts of oil-based rentierism, or classifications of 'thawra' and 'tharwa', still the relevant classifications through which we can determine the political economy of these states?

Beyond the economic sphere, we see massive changes in the realm of security: At least in some cases, the classic notion of the state's monopoly over the use of force has eroded; the rise of non-recognized actors that lay claim to statehood remains an important development despite its military defeat in Iraq and Syria, and the rise of de-facto entities that de facto fulfil functions classically ascribed to "the state" (such as Al-Qaeda on the Arab Peninsula in Yemen or the Ansar al-Islam in Libya) remains a challenge to classical notions of the state. With this, the state's international embeddedness, both regionally and globally, seems to acquire a new and acute relevance given the very selective *de-facto* recognition of notions of sovereignty by a host of international and regional powers, most notably their militaries, but also in the diplomatic and economic spheres. Domestically, shifting relations in the constellations of what are deemed constitutive actors of statehood (police, military, security agencies) towards one another as well as in civil-military relations merit our attention; and not least, changing relations between states and their societies as well as in the relations between states and the political regimes that run them have become inevitable but understudied subjects of inquiry.

We may ask whether interrogating the state's monopoly of coercive power within the context of correlational political (legitimacy) and economic power, brings us back to previous debates around the strength, weakness or even fierceness of the MENA state, and whether original formulations of these categories are still both contextually relevant and perhaps more importantly, empirically evidential.

All of this merits our attention and is important on at least three levels: the domestic level, where literally hundreds of millions of citizens are directly affected in their own personal lives by such developments; the regional level, which has seen important shifts not only in the regional architecture of power, but also in the very process that establishes such an architecture; and on the global level where great-power international actors become increasingly assertive in pursuing their own interests militarily, economically and diplomatically despite all political rhetoric of sovereignty and partnership.

At all three levels, we are also driven to recognize emerging aspects of statelessness, or new absences of the state. Deep ethnographic work is identifying an ontological insecurity within (particularly young) populations within which context the 'state' becomes an alien 'other' which exists in a reality distant from the lived every day. Across the region, the mass scale of unregulated and unsafe migration disconnects populations from the significance and borders and the apparatuses of states. On the global level, the international community eyes with concern the emergence of territorial areas that are effectively stateless and in which non-recognized violent actors (for right or wrong often called 'non-state actors'), with international appeal and outreach, have effectively managed to install themselves as authorities who raise claims to governance and thereby have become a concern to international security.

The relevance and urgency of updating our knowledge on the state in the MENA region is thus beyond doubt. This workshop, preceding events, and (we anticipate) forthcoming events and publications, are seeking to do just this. We do not, however, wish to engage in open-ended spirals of abstract arguments and counter-arguments around the perceived strength or weakness of the state in the MENA region. Unless they take into account largely transformed empirical realities, such arguments are likely to remain constrained to the ivory towers of purely academic debates, and such discussions obviously always hinge upon the criteria one applies for assessing strength or weakness, respectively. Such results will therefore not tell us much about the state of the state *per se*.

Rather than engaging in a *l'art-pour-l'art* exercise of subjective claim-making about the contemporary MENA states, we start from the initial observation that what is needed is an in-depth look at a range of *dimensions* in which the notion of the state has undergone (or is currently in the process of undergoing) important transformations that can be underscored and supported by empirical evidence.

To start with, state-society relations have experienced very significant transformations over recent decades. On the one hand, states have ceded to a large extent the role of delivering what large parts of the pertinent literature on statehood considers to be core state functions.

This has numerous ramifications: it suggests for example a need to review adjustments in state-business relations, as well as the accompanying political redistributions of power, and legitimacy, and the impact on social structure, (in)equality, debt, human development and individual capacities). But societies too have changed, with implications for their expectations of, and access to, the state. (We anticipate that research on education, media, and information and communications technologies has much to say on this).

At the same time, several MENA states have either lost any kind of central political order or have entered into a phase of an erosion of not only state functions, but also central state institutions. Examining the structures, capacities and domains of state institutions is vital, both in themselves but also as manifestations of new, less visible and informal distributions of power (perhaps the so-called 'deep' state). This also requires recognition that this institutional impoverishment is often the result of external vulnerabilities, which are not only driven by the forces for privatization. Political regimes lose power and office in part as a consequence of international intervention. The role of domestic, regional and international militaries and other security actors has therefore changed significantly so that redefinitions of the state as part of a larger regional order obviously also impact on that dimension, with both affecting real and projected images of individual as well as collective notions of security.

