When Good Fences Make Good Neighbors, and When They Make Bad Ones: The International Effects of Border Fixity[1]

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Introduction

The norm of "border fixity," a proscription on the use of force to alter interstate boundaries, has become prevalent in world politics since the end of the Second World War.[2] Both regional actors and the international community increasingly assume that foreign conquest and annexation of homeland territory are no longer acceptable tools of policy. This conception differs markedly from the common view prior to WW-II. While the origins and development of this norm merit much attention, the focus of this paper is on its implications. This paper asks what are the effects of the adoption of the border fixity norm on interstate conflict and peace?

While territoriality and borders received surprisingly little attention in the international relations literature up until the 1990's,[3] more recent research has found a very important trend in the way we treat international borders. Conquest and annexation of one's neighbors' land, commonplace in the history of the state system, is no longer on "the menu for choice" for post-WWII leaders and states. A practice that excluded such endeavors gradually developed into a strong international norm, which I term "border fixity." Since territory-related conflicts have been widespread in the past, this change in the way we treat borders must have a profound and highly important effect on relations among states. Intuitively, one would expect this effect to be positive, that is, resulting in more stable and peaceful relations. I argue that this intuition is partially true, indeed, under some conditions. Under other conditions, however, the

[2] Mark Zacher has called this phenomenon the norm of "territorial integrity" (see Mark W. Zacher, "The Territorial Integrity Norm: International Boundaries and the Use of Force," *International Organization* 55, no. 2 (2001). Tanisha Fazal calls this the norm of "territorial sovereignty"(Tanisha M. Fazal, "The Origins and Implications of the Territorial Sovereignty Norm," in *A paper presented at the Annual Convention of the American Political Science Association* (San Francisco, California: August-September 2001).)Both those terms, however, might confuse it with a general prohibition on intervention, which does not exist.

[3] An exception is John Herz, "Rise and Demise of the Territorial State," and "The Territorial State Revisited," both in John H. Herz, ed., *The Nation-State and the Crisis of World Politics* (New York: David Mckay, 1976).

effects of the border fixity norm, paradoxically, might bring about more wars and conflict than peace. This paper strives to identify both the positive and the negative effects of the border fixity norm and the conditions under which we should expect each to take place. I maintain that the effects of the norm promote peace and stability for states that are institutionally strong – that is, possessed of legitimate and effective governmental institutions. On the other hand, these effects create conflict and instability for states that are institutionally weak. The border fixity norm also perpetuate the weakness of most weak states, thus denying them the potential benefits of fixed borders, which they could have enjoyed had they been stronger.

The paper will present a preliminary theoretical framework for analyzing these effects. First, I briefly discuss the notion of "border fixity" and the emergence of this international norm. Second, I discuss the importance of state strength as an intervening variable in my theoretical framework. Third, I analyze the effects that the norm has on relations between strong states, and fourth, I study the effect of the norm on relations between weak states. Lastly, I conclude and suggest some avenues to further explore the effects of the border fixity norm. Throughout the paper I am using empirical examples to illustrate the theoretical propositions.

Theoretically, this paper is a part of increasing interest in territories, borders and how they play into international politics; an important and relatively new agenda of research in international relations literature.[4] In contrast to most literature on international norms, the paper examines how these norms could result in different outcomes for different states, not all of them necessarily positive. Moreover, the theoretical model I present enhances our understanding of the integration of international normative

[4] For some examples, see Brendan O'leary, Lustick, Ian S., and Callaghy,Thomas, ed., *Right-Sizing the State: The Politics of Moving Borders* (Oxford, UK: Oxford University Press, 2001), Monica D. Toft, *The Geography of Ethnic Violence: Identity, Interests, and the Indivisibility of Territory* (Princeton: Princeton University Press, 2003).

frameworks and rational calculations of actors. It also sheds more light on the interaction between domestic and international politics.

Border Fixity

Conquest and annexation of one's neighbor's territories were part and parcel of the modern state system. In an 1869 speech, answering a plea by a Polish delegation to the Prussian Parliament, the German Chancellor, Otto Von Bismarck, proclaimed, "Gentlemen, if you contest the right of conquest, you cannot have read the history of your own country. It is thus that states are formed."[5] Indeed, British Foreign Minister Lord Curzon concluded in 1905 that "the majority of the most important wars of the [nineteen century] have been Frontier wars. Wars of religion, of alliances, of rebellion, of aggrandisement, of dynastic intrigue or ambition …tend to be replaced by Frontier wars, i.e. wars arising out of the expansion of states and kingdoms…"[6] The twentieth century, however, has seen a sea change in the way we perceive international borders. While some borders are still contested (albeit fewer and fewer) we tend to think about borders today as a given; as a fact that should not be changed. "This era," as President Clinton asserted at the turn of the twenty first century, "does not reward people who struggle in vain to redrew borders with blood."[7]

These words are a reflection of a practice that has developed in the last 60 years. As Marc Zacher and Tanisha Fazal have aptly shown, cases of foreign annexation of homeland territory since WW-II are a rarity.[8] There were only 10 such cases in the period. If one translates this data to number of foreign

[5] Quoted in Sharon Korman, *The Right of Conquest: The Acquisition of Territory by Force in International Law and Practice* (Oxford, UK: Clarendon Press, 1996), p. x.
[6] George Nathaniel Curzon, *Frontiers* (Oxford: Clarendon Press, 1907).
[7] William J. Clinton, "Remarks by the President in Greeting to the Peoples of Pakistan," ed. the Office of Press Secretary White House (March 25, 2000).
[8] Fazal, "The Origins and Implications of the Territorial Sovereignty Norm.", Zacher, "The Territorial Integrity Norm."

occupation and annexation of homeland territory per state, the number for 1951 to 2000 is 0.05, as compared to 0.45 for the previous fifty years and 1.33 for the second half of the nineteenth-century.[9]

Moreover, border fixity is formally institutionalized. The UN Charter (1945), its system of trusteeship and later resolutions (mainly those regarding de-colonization and self-determination) gave the principle powerful legal backing. Various regional international organizations, such as the Organization of African Unity (OAU, Later AU), the Arab League, the Organization of American States (OAS) and the Conference for Security and Cooperation in Europe (CSCE, Later OSCE) have included in their charters and resolutions clauses that support, and sometimes require adherence to the fixity of international borders. [10]

Without too much fanfare, a strong international norm has emerged. For most actors, a norm here would mean "collective expectations for the proper behavior of actors with a given identity."[11] Some actors, however, follow the norm simply because it is the common practice, or even for the fear of retribution should they breach the norm.[12] By the norm of border fixity, then, I mean the prohibition, on the part of most states and the international community in general, of foreign conquest and annexation of homeland territory. This norm is a product of both material and ideational factors that converged after the Second World War. The economic devaluation of land, the enormous threat of nuclear war, low population density in some parts of the world, the interests of the superpowers, and ideas of self-determination and peace all served to promote and solidify the fixity of borders. While none of these factors can, by itself, explain the extent and breadth of the norms, their unique combination is what makes border fixity a strong and almost universally accepted norm.

