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### **Ungovernability**

Ungovernability is a concept that has been used to describe conditions of institutional insufficiency with the potential of political crisis and subsequent institutional change. The condition of ungovernability results from institution allowing for the rise of kinds of problems and conflicts that these very same institutions later turn out to be incapable of processing in orderly and routinized ways, such as in models of *endogenous* demand overload. The question whether and when a state has become ungovernable involves a normative component. This component serves to define the border between "adequate/tolerable" and "insufficient" levels of the capacity of a system of political institutions to govern. Typically, however, the location of this border seems to be rather uncontroversial. If states are chronically paralyzed in their ability to make and enforce laws, provide basic services, or resolve major conflicts through adequate institutional means, most people, including state actors themselves, are likely to agree that a condition of defective state capacity is present which must be healed through institutional reform.

Ungovernability is a peculiar concept. It has been used both by academic political sociologists and by journalists and politicians; it has played a role in New Left as well as neo-conservative discourses. Symptomatically, the term became somewhat popular among all of these user communities in the context of the seventies (cf. Fluno 1971 as one of the earliest uses of the concept), both in the English speaking world and on the European Continent. The historical situation in which it was born is the end of the post WWII "golden age" or *trente glorieuse* era of welfare capitalism and the experience of its built-in assumptions becoming questioned and are widely considered invalid. Doubts were raised by events such as the publication of the *Limits to Growth* study of the Club of Rome (Meadows et al. 1972), the first oil price shock in 1973, the ensuing increase of levels of unemployment throughout the OECD world, double-digit rates of inflation following the oil price shocks both in 1973 and 1979 in key countries of the OECD world, the cultural repercussions of the protest movements of the 60s, the cultural change towards "post-materialist" values (Inglehart 1977) that were perceived to exacerbate the "cultural contradictions of capitalism" (Bell 1978), the *de facto* defeat of the US in the Vietnam war (1975), levels of strike activities in the period 1968 - 1978 throughout the industrialized world that were unprecedented since WWII and which in Great Britain culminated in the "winter of discontent" in 1978-9, emerging indicators of an accelerating "fiscal crisis of the state" (O'Connor 1973), the incipient end of the Continental social democratic reform euphoria (as foreshadowed by the resignation of German Chancellor Willy Brandt in 1974), and ultimately the rise of Thatcherism and the hegemony of the neo-liberal doctrine as a right-wing response to these challenges of ungovernability (1979).

The diagnosis of ungovernability is always linked to a recommended remedial response: Facing the specter of ungovernability, governments must rebuild institutional arrangements and change their programmatic agendas and aspirations so as to no longer give rise to demands or aspire to govern things (such as the business cycle and levels of employment) that are deemed to be *beyond the reach* of political rule anyway. By failing to rearrange institutions and agendas, governments would risk the demolition of their *authority*. This is the conservative version. But the opposite conclusion, a social democratic one, does also make sense: Facing ungovernability, we must *enhance* the institutional structures and political resources that governments have at their disposal, thus *restoring* and safeguarding their credibility and authority. (Offe 1984) The remedies suggested do not follow analytically from the conditions of ungovernability *per se*, but, at least in part, from the political preferences of its observer.

The first time the term popped up at the level of party politics was probably when the incumbent Social Democratic prime minister of the German *Land* of North Rhine-Westphalia, Heinz Kühn, warned in his 1975 campaign that the Federal Republic would be rendered "ungovernable" should the Christian Democratic opposition win the federal elections, implying that German trade unions would engage in extra-institutional militancy which only the taming and accommodating force of a Social Democratic government could dissuade them from considering. In analytical terms, the problem boils down to the question whether the demands of unions are to be *moderated* through cooperative moves of social democratic governments in terms of fiscal and social policies - or whether they are rather to be confronted and *sanctioned* by a switch of central banks to tough monetarist supply side policies and governments' shedding of their responsibility for maintaining "full" employment. (Scharpf 1987)

