

## 15. State succession

*'The history of art is sometimes described as the story of a succession of various styles.'*

Ernst Gombrich

**Synopsis:** *States are temporal (1–2); Never a void (3); How does a state die? (4); What happens to a state after it dies? (5); State succession (6).*

### 1. \*

No state has endured the test of time. Very few empires reached the thousand-year threshold; most city-states lasted far less time. The average life of a state does not exceed a few hundred years. Only a handful of modern states have a history longer than that.

States are, therefore, temporal. They may outlast several human terms of life, but that does not mean that an end is never to be expected (as preposterous as this idea may seem to citizens currently living in relatively peaceful, or powerful, states). Each and every state has its own term of life.

### 2. \*

There is no set way in which a state dies, any more than there is a set way in which a state is born.

After states took the form of administrative mechanisms in the analogue world<sup>488</sup> they succeeded one another over time, steadily but surely occupying every corner of the planet.

In essence, humans' recorded history can be read as the succession of states. Tribes and extended families formed larger, more established communities; empires swallowed up kingdoms or city-states; and kingdoms

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488 See Chap. 9.

or city-states emerged from disintegrating empires, in a timeline which appears to continue indefinitely.<sup>489</sup>

Violence, while present in most such changes, is not always necessary.

### 3. Never a void\*

What is important to note, however, is that because states are natural to humans, immediately when one ceases to exist another replaces it. In other words, there is never a void, humans were never and can never be found out of a state, in limbo.

Consequently, a constitution or any other formal method of forming a state (e.g. the appointment of a king, an emperor etc.) is an act of succession, not an act of creation. Citizens of the new state were already citizens of another state immediately before the new constitution was signed or the new king crowned. States are natural to humans, and no human can ever be, or ever has been, stateless.

### 4. How does a state die? \*

What is meant by saying that a state no longer exists? When it comes to biological Beings one can define the time (and cause) of death. The same is true for other organisations (corporations, state agencies etc.). But how does a state die?

As has been established,<sup>490</sup> a state is no longer legitimate when it does not perform the three information processing operations expected of it (the creation, storage and dissemination of the personal information of its citizens). A state can be legitimate but not sovereign, in the sense that it performs these three types of processing but has no control over them, that is, another state has the control.<sup>491</sup> But does either of the above cases (loss of legitimacy or loss of sovereignty) mean that a state is dead, that it no longer exists?

Neither loss of legitimacy nor of sovereignty<sup>492</sup> is the same as state death. A state may no longer be legitimate (let alone, sovereign), but it may contin-

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489 Or a cycle, depending on one's personal views.

490 In Chap. 14.

491 See Chap. 14, par. 9.

492 Indeed, as legitimacy can exist without sovereignty, this is even less of an issue.

ue to function, that is, to execute the three processing operations necessary for its citizens.

A state dies when it is devoid of citizens.<sup>493</sup> States are natural to humans, being necessary for humans to augment their information processing. If no individuals need their state in order to augment their information processing, then that state ceases to exist. History has given us many examples of possible variations of state existence (subordinate states, vassal states, due-paying states, isolated states etc.), but never a state without citizens (which, in itself, demonstrates that states are natural to humans).

By the same token, a state may continue to exist if it has citizens, even if (temporarily) it cannot process (in fact, exercise control over) their personal data—that is, a state may have a people but not a territory.<sup>494</sup>

### 5. What happens to a state after it dies?

After a state dies, as is the case for any other Being, it becomes a Thing:<sup>495</sup> information about it can be processed by other Beings, but it can no longer process information itself.

## 6. State succession\*

If this is how states die, and if succession is automatic because states are natural to humans, what exactly is it that is succeeded, or created anew each time?

The deed of succession, if any, is usually a technical legal document of procedural importance. What is important, however, from an informational perspective, is that the three types of processing operations confirming state legitimacy are assumed by the state's successor. In practice, a state succeeds another when the creation, storage and dissemination of its citizens' information is assumed by it.

At least two informational risks may arise from state succession. The first is that the state's files may be used to persecute the population. The second is that state records may be tampered with for some purpose (in

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493 See also Chap. 10, par. 1.

494 See Chap. 17, par. 4. On states creating the information processing environment necessary for their citizens to live in, see Chap. 11, par. 3.

495 See Chap. 2, par. 3.

order to prove a point, build a narrative etc.) by the successor state. Because establishing the facts can be an impossible task (the successor state may claim that it was the previous state that had falsified the records), this situation offers a useful illustration of the practical use of the platform right to security of information.<sup>496</sup>

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496 See Chap. 22, par. 9 (and also Chap. 14, par. 12).