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[9] These numbers are based on the definition discussed above and the data from Correlates of War Project, in Jaroslav Tir, Philip F. Diehl, and Gary Goertz, "Territorial Changes, 1816-1996," *Conflict Management and Peace Science* 16 (1998). Some modifications were done to extend the data to 2000.

[10] Korman, *The Right of Conquest*, pp. 133-99, Zacher, "The Territorial Integrity Norm," p. 222.

[11] See Peter J Katzenstein, "Introduction," in *The Culture of National Security: Norms and Identity in World Politics* (New York: Columbia University Press, 1996), p. 5.

[12] See Robert Axelrod, "An Evolutionary Approach to Norms," *American Political science Review* 84, no. 4 (1986).

As the focus of the paper is the consequences of the border fixity norm, rather than its origins, I will not delve here into a lengthy discussion of the relative influence of the factors mentioned above. I also will not describe the way this norm developed as an idea and in practice, either before or after 1945.[13] For my purposes suffice is to say that today the norm of border fixity, as argued above, is an existing fact.

State Strength

As stated above, the effects of the border fixity norm on states hinge on the strength of the state. The strength of states is a loaded variable in political science literature. In comparative politics, the strength of the states is usually treated as a measure of the relative strength of its government vis-à-vis its civil society (thus, for example, the US is often considered a weak state in this literature). [14] In International Relations literature, on the other hand, the strength of states often refers simply to their economic or military power. While both these meanings of state strength are related to my research, neither of them is similar to it.

I follow Kalevi Holsti by measuring the strength of states as "the capacity of the state to command loyalty- the right to rule- to extract the resources necessary to rule and provide services, to maintain that essential element of sovereignty, a monopoly over legitimate use of force within defined territorial limits, and to operate within the context of a conscious-based political community."[15] The stronger the state, therefore, the stronger its performances in the

[13] For such a review, see Korman, *The Right of Conquest*, Zacher, "The Territorial Integrity Norm."

[14] See, for example, Peter J Katzenstein, *Between Power and Plenty: Foreign Economic Policies of Advanced Industrial States* (Madison, Wisconsin: University of Wisconsin Press, 1987), Stephen D. Krasner, "Policy Making in a Weak State," in *American Foreign Policy: Theoretical Essays*, ed. John G. Ikenberry (harper Collins, 1989), Joel S. Migdal, *Strong Societies and Weak States: State-Society Relations and State Capabilities in the Third World* (Princeton: Princeton University Press, 1988).

[15] Kalevi J. Holsti, *The State, War, and the State of War* (New York: Cambridge University Press, 1996), pp. 82-83. For a more or less similar outlook see Barry Buzan, *People, State and Fear: An Agenda for International Security Studies in the Post Cold War Era* (Boulder, Colorado: Lynn Rienner, 1991), pp. 57-111. For a discussion of the

following criteria are likely to be (and vice versa): (a) commanding the loyalty of its population; (b) preserving a monopoly over the use of legitimate force; (c) level of taxation and other means of revenue extraction; and (d) extent and geographic location (i.e., distance from center) of public spending; and (e) efficiency and control of state bureaucracy. Thus, for example, the Netherlands is a strong state while Chad is a weak one.

These measurements should give us a general picture of the likelihood of states to benefit from the border fixity norm (i.e., to be part of a peaceful international environment), or to suffer from it (i.e., to be part of a conflict-ridden international environment).

Fixed Borders and Strong States: When Good Fences make Good Neighbors

Not all states are affected in the same manner by the structure of the international system, be that structure material or social.[16] The norm of border fixity translates very differently in regions in which most states are strong and in regions in which most are weak. It is the contention of this paper that regions of strong states are affected positively (more peace and stability) while regions of weak states are affected negatively (more causes for international conflict) by this very same phenomenon: the border fixity norm. This section explores the effects of border fixity on the former, while the next section deals with its affects on the latter.

Border fixity promotes peace and stability in regions that are composed predominantly of strong states, such as in Europe (apart from the Balkans), and North and South America. Strong states are

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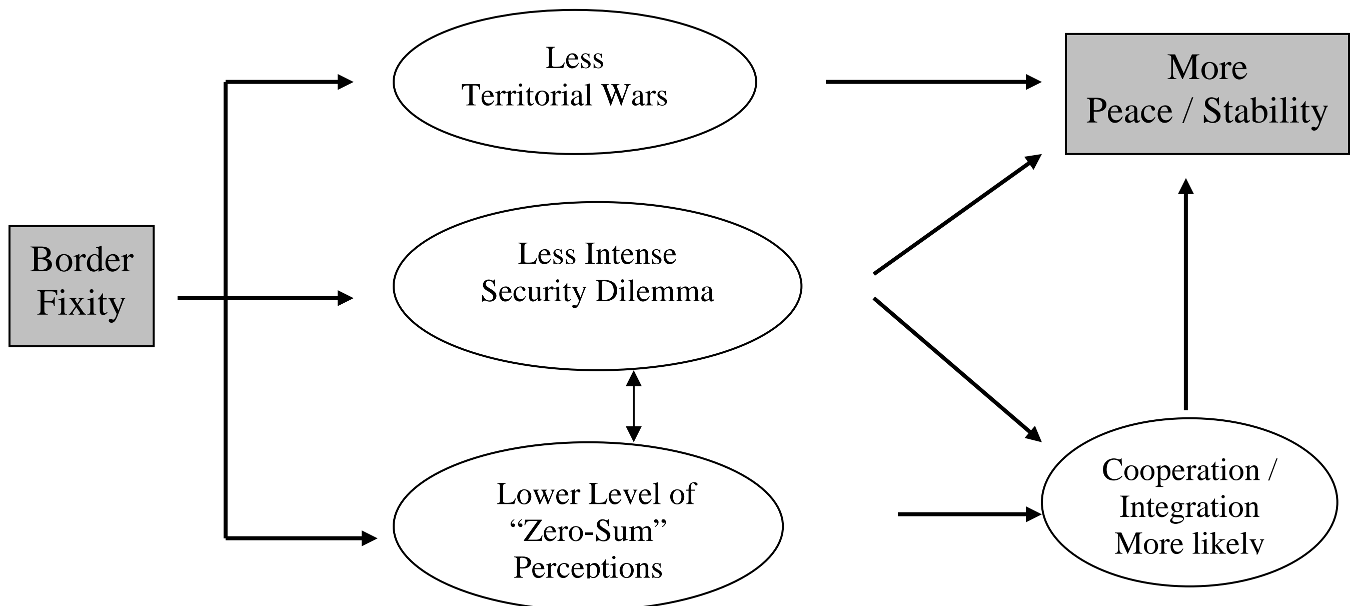
more extreme manifestations of weak states see Robert H. Jackson, *Quasi-States: Sovereignty, International Relations and the Third World* (Cambridge, UK: Cambridge University Press, 1990), Robert I Rotberg, "Failed States, Collapsed States: Causes and Indicators," in *State Failure and State Weakness in a Time of Terror*, ed. Robert I. Rotberg (Washington, D.C.: Brookings, 2003), I. William Zartman, "Introduction: Posing the Problem of State Collapse," in *Collapsed States: The Disintegration and Restoration of Legitimate Authority*, ed. I. William Zartman (Boulder, Colorado: Lynne Rienner, 1995).

