

From Failed State to Criminal State

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“Authoritarian regimes create failed and criminal states to control power and subjugate citizens.”

Analyzing the transition from a failed state to a criminal state helps us understand how power can be preserved even when the state ceases to fulfill its essential functions.

What Is a State?

To grasp what constitutes a failed or criminal state, we must first understand what a state is. A state is a political and legal institution that organizes and regulates the life of a society within a defined territory. Beyond the use of force, the state is defined by its ability to structure social order, guarantee rights, provide essential services, administer justice, and coordinate collective coexistence. Its fundamental elements include a defined territory, a population over which it exercises authority, a government that makes decisions and implements policies, and sovereignty—understood as the ability to act autonomously and legitimately, recognized both internally and externally. As Francis Fukuyama notes, “a state is strong not only when it possesses coercive power, but when it can deliver public services and ensure institutional stability” (Fukuyama, *State-Building*, 2004).

What Is a Failed State?

A failed state is not merely a country facing difficulties; it is a territory where the government formally exists but has lost the effective capacity to guarantee security, justice, and basic services. According to Robert Rotberg, these states lose territorial control, erode their legitimacy, and cease to provide essential goods. Helman and Ratner add that state fragility is defined by the inability to fulfill critical and fundamental functions for society.

The symptoms of a failed state are often evident: armed groups assume state functions, hospitals and schools collapse, and millions emigrate due to lack of opportunity and safety. Systemic corruption and the violation of fundamental rights blur the line between crime and state institutions.

What Is a Criminal State?

The concept of a criminal state is more specific: political power not only fails to protect the population but actively engages in illicit activities. Institutions serve private interests, illicit enrichment, or the

consolidation of power, rather than the common good. Although it retains government structures and coercive control, the state is captured for criminal purposes.

As Philippe Le Billon and Jean-François Bayart point out, state resources, the economy, and security forces can sustain networks of corruption and organized crime, consolidating an apparatus that operates more like a criminal enterprise than a public institution.

The Relationship Between Failed and Criminal States

The criminal state is often a functional form of the failed state, as it retains power and control but has abandoned its primary function of protecting citizens. However, not all failed states become criminal; some collapse due to war, natural disasters, or technical incapacity, without a deliberate use of power for illicit ends. Criminal states represent a particular case where state failure is combined with systemic corruption and the criminalization of power.

Historical Experiences

Recent history offers clear examples of these dynamics. Somalia, for long periods without an effective central government, became a failed rather than criminalized state, collapsing mainly due to war and lack of authority. Afghanistan, after the withdrawal of international forces, saw the return of the Taliban to power, resulting in severe deficits in security and fundamental rights. Syria and Yemen show how prolonged conflicts fragment territories and erode institutions, leaving millions in extreme vulnerability. Haiti illustrates how a state can maintain formal structures yet fail to guarantee basic services and protection, with fragility coexisting alongside a façade of normalcy.

In the Americas, signs of functional criminal states are also evident. In countries like Cuba, Venezuela, and Nicaragua, power is concentrated in the hands of elites, dismantling institutions, public services, and citizen rights. These regimes exhibit centralized control, systemic corruption, illicit economies, and selective repression—demonstrating how power can be maintained even when the state fails to protect its citizens.

Final Reflection

Studying the processes that lead to the formation of failed and criminal states shows that the concentration of power alone does not guarantee collective well-being. Carefully analyzing these dynamics helps us understand where the state acts, where it fails, and how it can be rebuilt. This

understanding is essential for designing effective strategies to transform a state into a legitimate and functional entity capable of protecting and serving its citizens—and to prevent state fragility from evolving into the criminalization of power.

One of the problems with strategies aimed at authoritarian regimes is the mistake of applying approaches designed for democratic governments, when the typical response of these regimes is repression and increased control. Therefore, when identifying states dominated by authoritarian regimes, it is possible to correctly conceptualize them as failed or criminal states, and from there, design real strategies to confront these issues and build transitions toward lasting democracies.

Author Profile

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