The same year 1975 saw the publication of a "Report on the governability of democracies to the trilateral commission" (Crozier et al., 1975), with the essay of Samuel Huntington on the United States having become the most influential part of this book. His diagnosis, which some 35 years later can be read as one of the founding documents of neo-conservatism, was straightforward. The authority of the democratic state is being challenged by an egalitarian "demand overload" and the "revolution of rising expectations" which are the residue of the "participatory revolution" (or "democratic surge") of the 60s and gave rise to "the pressures of newly active groups". These groups demanded the "expansion of nondefense activities of government", such as education and social security. This expansion fuels a fiscal crisis - a crisis that "Marxists mistakenly attribute to capitalist economics [while it is] in fact a product of democratic politics." (73) The surge of participatory egalitarianism, moreover, has helped to discredit "governmental authority" and status privileges based upon "expertise, hierarchy, and wealth". Thus "the vitality of democracy in the 1960s ... produced problems for the governability of democracy in the 1970s" (76) and deprived, in conjunction with "disparaging" forces in the media, governments (and "institutional leadership" in general) of "trust" and "confidence", prompting the author to wonder: "Does anybody govern?" (92). The prevailing "democratic distemper" forces governments to expand spending while at the same time decreasing its authority, thus undercutting its ability "to impose on its people the sacrifices

which may be necessary". (105) Governability has come to suffer from an excessive "vitality of democracy" and the ensuing "demand overload"; hence the need to restore a balance between the two by enforcing "potentially desirable limits to the indefinite extension of political democracy". (115) Otherwise, democracy gives rise to forces with which democratic governments are ill-equipped to cope - a quintessential case of institutional insufficiency.

While the author's political allusions and proposed remedies remain controversial, the analytical structure of the argument is in no way tied to a particular set of neoconservative concerns. That structure can be summarized as follows: A set of political institutions gives rise to forces and demands which cannot be adequately processed, channeled, or managed within the confines of those institutions. Ungovernability is a feature not of situations and events in which it just becomes manifest itself. Rather, it is a feature of institutional arrangements that are inherently and demonstrably incapable of coping with events and situations which they cannot prevent from actually happening. Ungovernability, more precisely, is a condition that obtains when conflicting institutional actors perceive incentives and opportunities (the "logic of the situation") in such a way that they do not develop an interest in the cooperative solution to conflict. The intellectual appeal of this pattern of argument consists precisely in the fact that the rise of disruptive forces is not seen as contingent and external, but can be systematically attributed to exactly those institutional arrangements the deficiencies of which (their loss of control, or governing capacity) are then exposed as a consequence of those endogenous disruptive forces. The "overload" that governments suffer from can be shown to be an institutionally induced and licensed, hence in a way *self*-inflicted overload. Moreover, the strength and dynamics of these disruptive forces does not allow for a smooth or spontaneous restoration of governability (e.g., through the imposition of "limits to ... political democracy" *à la* Huntington). Instead, what is called for is an act of major institutional re-structuring, after the completion of which ungovernability is seen in retrospect as a "temporary phase ... in the career of a political system." (Rose 1979: 351; my emphasis) But the condition of governability, too, can be conceived as something "temporary" and inherently fragile, as emerging configurations of socio-economic and political forces can disrupt the precarious institutional balance between the set of problems that are being generated and those that can effectively be processed within the confines of these arrangements. (Streeck 2009)

If an argument along these lines (endogeneity, disruptiveness, institutional re-structuration) can be made (and, *nota bene*, empirically substantiated!) we may speak of a "strong", "pure" or ideal-typical case of ungovernability; it is analogous to the Marxian notion of the "anarchy" of the capitalist mode of production. Such an ideal-typical construct allows for actually observed cases of political crises and state malfunctioning to be assessed as to their proximity or distance to the "pure" case. It allows us to ask and answer questions like these: To what extent were the consequences of Hurricane Katrina which hit New Orleans in August 2005 (1800 people dead, one million homeless, 81 billion US \$ damage) due to an "external" (meteorological) event and to what extent can they be attributed to a failure of governance (inadequate state of repair of levees, deficiencies of sheltering and evacuation plans, chaotic emergency

management, the reliance on martial law, etc.)? To what extent can the disintegration of Yugoslavia in the 1990s be attributed to the inherent weaknesses, asymmetries, and tensions within the institutional system of Yugoslav (or, for that matter, Czechoslovak and perhaps at some point Belgian or British) federalism? What causes the failure of "failed states" - the intensity of centrifugal ethnic mobilization or the structural vulnerability of state institutions that are dominated by corrupt tribal elites incapable and unwilling to provide basic protection to and security to large parts of their populations? To what extent is the financial market crisis of 2008 with its vast negative repercussions on state budgets, growth, and labor markets a matter of some irrational interaction of market agents or to what extent is it due to patterns of governance and failures of regulation that have allowed for, licensed, and even encouraged those agents and their strategies? In all these instances of temporary ungovernability, the situation can be framed in terms of "external shocks". Yet it can also be framed in terms of institutional failures and the absence of appropriate shock *absorbers* in the machinery of government. To be sure, there are also conceivable cases where it seems less plausible to "endogenize", in an institutionalist perspective, the factors that disrupt consent and deprive governments of their authority and capacity to act effectively. Among these, the secularization hypothesis has been linked to ungovernability, the argument being that "unraveling a traditional nexus of social, political, and religious attitudes and institutions ... unleashes ... individual behavior from old constraints and thereby endangers social stability" and governability. (Berger 1987, 109; cf. Böckenförde 1976)