[16] On the notion of social structure see Emanuel Adler, "Seizing the Middle Ground: Constructivism in World Politics," *European Journal of International Relations* 3, no. 3 (1997), Alexander E. Wendt, "The Agent-Structure Problem in International Relations Theory," *International Organization* 41, no. 3 (1987).

capable of acting more or less as unitary actors, at least in terms of security policy, and fairly secure of "internal enemies," real or imagined. Thus, they suffer much less from many of the problems which weak states suffer (which will be discussed below). As a result, one should anticipate more international peace and stability to follow the border fixity norm because (a) wars of territorial conquest are no longer a legitimate option to states; (b) states in these regions are likely to face lower levels of security dilemma; and (c) states that are confident about the preservation of their borders are less likely to think in "zero-sum" terms. As a result of (b) and (c), I also expect better cooperation, or even some degree of integration, between states, to be possible, which will also reduce the likelihood of violent international conflict. Chart 1 is a graphic expression of this argument:

Chart 1: Border Fixity Effects- Strong States



Historically, territory and borders issues are probably the primary underlying cause of wars between states, as well as the primary subject of international agreements. As John Vasquez argues, "territory is a peculiarly sensitive area for human collectives. They will fight over it more readily than over any other question, and any issue linked with territory becomes subject to violence and the use of force."[17] The fact that violent acquisition of land is not an option open for leaders and states in today's world, therefore, is by itself very significant and likely to profoundly decrease international conflicts. Alsace-Lorraine, for instance, was at the epicenter of Franco-German conflict for centuries, exchanging hands recurrently. The province was given to Luis XIV of France in the 1648 Westphalia Treaty, then taken by Bismarck's Prussia in the Franco-Prussian War of 1871, given back to France in the Treaty of Versailles (1919) and conquered again by Hitler in 1940 and by the Allies in 1945. In the era of border fixity, however, Alsace-Lorraine cannot, and is not, a matter of controversy any more. By the time Germany gained back its sovereignty in 1955 it accepted Alsace-Lorraine as permanently a part of France and relinquished any claims it had for the territory. Nor is it solely a legal matter. One can search in vein for any reference to Alsace-Lorraine as a part of Germany in any quarters of the current German polity. Therefore, Alsace-Lorraine is extremely unlikely to be the cause of another German-French war in the foreseeable future.

But border fixity contributes to peace and stability among strong states also in subtler and less obvious ways. The "security dilemma" is a situation in which what one state does to increase its security might be perceived as a threat by another state, thus creating cyclical arm races, mobilizations and possibly inadvertent wars. Such situations are prevalent in international

[17] John A. Vasquez, *The War Puzzle* (New York: Cambridge University Press, 1993), pp. 123-52. Quotation from p. 151. For similar conclusions see Gary Goertz, and Diehl, Paul F., *Territorial Changes and International Conflict* (New York: Routledge, 1992), Kalevi J. Holsti, *Peace and War: Armed Conflict and International Order 1648-1989* (New York: Cambridge University Press, 1991).

relations, determined by the anarchical character of the international system.[18] The level of tension caused by the security dilemma, however, varies. Under some conditions the dilemma tends to take a more malign character and under other, a more benign one.[19]

I submit that the border fixity is one such condition, which should have an important effect on the level of security dilemma. In practically banning the use of force to change the territorial status quo, the norm greatly decreases the potential threat that one nation's defenses pose to its neighbors. If one does not fear that one's neighbor could use its power to gobble up some of its territory, or even to threaten one's survival, one would be much less inclined to interpret any defensive move by one's neighbor as a threat to oneself.

World War I is sometimes taken as the ultimate example of the malign effects of security dilemma. Here, one sees all the European Great Powers reluctant to embark on a major war, but nevertheless find themselves entangled in precisely such a war as a result of fears of the others' intentions and capabilities and seeing the approaching war as virtually inevitable. The perceived offense-dominance and the offensive doctrines of the various European militaries certainly made the security dilemma more acute.[20] One might dispute this narrative of the Great War and argue that of all the great powers Germany was one that was driven by greed and desire for territorial expansion, rather than by fear.[21] Yet, to a significant degree, Germany's expansionism stemmed from its perennial "encirclement complex" and thus from a form of the security dilemma.[22]

The tendency of people and states to perceive "the game" as a zero-sum is another factor that lies at the background of many conflicts in the world in which borders are fluid, but which has

[18] Robert Jervis, "Cooperation under the Security Dilemma," *World Politics* 30, no. 2 (1978).
[19] A prominent condition mentioned in the literature is the "offense-defense balance." See Stephen Van Evera, *Causes of War: Power and the Roots of Conflict* (Ithaca: Cornell University Press, 1999).
[20] See Ibid., 193-239.
[21] For a discussion, see Fritz Fischer, *War of Illusions: German Policies from 1911 to 1914* (New York: W.W. Norton, 1975), pp. 461-549.
[22] Van Evera, *Causes of War*, 203-04.

changed in a world of fixed borders. When one's neighbor might use his or hers advantage (be it economic, military or otherwise) to get hold of some of ones' territory, or even to eliminate ones' state entirely, one would be very cautious not to grant the neighbor such an advantage. The game, then, becomes a zero-sum: whatever gains for one side are considered a loss to the other side. The most substantiated conclusions of the extensive debate over the issue of relative vs. absolute gains that took place in international relations literature in the 1980's and early 1990's, is that states tend toward one view or the other depending on the subject and their conditions. Importantly, the literature seems to agree the issue of relative gains is more likely to be salient when gains might be translated to security threats[23]

Whether one state could use its relatively higher gains to threaten the others' security is not only a technical matter, though. A change in the norms of behavior could also increase or decrease the level of security the states are enjoying. Once these norms are changed and once the new norms are institutionalized perceptions of zero-sum and relative gains are changing as well. In a world in which territories are unlikely to be changed, even if one is significantly weaker than one's neighbors are, one would care more about one's own (absolute) gain than about one's neighbors'. It is unlikely, for instance, that the level of integration reached by the European Union would have been possible if the member states of the organization still fear that the inevitably uneven gains could be translated by other members into seizing their own territories.

Lower levels of the security dilemma and the decrease of zero-sum perceptions, when combined, are likely to produce increased cooperation between states and perhaps even some degree of integration

[23] For the absolute vs. relative gains debate and for its convergence around the issue of security, see, e.g., Joseph Grieco, "Understanding the Problem of International Cooperation: The Limits of Neoliberal Institutionalism and the Future of Realist Theory," in *Neorealism and Neoliberalism: The Contemporary Debate*, ed. David Baldwin (New York: Columbia University Press, 1993), Robert O. Keohane, "Institutional Theory and the Realist Challenge after the Cold War," in *Neorealism and Neoliberalism: The Contemporary Debate*, ed. David Baldwin (New York: Columbia University Press, 1993), Robert Powel, "Absolute and Relative Gains in International Relations Theory," *American Political science Review* 85, no. 4 (1991).