Clearly a reassessment of the MENA state entails a wide and multi-disciplinary field of enquiry which, while recognizing the watershed importance of the 2011 events, does not confine itself to a simple binary position of 'before' and 'after'. The transformatory processes outlined above have been both decades-in-the-making but also are not unique to the MENA region. An historical and comparative approach becomes essential.

One challenge will be, in view of the seemingly disparate and greatly divergent intra-regional tendencies in individual states, to also identify in what respects these developments all

contribute to changed images of what is visible and understood today as the state. The topics we tackle today are, in one way or another, united by the fact that they cover dimensions in which states have significantly changed either their outward appearance or their inner logic of functioning, or both; they are therefore crucial to not only observe but also to understand if we are to understand the contemporary Middle East. Yet, for the most part these developments have not been studied in any structured manner not been looked at as an *ensemble* of developments, let alone made sense of.

Our aim in this workshop is to look at a number of the above-mentioned transformations of the state through a diverse set of contributions that are not meant to be exhaustive, but which include case studies as well as comparative views. They also include empirically saturated as well as theoretically and historically informed papers. Jointly, they shed new light on this topic that has remained largely off mainstream research agendas for too many years (and, in effect, decades) now. Apart from critically discussing individual contributions, the aim of this workshop is also to engage in discussions with one another, and to explore how the topics of individual contributions link up to one another, contradict each other, and together can enhance our understanding of the development of the state in the Middle East and North Africa.

In so doing, we are fully aware of the potential for confusion and parochialisms which concepts as abstract as ‘the state’ carry within their very core. Differentiating between related concepts such as state – nation – regime – government will thus be crucial in order for us to remain analytically consistent and thus in order to open the door to the creation of new knowledge on the matter which only then will also bear the potential to constructively inform, in its turn, our conceptual and theoretical understanding and knowledge of the state beyond individual cases and world regions. Thus, while the impetus and analysis is regional, the ambition for making inferences that also bear conceptual relevance is universal.

Programme

9:00 – 9:15	Clive Jones (Director, IMEIS) Anoush Ehteshami (Durham University)	<i>Welcome and Opening Remarks</i>
9:15 – 9:30	Emma Murphy (Durham University) Oli Schlumberger (University of Tübingen)	<i>Introduction to the Workshop: Researching “The State of the State in the Middle East”</i>

Session 1

Critical Views on Theoretical and Historical Dimensions of the State

(Chair: Clive Jones)

9:30 – 10:05	Matteo Capasso (European University Institute)	<i>War, Capital and the Arab State</i>
10:05 – 10:40	Ahmed Maati (University of Tübingen)	<i>Identity, Conflicts, and the State: Explaining Recent Regime Transitions in the MENA</i>
10:40 – 11:15	Philip Gater-Smith (University of Tübingen)	<i>A Peace of West Asia? Can the 1648 Treaties provide a Constitutional Forecast for a Post-Arab Spring Middle East?</i>

Coffee break
(11:15 – 11:30)

Session 2

The State and its Alternatives in the Levant

(Chair: Jacopo Scita)

11:30 – 12:05	Juline Beaujouan (University of Edinburgh)	<i>The Defeat of Islamic State: The End of the Caliphal Dream in the Arab World?</i>
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12:05 – 12:40 Raymond Hinnebusch
(University of St. Andrews)

*Identity and State Formation in Multi-Sectarian Societies:
Between Nationalism and Sectarianism in Syria*

12:40 – 13:15 Inna Rudolf
(King's College London)

*The Hashd's Popular Gambit:
Demystifying PMU Integration in Post-IS Iraq*

Lunch break

(13:15 – 14:15)

Session 3

State Erosion vs. Capture of the State: Opposite or Related Phenomena?

(Chair: Emma Murphy)

14:15 – 14:50 Eberhard Kienle
(SciencesPo, Paris)

State Dislocation and Resilience

14:50 – 15:25 Amjed Rasheed
(Durham University)

The Erosion of the State's Power in the MENA Region

15:25 – 16:00 Koray Saglam
(University of Tübingen)

*A Decade of Huckups:
The Political Economy of Personalistic State Capture*

Coffee break

(16:00 – 16:30)

Session 4

Reflections on Studying the State

(Chairs: Emma Murphy & Oli Schlumberger)

16:15 – 16:45 Lisa Anderson*
(Columbia University)

Conversation on the Workshop Topics

*via Skype

Closing Session

(All participants)

16:45 – 17:15
Emma Murphy
(Durham University)

Wrap-Up and Steps Ahead

Workshop dinner

The Institute for Middle Eastern and Islamic Studies is glad to host a post-workshop dinner (guests only) at Finbarr's Restaurant. For those staying at Premier Inn Durham City Centre Hotel, a transfer service by taxi will be provided. Please meet in the hotel lobby at 18:30. Dinner will start at 19:00.

