STATE FAILURE AND NATURE OF STATE FORMATION IN THE HORN OF AFRICA

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ABSTRACT

The post-Cold War world is confronted by state failure. Many states particularly in the global south are increasingly included in the global list of failed states. The Horn of Africa is a typical place where state failure largely takes place. The dominant aspect of the existing academic literature on the subject remains to revolve around on the argument on what actually constitutes 'state failure'. In addition, there is also an attempt to reveal the puzzle why states are failing in this conflict-ridden region. Scholars give varying explanation ranging from the nature of the political system, sectarianism, poverty to external intervention. By employing an explanatory approach and based on secondary sources of data, this article attempts to continue the debate with an argument that state failure in the Horn of Africa is overarchingly explained by the nature of state formation in the region. Because Horn states missed the prolonged historical process of "war making" and "state making", they remain to experience state failure. In attempt to strength the argument, the article also draws on the experience of South Sudan.

Keywords: State failure, state collapse, state formation, South Sudan, Horn of Africa

INTRODUCTION

In his last state of the union address former US President Barack Obama reiterated that "in today's world we are threatened less by evil empires and more by failing states". This is to show that the current global peace and security appears to be at stake not because of the contest of competing world powers but failure and collapse of already existing states. State failure or collapse appears to be no or less of a phenomenon of the North but South, developing states. As a result of weak nature of statehood and institutions, developing states 'have been particularly jolted to the point of further state weakness, failure, and collective violence (collapse)' (Conteh-Morgan, 2006: 87).

Africa in general and the Horn in particular is part of the developing world with recurrence of failing states and state collapse. According Foreign Policy magazine, seven out of ten world's top state failure and/or state collapse is found in this continent, at least one third of which is in the Horn of Africa (Allafrica.com). Such state of affairs has had regional peace and security implications. Today the Horn of Africa is one of the most conflict-ridden hotspots in the world.

Several explanations could be forwarded to state failure/collapse in the Horn of Africa in particular and Africa at large. This include, politicization of ethnicity and religion, mal-governance and winners-take-all politics, intricate conflicts and the role of global capital in it, and etc. However, this paper argues that it is the distinct nature of state formation process in the region that overarchingly explains state failure/and or collapse in the Horn of Africa. Methodologically, it generally employs an explanatory approach and is based on secondary sources of data. By so doing, it intends to uncover why and how the nature of state formation is behind the issue at hand by providing some analytical view on nature of state formation in Africa and drawing on the experience of the newly born state of South Sudan.

BRIEF CONCEPTUALIZATION

With the rising figure of failing states or collapsing states, scholars from different spectrum have provided with varying analysis. For instance, Robert Kaplan foresees continuing crisis of states due to 'the weathering away of the central governments of modern states in favor of tribal domains, city states, shanty-states, nebulous and anarchic regionalism' (Kaplan 1994 cited in Miliken & Krause, 2002: 753). Other group of scholars such as Held (1997) and Rosenau (1997) see the crumbling of the state positively as it, according to them, may lead to cosmopolitan politics (ibid).

In any case, it is such departure in analysis that has brought about different conceptualization of state failure or collapse. Zartman (1995: 1-2 cited in Salih 2017) argues that state failure/collapse, 'as a current phenomenon, is much more specific, narrow, and identifiable, a political cause and effect with social and economic implications, (…)'. According to Zartman, state collapse has five manifestations that include:

1) The shift of power from the central authority to the peripheries.
2) The central government only controls small territory and gives attention to a small group of citizens, while loses broader social sources of support.
3) The inability or unwillingness of the government to make difficult choices, resulting in government in crisis.

4) The defensive politics of the politicians in office. They are fending off challenges and reducing threats and will for example postpone elections.

5) The ultimate warning sign of state collapse, "the loss of control of the center over its own state agents, who begin to operate on their own account" (ibid, 1995: 10 cited in Salih 2017).