(this, of course, depends also on other variables, such as the degree of economic and political compatibility of the states). It is perhaps ironic, but states need to be confident and secure in the location of their borders in order to relax the function of these borders and to allow intensive cross-border exchanges of products, money, ideas and people. While economic (and otherwise) cooperation and interdependence does not guarantee peace (see WWI), some form of it, in combination with other factors, does greatly enhance the peaceful character of relations between states.[24] Moreover, a higher degree of integration, such as the one within the European Union, seems to be a very high barrier to war, and one that greatly contributes to the stability and peacefulness in post-world War II Europe.[25]

Overall, then, the international norm of border fixity decreases the chances of war and increases stability and peace in regions in which most states are institutionally strong. It does so directly, by limiting (or eliminating) the possibility of territorial expansion and border changes, therefore dramatically decreasing territorial wars. It does so also indirectly by reducing levels of the security dilemma and zero sum perceptions, thus also increasing cooperation and integration, all of them conducive to peace. I am not suggesting that the border fixity norm has been the only factor creating peace and stability in Europe, for instance, but I do argue it was, and still is, a necessary factor in that peace, and one that is rarely acknowledged and studied.

Fixed Borders and Weak States: When Good Fences make Bad Neighbors[26]

By contrast, in regions where states were weak at this historical moment, such as in the Middle East, Africa, the Balkans, Central America, and large parts of Asia and the former Soviet Union, the border

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[24] Michael W. Doyle, "Three Pillars of the Liberal Peace," *American Political science Review* 99, no. 4 (2005), Robert O. Keohane, Nye, Joseph S, *Power and Interdependence*, 2nd ed. (Glenview, Illinois: Scott, Foresman/ Little, Brown, 1989).

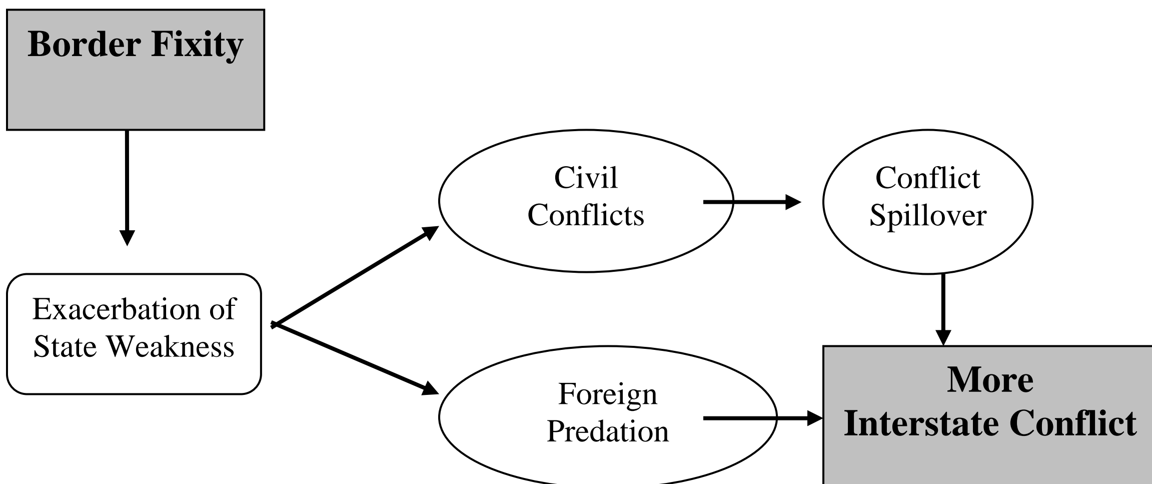
[25] For the analysis of the "security community" in Western Europe, see Ole Waever, "Insecurity, Security and Asecurity in West European Non-War Community," in *Security Communities*, ed. Emanuel Adler, and Barnett, Michael (New York: Cambridge University Press, 1998).

[26] A more detailed version of this section is forthcoming in *International Security*, fall 2006 edition.

fixity norm might have adverse consequences for both domestic and international relations. I posit that this norm is likely to perpetuate and exacerbate state weakness, since it deprives the state of a key factor that was historically a motor of state building: the external threat to its borders and its survival. In early modern Europe and elsewhere, this threat played a fundamental role in creating strong institutions and strong ingroup feelings that furthered the cohesiveness of states. Today, states in the above regions do not face these geopolitical pressures; thus they are devoid of this crucial tool for creating strong institutions and internal cohesiveness. Weak states today, moreover, are not "selected out" of the system, as they used to be, but keep on surviving.

In turn, weak or failed states are more likely to become the source of international conflicts. This is so, first, because weak states are more likely to be the site of civil strife, which often spills across borders by increasing incidences of cross-border ethnic intervention, insurgency and counterinsurgency. Second, weak states increase the opportunities for other states' predation (in a non-territorial, i.e., economic or political sense). This proposition is illustrated in Chart 2 below.

Chart 2: Border Fixity Effects- Weak States



(a) Border Fixity and Exacerbation of State Weakness

Fixed borders do not cause states to be weak in the first place, but they might perpetuate this unfortunate condition in states that are already weak. They create this effect by denying the incentives and coercive capabilities that come with the threat of territorial wars and the opportunities of territorial expansion and by preventing the process which used to eliminate weak states and further strengthen more efficient ones prior to 1950.[27] Since we are looking essentially at analysis of a lack of some conditions, rather than their existence, direct evidence is unlikely to be found. What one can do, though, is to analyze the processes in comparable past situations in which the norm of border fixity did not yet exist. Of course, one has to be very cautious when comparing cases across time and space and to take into considerations significant historical differences as well as the effects of learning and influence of the availability of different models. Yet, there are enough similarities in, for example, the situation of early modern European states and those in today's developing world, to make this exercise worthwhile.

International war played a major role in the political development of the early modern European states and in particular in strengthening these states and making them more cohesive. As Charles Tilly argues, "war made the state and the state made war."[28] International war contributed to states' strength, first,

[27] A number of other works agree with my general point here, although they refer to the effects of war in general rather than a war of territorial conquest, as I argue below. For example, see Jeffrey Herbst, "War and State in Africa," *International Security* 14, no. 4 (1990). Michael C. Desch, "War and Strong States, Peace and Weak States?" *International Organization* 50, no. 2 (1996).