Abstracts

Session 1 – Critical Views on Theoretical and Historical Dimensions of the State

Chair: Clive Jones, Professor, Durham University and Director, IMEIS

9:30 – 11:15

War, Capital and the Arab State

Matteo Capasso, European University Institute

The Arab State, a collective term for 15 separate Arab countries, each with an independent government, appears to be in crisis. Several scholars have tried to provide analyses of the processes that have led the region to this point, yet too much attention has focused on the configuration of local power dynamics (regime types, petroleum, patronage networks). This focus has come at the expense of examining the roles the international economic system and foreign military interventions have played in shaping political and economic developments in the region. Drawing on the case of Libya, this presentation proposes an analysis that re-frames regional conflicts from a global perspective. It does so by focusing on the political economy of confrontation between Libya and US-led financial and political structures that consolidated at the global level after the end of WWII and up to the present. The paper aims to set out the background to provide an innovative historical periodization of what since 2011 has been the Libyan civil war. It encourages us to rethink the relationship between violence/war, global capitalism and the Arab State.

Identity Conflicts and the State: Explaining Recent Regime Transitions in the MENA

Ahmed Maati, University of Tübingen

In the Middle East, authoritarianism has not only proved resilient in the face of popular uprisings but has also evolved into harsher and more repressive forms. In addition, two states have witnessed regime transition: Turkey has concluded in 2017 a transition to authoritarianism and Tunisia has transitioned in 2014 to democracy. In all cases, the process of regime change, whether successful or not, and whether towards authoritarianism or democracy, has been accompanied by two parallel processes. The first is that the transition process put the state under pressure, which has resulted, in some cases, to the extreme outcome of state collapse. Second- and related- is that identity conflicts played a visible role during these transition processes. How can we explain these common occurrences? And how do these parallel processes affect the outcome of the transition process? This presentation shows that these two observations are closely related. It takes the examples of Tunisia and Turkey to demonstrate that the identity conflicts which were observable during their transition processes were, fundamentally, conflicts on the nature of the state, its functions, and the political community it represents. The resolution of these conflicts resulted in a democratic transition in Tunisia; the resurfacing of these conflicts resulted in authoritarian transition in Turkey.

The Peace of West Asia?

Can the Treaties of 1648 Provide a Constitutional Forecast for the Post-Arab Spring Middle East?

Philip Gater-Smith, Tübingen University

The post-Arab Spring Middle East has been dominated by uprising, counter-revolution, (proxy-) war and sectarianism and continues to be characterised by de facto state failure, entailing a region-wide constitutional crisis. This necessitates an inquiry into the underlying question what type of polities have realistic prospects of existence and potential grassroots legitimacy. In search for useful historical analogies, there is a growing literature comparing the “Arab Winter” to Europe’s Thirty Years War in reaction to their similarities and in advocacy for a Westphalian-style peace treaty for the future Middle East.

This paper seeks to tackle this analogy by going beyond its hitherto prevailing “symptoms analysis”. Rather, the paper employs the lens of constitutional law, drawing particularly on Philip Bobbitt’s ideas on the evolution of the modern state via epochal wars and their legal conclusions. Given that absolutist states emerged from the Thirty Years War and became accepted via sectarian demarcations in 1648, how far will the Arab Winter engender similar constitutional building blocks for a “Peace of West Asia”?

Part One provides an overview of Bobbitt’s constitutional theory; part two briefly compares the Arab Winter to the Thirty Years War; part three imagines possible elements of West Asia’s 21st century constitutional order by examining recognisable counterparts from 1648.

Session 2 – The State and its Alternatives in the Levant

Chair: Jacopo Scita, al-Sabah doctoral fellow, Durham University

11:30 – 13:15

The Defeat of Islamic State: The End of the Caliphal Dream in the Arab World?