In contradiction with Zartman, Gean Germain Gross conceptualizes failed or collapsed states as 'states in which public authorities are either unable or unwilling to carry out their end of the Hobbesian social contract' (Gross, 1996: 456). According to Gross, 'there are different degrees of failure, which all may be traced to a common origin: an overall breakdown of the corpus of formal and informal rules governing society, accompanied by the disappearance of formal authority or its emaciation' (ibid: 457).

Having the existing multiple conceptualization of state failure/and or state collapse (e.g. by Zartman, 1995; Gross, 1999), this paper has adopted Milliken and Krause's (2002) understanding of the notion that states:

> For every claim that a state has collapsed, is failing, or is going to fail, contains two usually implicit definitions or benchmarks. One concerns the `stateness' against which any given state should be measured as having succeeded or failed (the institutional dimension of state collapse), and the other concerns the normative and practical implications of such a failure (the functional dimension of state failure) (ibid: 753).

NATURE OF STATE FORMATION EXPLAINING STATE FAILURE IN THE HORN OF AFRICA

There are different theories on state formation. These include, among others, Social Contract Theory, Marxist Theory and Force Theory. The Social Contract Theory assumes that state is a product of free consent by human society towards common good. In Marxist lenses, 'the state has not always existed and it may not always exist also. It has come into being with the rise of class contradictions, so it will wither away with the end of class antagonisms' (ibid: 126). Finally, from force theory perspective 'there is not the slightest difficulty in proving that all political communities of modern type owe their existence to successful warfare' (Jenk, N/A: 71 cited in Johari, 2001: 101).

The above theories about state formation are theoretically important in extrapolating the issue at hand from their respective angles. Nonetheless, it gives sense to critically observe the actual situation of state formation in historical perspective. This way the force theory's assumption that states are the outcome of continued warfare among political groups takes much more credibility. In this regard, many scholars have critically argued and confirm how the modern states came into the picture as a result of warfare/force (e.g. Huntington, 1968; Cohen et al., 1981; McNeill, 1983; Mann, 1986; Tilly, 1990). Most importantly, Charles Tilly has recently become infamous in his thesis of 'war makes states'. In the work entitled "Coercion, Capital, and European States AD 990-1990" published in 1990, Tilly generally argue that states are formed by warfare and the later requires the ruler's brevity to achieve concentration of coercion and capital.

According to Tilly, there are three key processes through which states were formed in Europe (Leander, N/D: 3). 'War making' forced political leaders to set up a centralized center of coercion and capital. To do that they had to try every

possible way to disarm rival groups, and the society at large, and realize the monopoly use of violence, which is typical of the 'modern' state (ibid). The concentration of means of coercion in turn requires the concentration of capital as war is expensive and needs to be financed. This takes to the next process i.e., the building of administrative apparatuses to run the increasingly centralized means of coercion and finance. Taxes and other form of revenues had to be collected, debts deducted and repaid (Tilly, 1990: 85). This was so because the army and the police had to be established; soldiers and police as well as others had to be paid. Thus, all these contributed to the expansion and development of the administrative apparatus and justified the increasing engagement of the state into the economy and provision of security to the society. This led to the third process; civilian groups that had claims on state had emerged resulting in the bargaining of the state with these groups in the extraction of capital. In a nutshell, Tilly's argument is that the modern state and its instruments and institutions that appear today are wholly and brutally created through the process of war making.

Having Tilly's and the overall 'war made states' assertion may be valid in Europe and some other part of the world, state formation in Africa is quite distinct and does not fit with the exposition. In this regard, some scholars tend to give judgment that Africa missed out the opportunity of warfare[1] to alleviate its current political bottlenecks meaning state failure, and total collapse (Herbst, 1990; Clapham, 2000). State formation in most of African states has not been incremental process grown out of within. It is an imposition from outside by colonial powers. All states of Africa with the exception of Ethiopia and Liberia served under a brief period of colonialism. Thus, unlike Europe, the modern state in Africa is a designed creation of colonialists.

The majority of African states' territorial boundaries, state system, bureaucracy, and economic arrangements are all inherited from colonial powers. Colonial powers drew the boundaries of today's African states arbitrarily without considering the actual realities of the people. This has resulted in similar people scattered in different states, and different peoples trapped in a single state with no strong feeling of allegiance to statehood. With the end of colonialism, African leaders through OAU/AU accepted this arrangements with no change from their colonial masters who did it back in 1880s scramble of the continent.