[28] The original argument is from Otto Hintze. See Otto Hintze, "The Formation of the State and Constitutional Development: A Study in History and Politics," in *The Historical Essays of Otto Hintze*, ed. Felix Gilbert (New York: Oxford University Press, 1975). The theory, though, saw its main development in Charles Tilly, "Reflections on the History of European State-Making," in *The Formation of National States in Western Europe*, ed. Charles Tilly (Princeton: Princeton University Press, 1975). Quotation from p.73. See also Brian M. Downing, *The Military Revolution and Political Change: Origins of Democracy and Autocracy in Early Modern Europe* (Princeton: Princeton University Press, 1992), Thomas Ertman, *Birth of the Leviathan: Building States and Regimes in Medieval and Early Modern Europe* (New York: Cambridge University Press, 1997), Charles Tilly, *Coercion, Capital, and European States, Ad 990-1992* (Cambridge, Massachusetts: Blackwell, 1992).

because the “military revolution”[29] made fighting wars a more expensive and more intensive business.[30] The development of standing armies increased both the need of states to extract resources from their population and their ability to do so. These new needs also facilitated the development of an incipient state bureaucracy, which spread from the narrow military-related issue to civil ones and served as a basis for later bureaucratic expansion.[31] A second way by which territorial threat amplified the state building process is through “ingroup-outgroup dynamics,” which create not only hostility towards foreigners, but also a greater internal cohesiveness within the European states.[32] The more a group as a whole is faced with threats to their existence from outside, the more they tend to “rally round the flag” and achieve internal cohesion. This is not an argument particular to the age of national communities, but to every social group, at every level.[33]

[29] “The process whereby small, decentralized, self-equipped feudal hosts were replaced by increasingly large, centrally financed and supplied armies that equipped themselves with ever more sophisticated and expensive weaponry.” Downing, *The Military Revolution and Political Change*, p. 10. The military revolution started in south Europe in the fourteenth and fifteenth centuries and gradually expanded westward, northward and eastward.

[30] Ibid, Samuel E. Finer, "State- and Nation- Building in Europe: The Role of the Military," in *The Formation of National States in Western Europe*, ed. Charles Tilly (Princeton: Princeton University Press, 1975), pp. 103-06, Michael Howard, *War in European History* (Oxford, UK: Oxford University Press, 1976), pp.61-74, William H. McNeill, *The Pursuit of Power: Technology, Armed Force, and Society since A.D. 1000* (Chicago: The University of Chicago Press, 1982), pp. 63-125.

[31] Downing, *The Military Revolution and Political Change*, Ertman, *Birth of the Leviathan*, Tilly, "Reflections on the History of European State-Making."

[32] For the psychological bases of this argument, see, for example, Henry and Turner Tajfel, John C., "The Social Identity Theory of Intergroup Behavior," in *Psychology in Intergroup Relations*, ed. Stephen Worchel, and Austin, William G. (Chicago: Nelson-Hall, 1986). For a more sociological view, see Lewis A. Coser, *The Functions of Social Conflict* (Glencoe, Illinois: 1956), Georg Simmel, *Conflict and the Web of Group-Affiliation* (New York: The Free Press of Glencoe, 1955), pp. 87-110.

[33] Coser, *The Functions of Social Conflict*. For the effects of both international and domestic (ethnic) conflict on group identity, see Desch, "War and Strong States," pp. 247-48, Janice Gross Stein, "Image, Identity, and the Resolution of Violent Conflict," in *Turbulent Peace: The Challenges of Managing International Conflict*, ed. Chester A. Crocker, Hampson, Fen Olster, Aall, Pamela (Washington D.C.: United States Institute of Peace Press, 2001), pp. 289-08. One example of such a process is the effect of external threats on the Israeli society. Israel, one of the few cases in the post-WWII world in which the legitimacy of the state’s existence is still questioned by its neighbors, managed to create a strongly cohesive society out of very divergent populations. One of the main reasons for this success of the Israeli “melting-pot” was the external threat. Once this threat receded, after 1967, the cohesiveness of the society did not advance much further. See Michael N. Barnett, *Confronting the Cost of War: Military Power, State, and Society in Egypt and Israel*
(Princeton: Princeton University Press, 1992).

Opportunities for territorial expansion, as well, can serve to strengthen the bonds of a society, as they can elevate its view of itself.[34]

Seventeenth Century Brandenburg-Prussia (later Prussia) is a case in point. In 1640, "There was no *state* of Prussia. There was a clutch of distinct territories- states if one wishes- which had all come, by the accident of hereditary descent, under the dominion of George William of the ruling line of the Hohenzollerns."[35] Facing continued threats to its survival (not to mention to its territories), as well as opportunities for territorial expansion, the state developed through the next century to become not only a strong state, but one of Europe's great powers. It did so through the development of a strong military, a capable civilian bureaucracy and a high degree of patriotism of the politically relevant strata, the landed aristocracy.[36] Nor was this process unique to early modern Europe. Nineteen-century Argentina, for instance, experienced a similar process, though a less intense one.[37]

Note, though, that wars in early modern Europe were so effective as an engine of state building exactly because they threatened the states' territories. Wars that do not aim at territorial gains do not endanger the survival of the state *as such*. Though some portion of the populace or the regime might be in jeopardy, it is much harder to "sell" this attack as an assault on the collective in-group. For instance, the public and the elite are unlikely to accept an increased fiscal burden and central control, which are critical components of state building, as a reaction to civil wars. Similarly, in circumstances involving a conjuncture of civil

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[34] See Jack S. Levy, "Domestic Politics and War," *Journal of Interdisciplinary History* 18, no. 4 (1988), Max Weber, "The Prestige and Power of the Great Powers," in *From Max Weber: Essays in Sociology*, ed. H. H. Gerth and C. Wright Mills (New York: Oxford University Press, 1946), pp. 159-63.

[35] Finer, "State- and Nation- Building in Europe: The Role of the Military," 134-45.

[36] F.L. Carsten, *The Origins of Prussia* (Oxford, U.K.: Clarendon, 1954), Finer, "State- and Nation- Building in Europe: The Role of the Military."

[37] Fernando Lopez-Alves, *State Formation and Democracy in Latin America, 1810-1900* (Durham, North Carolina: Duke University Press, 2000), 140-92. See also Miguel A. Centeno, *Blood and Debt: War and the Nation-State in Latin America*
(University Park, Pennsylvania: Pennsylvania University Press, 2002).

conflict with international intervention, people are more likely to view the outside intervention as hurting some groups but helping others. [38]

It is important to emphasize that relations between territorial war and state building are not deterministic. While geopolitical pressures and opportunities provide incentives to change, the decision whether to do so and in what way is a political one. Still, war often serves as the final arbiter between self-empowering decisions and self-defeating ones. In such a way, international war (and especially territorial war) eventually “made” the decision between the “national state” and its rival political institutions, as well as between states. Those political entities that could master both the material wherewithal and the legitimacy of their populations survived. Those who could not do so were often defeated and “selected out” of the system.[39] The map of Europe from the 15th century until the end of the Second World War, thus, has seen constant changes.