Juline Beaujouan, University of Edinburgh

Although Islamic State (IS) surprised the world with the rapid and unexpected take of major cities in Iraq and Syria, the group’s military advance was quickly stopped by an ever-increasing number of enemies. Three years after the declaration of the Caliphate, the group was defeated in both countries. Yet, it appears that the structural conditions that led to the emergence of IS in Iraq and to its expansion to Syria remain. The two countries remain preys to a perceived lack of political legitimacy, conspicuous foreign influence, growing ethnic and sectarian divisions, and both still lie at the centre of regional geopolitical confrontation between Iran, Saudi Arabia and Turkey who seek regional leadership. In other words, the discourse IS developed around the notion of the Caliphate as a socio-political alternative to the failure of nation-states, nationalism and secular regionalism in the

Arab world will not die with the group. This presentation critically assesses the legacy of IS' Caliphate and the prospects of the regional order in a post-IS and post-Arab uprisings.

Identity and State Formation in Multi-sectarian Societies: Between Nationalism and Sectarianism in Syria

Raymond Hinnebusch, University of St Andrews

This essay examines the relation between state formation and identity in MENA multi-sectarian societies, taking Syria as a case study. It examines the impact of societal identity patterns—the mix of sectarianism and nationalism--on the formation of state institutions and the impact of the latter on the balance between these identities. The paper first examines the nationalism-sectarian nexus, asking how far the two kinds of identity are in a zero-sum relation. There follows a critical reading of the International society paradigm on the export of Westphalian statehood globally and how in MENA “hybrid” (Bacik 2008) formations vulnerable to sectarianism resulted. Next, the factors that explain varying identity patterns in MENA—with the focus on the interrelation of nationalism and sectarianism--are surveyed, using a framework that combines “primordialism,” “modernism,” and “instrumentalism.” The aim is first to understand the variations in identity patterns and their likely consequences for state formation; then, reversing the analysis, the impact of state institutions on the identity balance between nationalism and sectarianism is examined through “institutionalist” lens. Finally the Syrian case is briefly discussed chiefly in order to illustrate the argument, looking at three periods: pre-Ba’th Syria when nationalism eclipsed sectarianism; Ba’thist Syria (1970-2000) when patrimonial instrumentalization of sectarianism was compensated for by inclusive bureaucratic institutions, populist policies and nationalist ideology; neo-liberal Syria under Bashar al-Asad (2000-2010) when inclusion shrank, reanimating sectarianism; and civil war Syria (2010-) when partial state failure fostered exclusionary militant sectarianism at the expense of nationalism.

The Hashd’s Popular Gambit: Demystifying PMU Integration in Post-IS Iraq

Inna Rudolf, Kings College London

Established as an paramilitary umbrella that includes approximately fifty distinct armed groups, the Iraq’s Popular Mobilisation Units (PMU), also known as al-Hashd al-Sha’abi (HS), are plagued with a wide variety of internal tensions and ideological divisions along strategic fault lines. Regardless of how deeply entrenched it may seem, the PMU Commission is still in the infancy stage of its organisational development. To defend their version of a strong state, the PMU have so far not shied away from monopolizing the state’s institutional foundations, under the weary eye, or often with the blessing, of power-driven formal bureaucracies. The accountability gap generated by this conditional symbiosis has once again exposed the limitations of superficially cataloguing commissioned security providers as “state”, “non-state”, or – currently the far more fashionable term – “hybrid” actors. Acknowledging the transactional dealings between ruling elites and the plethora of armed auxiliaries, the presentation seeks to show how, despite being generally considered devalued, the label “state actor” has nonetheless become a bargaining chip that unlocks access to agenda-setting powers and institutional leverage.

Once negotiated, state endorsement can often come at the expense of the state's own institutional backbone, the bureaucratic apparatus of which can easily be transformed from hostage into enabler and, eventually, accomplice to its own debilitation. As a comparative consideration on state-sanctioned paramilitarism shows, the PMU present no exception to this rule.

Session 3 – State Erosion vs. Capture of the State: Opposite or Related Phenomena?

Chair: Emma Murphy, Professor, Durham University

14:15 – 16:00

State Dislocation and Resilience

Eberhard Kienle, CNRS / SciencesPo, Paris

'State failure' and 'collapse' have become major preoccupations of academics and policy makers ever since the end of the Cold War seemed to have taken the lid off conflicts between and within states that hitherto had been contained by superpower rivalry. The United States and the USSR were largely seen to have kept in check conflicts within their respective zone of influence, partly by mobilizing their allies and clients against the other camp. Thus, it came as no surprise that the Soviet withdrawal from Afghanistan in 1989 produced the archetypical 'failed state' that has influenced debates and policies to this very day. Entering the stage on the heels of the new world order, globalization, so the standard narrative, further weakened states, in particular 'fragile states'; its unifying dynamics at the global level entailed additional fragmentation at the level of states and societies, not least because economic liberalization entailed the 'retreat of the state' and reallocated economic and symbolical resources among we-groups that frequently emphasized their religious, linguistic and thus ethnic difference and incompatibility. 'Failed', 'fragile' and 'collapsed states' as well as 'ungoverned spaces' seemed to mushroom to the extent that large swaths of Africa, the Middle East and Asia appeared to have entered a new Hobbesian state of nature.