Hence, it is possible to see that in Africa and particularly in its Horn, due to the distinct nature of state formation, the task of state making is still contested and unfinished business. And, failing and collapsed states are now apparent.

Most of Horn of African states are in the list of failed and/or collapsed states, with varying degree of course, because they have not gone through the process of "war making" and state making" to become full-fledged "Weberian states". These states are inherited entities from colonial powers or if new are mere results of historical contradictions than actual viability of statehood. As they are artificial creations, they usually lack the institutional and functional dimension of statehood and remain to be failed or collapsed.

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[1] 'War in Europe served as a filter whereby weak states were eliminated and political arrangements that were not viable either were reformed or disappeared' (Herbst, 1990: 119). This, of course, does not mean that there are no weak states in Europe since Belgium can be cited as an example. The point is the constant threat most states feel in close proximity prompted them to become stronger to survive. Clapham (2000: 3) also makes similar point that 'the evident inadequacies of state formation in Africa may be ascribed to the fact that modern African states have missed out on the all-important experience of war'.

SOUTH SUDAN'S CASE

Southern Sudan has formally seceded from Sudan in July 2011 following the January 2011 referendum that was arranged as stipulated in the CPA. The two Sudans had been in two long civil wars; the first civil war (1955-72) ended with the signing of the Addis Ababa Accord in 1972 and the second civil war (1983- 2005) that resulted in the signing of the Comprehensive Peace Agreement (CPA) in 2005. The origin of conflict between the two parties and the separation of Southern Sudan later can be explained by the long term marginalization of the South under the British colonial administration and forceful Islamization and Arabization drives of successive Sudanese governments, among others.

South Sudan's statehood is not based on actual viability of statehood but a product of historical contradiction that traces back to the colonial era. The North-South Sudanese conflict in Sudan that unfolded since independence of Sudan had been characterized as 'War of Visions' caused by the division of identities as the Arab-North and African-South (see Deng, 1995). Deng (1995: 484) observed national identity crisis in the Sudan emanated from the self-perception of the politically dominant and economically privileged Northern Sudanese as Arabs and nothing else (ibid). Southern Sudanese identify themselves as real Africans on cultural and racial basis (ibid: 485). In contrast, Idris (2005: 4) viewed the North-South political violence in Sudan as the outcome of past legacies. According to him, the problem of Southern Sudanese is historically constructed, and politically institutionalized by successive Sudanese regimes (ibid).

The Turko-Egyptian rule (1820-1882) integrated the Southern region of Sudan, for the first time in history, with the North under a single political unit (ibid: 11). However, colonial rule was immensely brutal for the South Sudanese by promoting slave trade in the region (Girma, 1997: 16). Prior to the Turko-Egyptian rule, slave trade existed since ancient times in Southern Sudan (ibid; Sidahmed S. and Sidahmed A., 2005: 12). Slave trade became state activity with massive engagement in the South under the Turko-Egyptian rule. Unlike the Northern Arabs, Southern Sudanese were destined to be traded as slaves. In the views of Sidahmed S. and Sidahmed A. (2005: 13), 'ideology' (Islam) seemed to have been an important factor in this regard by providing the basis justifying the enslavement of the section of the population enslaved (non-Muslim South) (ibid). Due to the slave trade, 'the social fabric and structure' of Southern Sudanese was suppressed with an incremental dismantling of their traditional institutions leading to 'a perpetual state of insecurity and vulnerability of their homeland' (ibid).

Inflicting similar brutality to the South, Mahadist rule reinforced the slave trade with higher potency, set up the first theocratic state in the Sudan, forcefully imposed the Arabic language and Islam on the South, and made Shari'a the supreme law of the state (Girma, 1997: 16). Southern Sudanese did not keep silent in the face of enslavement and their forceful Islamization and Arabization. However, their resistance was effectively crushed by the state that used captured firearms from the defeated Turko-Egyptian forces (ibid).