Most states in the current developing world find themselves in the early stages of state building, much like states in early modern Europe.[40] However, these states are devoid of the very incentives –territorial

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[38] In taking this position I diverge from the idea put forth by Herbst, “War and the State in Africa,” and by Desch, “War and Strong States.” Herbst and Desch argue that the lack of international wars (of any kind) is what weakens the Third World states, whereas I maintain that only a particular kind of war, a war of territorial conquest, has this kind of effect. Indeed, a recent “large N” study finds a significant positive effect of external threat on tax extraction in developing states, while no such effects exist with regard to internal conflict. The author speculates that even the external threat that exists does not ultimately produce strong states since it seldom amounts to a threat to the survival of the state itself. See Cameron G. Thies, "State Building, Interstate and Intrastate Rivalry: A Study of Post-Colonial Developing Countries Extractive Efforts, 1975-2000," *International Studies Quarterly* 48 (2004).

[39] Hendrik Spruyt, *The Sovereign State and Its Competitors* (Princeton: Princeton University Press, 1994), pp. 32-33, Tilly, *Coercion, Capital, and European States, Ad 990-1992*. For a discussion of the imperatives of the anarchical state system and the ensuing “natural selection” among states, see Kenneth N. Waltz, *Theory of International Politics* (Reading, Massachusetts: Addison-Wesley, 1979).

[40] Mohammed Ayoob, *The Third Word Security Predicament: State Making, Regional Conflict and the International System* (Boulder, Colorado: Lynne Rienner, 1995), pp. 21-46, 193-94. Theoretically, there was nothing in the ethnic or demographic composition of Europe that made it a “better candidate” for creating strong states than the present day developing states. The European population in the 15th or 16th centuries was neither more affluent nor more homogeneous than the current day population of developing states. The current relative ethnic and linguistic homogeneity of European states is a product, rather than a pre-condition, of the process of state building. For analysis of Brandenburg-Prussia see, e.g., Finer, "State- and Nation- Building in Europe: The Role of the Military." For analysis of France see Eugen J. Weber, *Peasants into Frenchmen: The Modernization of Rural France, 1870-1914.* (Stanford: Stanford University Press, 1976). Nor was this homogenization process unique to Early Modern Europe in terms of either time or space. See Tin-Bor Victoria Hui, "Toward a Dynamic Theory of

threats and opportunities – that made European state building a reality. There is, moreover, no selection mechanism: no matter how weak, dysfunctional or failed a state is, it will survive. This creates a "moral hazard," as even states that lack any attributes of states (e.g., Somalia) still retain their external sovereignty, the formal recognition of the international community, a seat in the UN, and other benefits of stateness.[41] Therefore, it is plausible to conclude that today's young states will face great difficulties in building strong states out of the initially rather arbitrary collection of people and communities they inherited from the colonialists. In the rare cases in the post WW-II world in which there was a real threat to the territorial integrity and the survival of the state, such as in Israel, Taiwan and South Korea, there was indeed a process of healthy state building, much more so than in most other developing states.[42] Some other states managed to defy the structural logic imposed by the border fixity norm and build stronger states, especially where a relatively coherent political structure that predated the modern nation survived (China), or where an especially capable leadership emerged (Botswana). For the most part, nevertheless, the developing world is still comprised of mainly weak states.

"Large-N" studies that define state weakness in similar ways and perform a temporal test of the trajectory of weak states are hard to come by. That the phenomenon of weak states is pervasive, however, is not in doubt. A comprehensive study of the *Fund for Peace* and *Foreign Policy*, for instance, ranks 60 weak and failing states, which include countries from the former Soviet Union, Africa, Asia, the Middle East, Latin America and Europe. Twenty of these states are identified as in "critical" condition, 20 more "in danger" and another 20 as "borderline." In a different study, Robert Rotberg argues that while in the last decade only seven states could be strictly defined as failed or collapsed, "several dozen more, however, are

International Politics: Insights from Comparing Ancient China and Early Modern Europe," *International Organization* 58, no. 1 (2004).

[41] See Jackson, *Quasi-States*.

[42] See, for instance, Barnett, *Confronting the Cost of War*, Migdal, *Strong Societies and Weak States*, pp. 142-205. Though some states that faced territorial threats (such as Pakistan or Jordan) did not grow stronger, they were not eliminated from the map, as in all probability they would have been in previous eras.

weak and serious candidates for failure."[43] I submit that, to a significant degree, the prevalence and spread of weak states in contemporary world is a result of the international norm of border fixity.

(b) State Weakness and Spillover of Civil Conflict

One reason why weak states are often a source of international conflicts is because of the spillover of internal strife. Civil conflicts, as well as their spillover across borders, are greatly enhanced by state weakness. Since the Second World War, internal wars have been much more common than conventional state vs. state wars.[44] One study, for example, counted 126 such conflicts out of a total of 164 wars fought from 1945 to 1995.[45] Another finds that about three quarters of the armed conflicts in the 1990's were wars between organized communal groups or between such groups and governments.[46] These figures are even more impressive when one considers the fact that civil wars tend to be much more prolonged than interstate wars.[47] Communal wars are a common feature in regions occupied by relatively young states, such as Africa, the Middle East, and Asia. Civil wars are much less common in regions in which most states are strong.[48]

Communal fighting often occurs as a result of two processes, both of which are characteristic of weak states. First, "emerging anarchy" arises when the state ability to enforce order and provide internal security

[43] Fund For Peace, *Failed States Index* (Fund For Peace, 2005 [cited); available from http://www.fundforpeace.org/program/fsi/fsindex.php, Robert I Rotberg, "The New Nature of Nation-State Failure," *Washington Quarterly* 25, no. 3 (2002): p. 85.

[44] Ted R. Gurr, "Managing Ethnopolitical Conflict in the New Century," in *Turbulent Peace: The Challenges of Managing International Conflict*, ed. Chester A. Crocker, Hampson, Fen Olster, Aall, Pamela (Washington, D.C.: United States Institute of Peace, 2001).

[45] *Holsti, The State, War, and the State of War, p. 22.*

[46] Peter Wallensteen, and Sollenberg, Margarita, "Armed Conflict, 1989-98," *Journal of Peace Research* 36, no. 5 (1999).

[47] In fact, Ann Hironaka attributed this prolongation of civil wars precisely to the fixity of borders and weakness of states. See Ann Hironaka, *Neverending Wars: Weak States, the International Community, and the Perpetuation of Civil War* (Cambridge, Massachusetts: Harvard University Press, 2004).