Curiously, the question why many of these states have not completely disappeared has been largely absent from the debate. No doubt, critical voices illustrated the shortcomings of the concept itself and the different results in terms of form and extent that processes of disintegration could produce. They also illustrated the *varieties* and limits of statehood, a concept that allows to separate the distinguishing features of individual states from normative considerations of what they should look like. However, they have not offered a systematic explanation of the residual resilience of these states whose governments and rulers for many years to come may be challenged by powerful non-state actors in permanently evolving patterns of conflict and cooperation. Iraq and Syria are two cases in point. Iraq has been described as a failed state since the 2003 US-led intervention overthrew Saddam Husayn and put an end to the political regime that had taken shape since the late 1960s. The Syrian state has disintegrated since the violent repression of the peaceful 2011 protests entailed the militarization

of parts of the opposition. However, the *dislocation* of these states – whether in terms of the famous Weberian monopoly, infrastructural power or the capacity to implement policies - has not led to their definite replacement by smaller states, nor has it prompted the annexation of parts of their territory by other states. For instance, the ‘Biden plan’ to divide Iraq into a Shiite, a Sunni and a Kurdish state never materialized, while the referendum in Iraqi Kurdistan ultimately led to negotiations with Baghdad; in a similar vein, the ‘Islamic State’ after initial successes had to retreat, for the time being, from most of the territory it controlled.

The situation in Iraq and Syria recalls events and developments that unfolded in Lebanon during the 1975-89 civil war. The war had led to the division of the country into areas dominated by rival militias recruiting from different we-groups. Secessionist projects and partial foreign occupation notwithstanding, state borders remained officially untouched and parts of the state apparatus continued to function. The Lebanese example also shows that the advanced dislocation of a state along societal cleavages is reversible, if perhaps only partly and temporarily.

The paper seeks to explore the residual resilience of these states and thus the - however few and fragile - limits to their dislocation.

The Erosion of the State’s Power in the MENA Region

Amjed Rasheed, Durham University

This paper uses theories of sovereignty and legitimacy to investigate the status quo of the Arab states following the Arab uprisings in 2011. It argues that the Arab uprisings created further legitimacy deficit of the existing Arab governments and weakened the state's empirical sovereignty over its territory. It concludes that there are currently three categories of states in the Arab MENA region; (1) failed republics: Syria, Sudan, Yemen, and Somalia; (2) semi-failed republics: Libya, Iraq, and Lebanon; and finally (3) relatively stable states, including the Republic of Egypt, Algeria and Tunisia, and the Arab monarchies in the Gulf region, Jordan and Morocco.

A Decade of Huckups: The Political Economy of Personalistic State Capture

Koray Saglam, University of Tübingen

Currently, the world witnesses a resurgence of personalistic authoritarianism – in democracies and different types of authoritarian regimes alike. Be it China, Venezuela, Turkey, Russia, Hungary, the USA, Brazil, or the Philippines – strongmen are on the rise. But even where they are successful, personalistic authoritarian regimes do neither look nor work the same way. So, despite the convergence also within authoritarian regimes, there is still significant functional and dynamic variation left among these personalistic regimes. This is the puzzle which the larger research project underlying this contribution attempts to explain. For now, however, and in order to develop the core concepts and sketch out the guiding line of argumentation for the greater project, the focus will be put on the theoretical derivation of the broader framework. Combining various theoretical concepts such as state capture and neopatrimonialism, this contribution argues that, presupposing an autocrat does have the

exogenous motivation to establish a personalistic authoritarian regime, she or he needs to repress or compensate politically relevant elites for their potential loss of hard power in a personalistic regime. The latter is achieved through state capture of so-called institutional chokepoints – institutions that pose as power-hubs for successful rent-distribution and maximize the power-leverage of an autocrat within the system. Therefore, the context and nature of a state's institutions (“that which can be captured and altered”) might explain the variation in outcomes of personalistic authoritarianism. In this contribution, the formal aspect of the theoretical argument – institutional chokepoints and their impact on state capture – will be derived and potential case studies for further comparison shall be discussed.