British negligence regarding negative developments in the South is the other essential historical factor that contributed to the problem of Southern Sudan (Alier, 1973: 11). Nearly all infrastructural and other development projects established in the Anglo-Egyptian rule were centered in the North. They were only very few economic, social, and administrative structures in the South. In 1922, the British came up with a separate system of administration for the Southern region known as the

'Southern Policy' (Girma, 1997: 17). The policy practically worsened North-South relations. Northern Sudanese were restricted from entering and living in the South, and, worse, those who entered before the coming into force of the policy were expelled (ibid). Similarly, Southerners were not allowed to travel to the North. Only Christianity and English language were encouraged in the South prohibiting Arabic language and Islam to be practiced (Deng and Gifford, 1987: 15-16 cited in ibid). The role of the colonial state in creating societal polarization, political malaise, and violence among the North and South Sudanese was significant (Alier, 1973: 11; Al-Rahim, 1973: 29-45).

The politics of consecutive Sudanese regimes after the country's independence in 1956 had not also been helping but perpetuated South Sudanese marginalization. As a result South Sudanese had to engage in two long civil wars with Khartoum; the first being from 1955 – 1972 and the second from 1983-2005. Several attempts for settlement were made including the 1972 Addis Ababa Accord and the 2005 CPA. But too many of them were dishonored. The 2005 CPA, however, with the support of the international community including the United States became successful in ending the conflict and establishing independent state of South Sudan in July 2011. It is noted that when South Sudan became a sovereign state it did not have the institutional and other capacity that are of critical to any state. Thus, based on the foregoing it can clearly be understood that South Sudan's statehood is a result of historic marginalization, injustice and large scale political quagmire between the elites in the two Sudans, and the international community's decision and support for a two-state solution rather than Southern Sudan possessing the basic prerequite to become a state.[2]

Therefore, it is this distinct nature of statehood that explains why South Sudan is largely considered a failed and perhaps collapsed state with the absence of both the "institutional" and "functional" aspect of statehood.

Post-independent South Sudan is no "Weberian" state with the monopoly use of violence. Internal violence in the newest state continues unabated. This involves political quagmire at higher level and local conflicts among different ethnic groups. At higher political level, the SPLM government has been fighting with various insurgent groups and militias that contest its rule. The idea of political opposition in South Sudan is evidently absent today. The prevailing '*modus operandi* of opposition is forming armed militias and insurgents instead of political parties and fight the government' (Ottaway and El-Sadany, 2012: 7).

In December 2013, a larger scale of conflict erupted between factions in the SPLM/A that later took an ethnic line. Incepted by what President Salva Kiir at first called it an "attempted coup" by armed forces loyal to the former Deputy chair of SPLM, Dr. Riek Machar, heavy armed clash has rocked South Sudan. Reports reveal that 15, 000 – 16, 000 ethnically Nuer people were killed in just three days of the conflict (AUCISS, 2014: 118). As a result, nearly 1.6 million South Sudanese became internally displaced and about 600, 000 refugees in neighboring states as well as over 4 million in immediate need of food (Amnesty International, 2016: 332-333). The AUC indicated crime against humanity is committed during the conflict (AUCISS, 2014: 298).

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[2] In this regard, it is stated that the international community appears to have owned the CPA process as much as the Sudanese did, which tied the international community to the referendum and its result' (Temin, 2010:3). Novati (2012: 4) also contends that Israel and the United States were central in bolstering secessionism in Southern Sudan.

Overall, the new state is highly challenged, on the one hand, by the conflict between various politically motivated rebel groups and militias that took up arms to fight Salva Kiir's government. On the other hand, proliferating tribal conflicts are endangering stability claiming the lives of thousands of people and a large number of immigrants. Internal security of the state seems out of the government's control. State building is a very tough project even for countries at peace let alone for those such as South Sudan that is experiencing intricate internal violence.