[48] *Holsti, The State, War, and the State of War, pp. 19-21.* Civil wars were common in Latin America as well, but there, the motives, at least during the Cold War era, were more often ideological.

decreases, and, as a result, the potential danger that one group poses to another increases.[49] The weakness of state authority also enables some groups to calculate more favorably their chances of winning a civil war. Both the fear and the opportunities that are provided by the emerging anarchy increase the likelihood of civil wars erupting.[50] One example of such a dangerous process occurred as the iron grip of the communist regime in Yugoslavia crumbled and the various ethnic groups within the state faced a severe internal security dilemma, which gave rise to a bloody conflict.[51]

A second reason why communal fighting occurs is because, as argued above, rulers have fewer tools to gain legitimacy in an age of border fixity. They might attempt, therefore, to compensate for this by "playing the ethnic card," an act that might have ominous consequences for inter-communal relations.[52] Politicians might choose to incite or promote internal conflict to gain the support of some segments of the population without having to resort to expensive practices of state building. These practices are likely to be more common in an era of border fixity, moreover, since groups that are discriminated and excluded lack an exit option. As Zaire under Mobutu Sese Seko started crumbling in the early 1990's, Mobutu incited a campaign of exclusion against the Banyarwanda of eastern Zaire, branding this group of tribes as foreigners, and denying them rights of civilians, in order to gain the support of other groups in the region. This is despite the

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[49] See James D. Fearon, "Commitment Problems and the Spread of Ethnic Violence," in *The International Spread of Ethnic Conflict: Fear, Diffusion, and Escalation*, ed. David A. and Rotchild Lake, Donald (Princeton: Princeton University Press, 1998), pp. 115-25, David A. and Rotchild Lake, Donald, "Containing Fear: The Origins and Management of Ethnic Conflict," *International Security* 21, no. 2 (1996): pp. 48-52, Sarah K. Lischer, "Causes of Communal War: Fear and Feasibility," *Studies in Conflict & Terrorism*, no. 22 (1999): pp. 331-35, Barry R. Posen, "The Security Dilemma and Ethnic Conflict," *Survival* 35 (1993): pp. 25-45.

[50] Nelson Kasfir correctly notes that the post Cold War literature on internal security dilemma largely neglects the importance of greed in explaining the eruption of violence in failing states and suggests that fear and greed, although theoretically distinct, are often hard to tell apart in practice. See Nelson Kasfir, "Domestic Anarchy, Security Dilemmas, and Violent Predation: Cuases and Failures," in *When States Fail: Causes and Consequences*, ed. Robert I Rotberg (Princeton: Princeton University Press, 2004).

[51] Posen, "The Security Dilemma and Ethnic Conflict," pp. 35-38.

[52] See Janis Gross Stein, "Image, Identity, and the Resolution of Violent Conflict," in *Turbulent Peace: The Challenges of Managing International Conflict*, ed. Chester A. Crocker, Osler Hampson, Fen and Aall, Pamela (Washington, D.C.: United States Institute of Peace, 2001), p. 193.; Lake, "Containing Fear," pp. 53-56.

fact that the Banyarwanda settled in the area more than two hundred years ago.[53] Such “internal scapegoating” is apt to further increase both communal fear and communal opportunities for predation, leading to civil conflicts, as was, indeed, the case in Zaire. Weak states in an international environment of border fixity, thus, are prone to suffer from civil wars and ethnic violence.[54]

Weak states tend, then, to supply a fertile ground for civil and communal strife. These struggles, in turn, are frequently not contained within the state and tend to affect neighboring states, often even leading to international conflicts.[55] Spillover of internal conflicts often occurs in two ways. First, refugee flows become the vehicle through which internal fighting spreads to neighboring countries. Internal wars, most notably ethnic conflicts, tend to produce more refugees than interstate conflicts.[56] These refugees, especially when settled in camps not far from the borders of their homeland, are often the source of cross-border infiltrations and attacks. Through retaliation of the home country, the conflict might well escalate into a full-scale international war.[57] However, not all refugee flows are equally likely to spur international conflict. They are more likely to do that when weak states are involved. Such states lack the capacity either to resettle refugees (thus supplying them with incentives to integrate with local populations, rather than continue

[53] Jermaine O. McCalpin, "Historicity of a Crisis: The Origins of the Congo War," in *The African Stakes in the Congo War*, ed. John F. Clark (New York: Palgrave-Macmillan, 2002), p. 46, William Reno, *Warlords Politics and African States* (Boulder, Colorado: Lynne Rienner, 1998), p. 106.

[54] Of course, these relations are often circular, where a protracted civil war might magnify the state’s weakness. Yet, examples of cases in which a strong state falls into a civil war and emerges from it as a weak one are few. Yugoslavia is perhaps one such case, but it was considerably weakened even before the war broke out. The fact that civil wars often further weaken already weak states, in any event, does not contradict the argument made above.

[55] Michael E. Brown, "Introduction," in *The International Dimensions of Internal Conflict*, ed. Michael E. Brown (Cambridge, Mass.: MIT Press, 1996). These dynamics are significantly different than those often described in the literature of causes of war, as this literature often concentrates on the Western world and on great power relations in particular. On these differences, see Steven R. David, "Explaining Third World Alignment," *World Politics* 43, no. 2 (1991), Brian L Job, "The Insecurity Dilemma: National, Regime, and State Securities in the Third World," in *The Insecurity Dilemma: National Security of Third World States*, ed. Brian L. Job (Boulder, Colorado: Lynne Rienner, 1992).

[56] For such findings, see Job, "The Insecurity Dilemma," pp. 3-7, Kathleen Newland, "Ethnic Conflict and Refugees," in *Ethnic Conflict and International Security*, ed. Michael E. Brown (Princeton: Princeton University Press, 1993), Myron Weiner, "Bad Neighbors, Bad Neighborhoods: An Inquiry into the Causes of Refugee Flows," *International Security* 21, no. 1 (1996).

[57] It is worth reiterating that the threat the insurgency and the counterinsurgency pose is not to the survival of the states or to their legal territorial integrity but, rather, to individual security and, in many cases, to the security of the regimes in both countries.

targeting their home countries) or to force them to abandon their armed struggle in order to avoid retaliation by their state of origin.[58] The Palestinian refugee situation in Lebanon is a case in point: Lebanon's government, too weak to force its authority on the refugees or to effectively counter Israel's retaliations, had, eventually, to face an Israeli invasion, once the latter decided in 1982 to eliminate the PLO's military power in Lebanon.[59]

Second, the "kin-country syndrome" is a situation in which ethnic fault lines do not correspond to state borders, and when ethnic groups in one country are alarmed by the grievances of their brethren across the border. [60] This syndrome might well lead to increasing tensions between neighboring states and, ultimately, to international wars and interventions.[61] Iraq, Iran and Turkey, for example, reacted by military force to the assistance their subject Kurds received from their kin across their borders. Note that these conflicts were not about demands to redraw the international borders, but simply about denial of aid by external states to internal challengers.[62] The physical potential for the kin-country syndrome to occur, of course, exists everywhere. Yet, weak states are a much more likely venue since the populations of these states have less

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[58] See especially Sarah K. Lischer, *Dangerous Sanctuaries: Refugee Camps, Civil War, and the Dilemmas of Humanitarian Aid* (Ithaca: Cornell University Press, 2005), 28-31. See also Ted R. Gurr, "The Internationalization of Protracted Communal Conflicts since 1945: Which Groups, Where, and How," in *The Internationalization of Communal Strife* (New York: Routledge, 1993), pp. 4-5, I. William Zartman, "Internationalization of Communal Strife: Temptations and Opportunities of Triangulation," in *The Internationalization of Communal Strife*, ed. Manus I. Midlarsky (New York: Routledge, 1993), pp. 27-42.