The concept of ungovernability is most often employed when governments' institutional insufficiency becomes manifest *relative* to specific challenges that can be neither prevented nor coped with through available institutional mechanisms of governance. This condition can be distinguished from an even more extreme condition of *absolute* state failure, or the (temporary) breakdown of basic state capacities. This is by no means a condition that afflicts underdeveloped post-colonial polities alone. State capacity can be diminished to critical levels by deep sub-nationalist divisions, a polarized and centrifugal party system leading to chronic political stalemate, pervasive corruption in the public sector, the inability to enforce the state's monopoly of violence against domestic para-military forces, or inadequate institutional devices to manage succession crises. These conditions imply that states are not just vulnerable relative to specific challenges, but are unable to perform basic state functions, such as authoritatively deciding on and effectively enforcing collectively binding legal rules and providing fundamental levels of physical and socioeconomic security to citizens.

Institutional patterns of government can involve the risk that states fail in *space*. Spatially failing states are those that do not manage to exercise effective state authority over the entire (nominal) state territory, with the spatial gaps in state control being under the *de facto* control of war lords, tribal rulers, armed gangs, drug cartels, separatist ethnic and religious movements, or guerrilla forces. Examples of states that are unable to enforce even their own territorial integrity range from Somalia to Indonesia, Sri Lanka to Colombia and arguably include even Israel. (Failed States Index 2008) In these cases, part of the territory and hence of the

population are beyond the reach of whatever the central government has to offer in terms of protection, legal order, and services. While most cases belonging into this category are territories that still suffer from the weaknesses of post-colonial statehood, the rich democracies of the OECD world seem to be more likely to suffer from their inability to take effective control over even their short-to-medium term future; they suffer from institutional myopia, or governability deficiencies in *time*. They are institutionally incapacitated, that is, to respond to clearly and largely uncontroversially foreseen challenges (e. g., of a demographic, educational, or climate change) as early and effectively as would be mandated by the risks involved and by considerations of cost efficiency. (cf. Stern 2007 on the control of climate change). We may speak of a temporal crowding-out effect governing the agendas of liberal democracies: Current concerns of current elites and non-elites dominate over medium term issues because long term sustainability is hard to establish as a priority when what counts (according to the given framework of political institutions) are the preferences of voters presently alive, as well as short-lived coalitions of political forces. Liberal democracies do have very scarce means to commit themselves to stay a course. This structural short-sightedness is further enforced by the shortness of electoral cycles which tends to bias governmental programs in favor of what can be accomplished by the time of the next elections.

Finally, we can speak of ungovernability in terms of *substantive* policy areas and issues which have (irreversibly) escaped from the reach of (national) governments. Issue-specific losses of governmental control result from either of two seemingly opposite trajectories, *privatization* and supranational *interdependency* ("globalization"); they add up to the escape of an increasing number of issues and challenges from the realm of what is manageable by conventional forms of government and public authority, with the resulting gap being filled, if often only rhetorically, with foggy notions of "governance". As governments in the OECD world have massively responded, since the 80s, to symptoms of fiscal crisis and budgetary "demand overload" by moves to privatize all kinds of "network industries" (of water, energy, financial institutions, transportation, communication, and electronic media) as well as social services, public administration, and social security, they have deprived themselves deliberately, in the name of enhancing some notion of "efficiency" and "freedom of choice", of some of their capacity to make political decisions on these goods and services as well as their quality and distribution (except for residual regulatory competencies that tend to pale in many instances under the impact of "regulatory regime competition"). (Streeck 2008, ch. 5) The other direction in which states have allowed important matters of political decision making to escape from their reach of rule is commonly referred to as "globalization". Here, the familiar finding is that not states, but only transnational alliances of states or supranational organizations can define and enforce regulatory standards (concerning, e. g., the internet, migration, or the operation of financial institutions) which, however, often turn out to be unfeasible due to individual states' obstruction of what one might call "requisite" governability.

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