South Sudan has to go a long way in state building and this task has been outsourced to external actors through their initiatives and assistance (Musso, 2011: 28). The public institutions are not incapable of exercising effective authority, coordination and supervision (ibid). Rather, they seem to make extracting resources from these external actors as their number one interest to consolidate 'a center which appears to be already isolated from the rural periphery'.

The emergence of a new state in the context of the Horn of Africa is a result of historical incongruity and broken politics than actual viability of statehood as a result of which it faces immutable state failure and total collapse. The 'war mentality' resulting from the prolonged civil war to get things done, the increasing proliferation of arms in the hands of civilians, as well as weak and inexperienced institutions are widely mentioned as reasons for the currently experienced deficits in South Sudan.

The Horn of Africa is a region widely known as home to highly intertwined conflicts. Barry Buzan's terms of 'Security Complex' might be appropriate to use here to signify this. Buzan (2007: 160) defined 'Security Complex' as 'a group of states whose primary security concerns link together sufficiently and closely that their national securities cannot realistically be considered apart from one another'. This means that security is relational and it is difficult to see the security of one state without analyzing the security/insecurity of the other states in which it is embedded. Hence, state failure in South Sudan has clear repercussions and is impacting on the regional dynamics of conflict and security. This includes problems related to refugee influx, proliferation and possession of arms, and viability of the new state etc.

CONCLUDING REMARKS

Despite the fact that it has been quite long since state became the dominant principle of organization in the international system, state failure or collapse is still one of the topical issues in the world. Africa in general and the Horn of Africa in particular is of the regions that significantly witnesses failing or collapsing states. Most, if not all, states in the Horn of Arica are in the world list of failed states. The legacy of prolonged absence of central government and the resulted continuing fragile situation makes Somalia still a failed state. South Sudan has been in a perpetual state of actual conflict and inability to provide basic services to become full-fledged *de facto* state. Sudan remains in uncertain situation with the toppling of President Omar al- Bashir -the decades-old dictator – and seizure of power again by the military. Eritrea continues to be in a challenging situation with its despotic leader in power. Ethiopia though it is undertaking a promising political open up, is under precarious situation and leads the world by experiencing the largest Internally Displaced Peoples (IDPs)…etc.

The question among academics is why are states failing or collapsing in the Horn of Africa? Scholars in peace and security studies give varying explanations ranging from governance problem, overall political system, sectarianism or poverty to external intervention. However, based on an explanatory approach and secondary source of data, it is argued in this article that state failure or state collapse is overarchingly explained by the nature of state formation in the sub-region in particular

and Africa at large. Successful states that have managed to establish political order, install functioning institutions and maintain peace and security are products of prolonged "war making" and "state making". As a result, the project of building a nation-state has been relatively effective, if not perfect thereby avoiding challenges of state failure or collapse. For instance, Charles Tilly in his seminal work "Coercion, capital and European states…" provided an excellent analysis of how "war making" made European states the way they are.

On the contrary, the nature of state formation in the Horn of Africa and Africa at large is quite distinct. With Ethiopia being a singular exception, states in Africa and the Horn in particular have not gone through extended process of "war making" and "state-making". State formation in Africa is an engineered handy work of colonial powers without due regard to objective conditions. States have missed the important historical process of "war making" and "state-making" and just inherited their current form and essence from colonialists. In effect, nation-state building is way far from going half-way forward, let alone finished. It is still a highly contested and unfinished business. As a result, state failure/collapse persists unabated in the Horn of Africa with serious regional and global peace and security implications.

The experience of South Sudan also confirms the above hypothesis. It was a state doomed to fail from the inception. Its creation as a state is due to historical contradiction than actual viability of statehood. The newest member of the UN did not have the institutional or functional capacity to be a state when it was born. Southern Sudanese historical marginalization; colonialism; continued injustice and Islamization by regimes in Khartoum, subsequent civil wars and settlements spearheaded by the international community has given birth to the state of South Sudan in July 2011. Consequently, South Sudan has experienced inability to provide basic public services, absence of monopoly use of violence, civil war, and largely increasing humanitarian crisis in its nearly 9 years tenure as an independent state, all of which makes it a typical example of a failed state.

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