[59] Avner Yaniv, *Dilemmas of Security: Politics, Strategy, and the Israeli Experience in Lebanon* (New York: Oxford University Press, 1987).

[60] Samuel Huntington, "The Clash of Civilization and the Remaking of World Order," *Foreign Affairs* 72, no. 3 (1993): pp. 35-39, Rene Lemarchand, "Patterns of State Collapse and Reconstruction in Central Africa: Reflections on the Crisis in the Great Lakes," review of Reviewed Item, *African Studies Quarterly*, no. 1(3) (1997), http://web.africa.ufl.edu/asq/v1//3/3.htm. Stuart Kaufman refers to a more specific phenomenon that he calls an "external affinity problem," a strategic situation in which a minority in one state is a majority in the larger region (e.g., The Tamil minority in Sri-Lanka as compared to the Tamil majority if one adds the Indian state of Tamil-Nadu to the equation). See Stuart J. Kaufman, "An 'International' Theory of Inter-Ethnic War," *Review of International Studies* 22 (1996): p. 153.

[61] Stephen M. Saideman, *The Ties That Divide: Ethnic Politics, Foreign Policy & International Conflict* (New York: Columbia University Press, 2001), pp. 1-35, 203-22. For a counterargument, see Michael E. Brown, "The Causes and Regional Dimensions of Internal Conflict," in *The International Dimension of Internal Conflict*, ed. Michael E. Brown (Cambridge, Mass.: MIT Press, 1996), pp. 603-27.

[62] Gurr, "The Internationalization of Protracted Communal Conflicts since 1945," pp. 16-17.

affinity to their states, and since, as explained above, these feelings are less likely to change in the absence of external territorial pressures.

(c) State Weakness and External Predation

If the security dilemma is largely a product of fear, a different human trait, greed, adds to the likelihood of weak states to be involved in international wars. Of course, the opportunities of territorial revisionism are greatly reduced in a world of fixed borders. Nevertheless, greed might still play a significant role in such a world. The fact that one state cannot legally annex its neighbor's territory does not mean that it cannot politically control its neighbor (including changing its regime[63]) or cannot abuse this territory for its own economic gains. Although greed exists everywhere, weak states are a much easier target since internal allies are much more identifiable for an outsider to find, and since many institutionally weak states become, with time, also weak in terms of military power. Maintaining a strong and cohesive military when the state is falling apart and when taxes are not forthcoming is extremely hard.[64] While these conditions would not always bring about an officially declared war, they do often result in international conflict of some sort, sometimes involving additional outside parties.

Again, the predation expected here is not territorial but political and economic. The threats that are created by such predatory policies, nevertheless, are significantly different than those created by "traditional" territorial threat since they are often perceived as threats to some particular group within the victim state, rather than to the state as a whole. Incursions on the state's economic assets or its political independence, therefore, do not generate the expected cohesion-enhancing "ingroup outgroup" dynamics. As Lewis Coser notes, "the relations between outer conflict and inner cohesion does not hold true where

[63] On the proposition that territorial conquest was replaced by intervention for regime change, see Tanisha M. Fazal, "From Conquest to Intervention: State, Regime, and Leader Exit," in *Annual Meeting of the International Studies Association* (Honolulu, Hawaii: 2005).
[64] Buzan, *People, State and Fear*, p. 113.

internal cohesion before the outbreak of the conflict is so low that the group members have ceased to regard preservation of the group as worthwhile, or actually see the outside threat to concern 'them' rather than 'us'."[65]

One example of such economic and political predation is Zimbabwe's involvement in the war over the Democratic Republic of Congo (1998-2004). The potential economic profit in the DRC was openly declared to be one of the chief reasons for Zimbabwean involvement by President Robert Mugabe. He publicly encouraged businesses to exploit the intervention to promote their profits. The Zimbabwean army as an organization and his heads as private businessmen heeded the President's advice and heavily involved themselves in the production and trade of diamonds, gold and copper from the parts of the DRC controlled by Zimbabwean troops.[66]

In a world of fixed borders weak states, then, are both more likely to stay weak and to be involved in international conflicts as a result of this weakness. States that were weak (or not yet independent) by the end of WW-II are likely to stay weak or even get weaker as a result of the absence of external territorial threats. In an era of border fixity, in turn, neighborhoods of weak states are rife for international conflict, which is often a result of internal strife spilling across borders, or of greedy neighbors preying on the corpse of their weaker neighbor.

Conclusions

In his 2002 National Security Strategy, President George W. Bush maintained that, "America is now threatened less by conquering states than by failing ones."[67] US Secretary of State Condoleezza Rice seconded this assertion, remarking in a 2005 op-ed, "The greatest threats to our security are defined

[65] Coser, *The Functions of Social Conflict*, pp. 93-95. Quotation from p. 93.
[66] David Shearer, "Africa's Great War," *Survival* 41, no. 2 (1999): 98.
[67] George W. Bush, "National Security Strategy," (The White House, 2002).

more by dynamics within weak states than by the borders between strong and aggressive ones."[68] Though not directly related to US security, this paper argues that these two notions, that the threat posed by strong states seeking territorial aggrandizement is waning, and that the one emanating from weak ones is growing, are closely related. It suggests that the international norm of border fixity is the "missing link," which relates the positive and negative sides the international equation advanced by Bush and Rice.

The effects of border fixity on international relations could be either positive or negative, but in both cases they are far from trivial. Good fences make good neighbors in neighborhoods of strong states. The demise of territorial conquests affected peaceful relations among the strong states of the developed world. In contrast, good fences might make bad neighbors in neighborhoods of weak states. Border fixity, in other words, results in more, rather than less, international conflicts, in much of today's developing world. Moreover, good fences also perpetuate state weakness, thus making the change of the character of neighborhoods a hard task.

In theoretical terms, the contribution of these propositions is in exploring both the intended and unintended consequences of international norms, an exercise seldom done in exiting literature. The interplay of normative and rational variables and of domestic and international factors, as well, is theoretically worthy of our attention. The norm of border fixity, which emanates primarily from the international level, sets the framework, the "menu for choice," within which rational domestic decisions can be made. These domestic decisions, in turn, have profound effects on international relations, depending on the character of the states in the neighborhood.

This paper, of course, cannot be conclusive, as it presents a theoretical proposition, rather than a tested scheme. It needs to be greatly substantiated by an empirical research, which will compare cases

[68] Condoleezza Rice, "The Promise of Democratic Peace: Why Promoting Freedom Is the Only Realistic Path to Security," *Washington Post*, December 11 2005.

across time and space. If the hypotheses presented here turn out to be accurate, however, they should start a very important and timely debate about the consequences of the norm of border fixity. Moreover, since these consequences are neither one-sided nor straightforward, this debate should include an exploration of the possible steps that has the potential of remedying the negative effects of the norm while preserving its positive effects.