Sub-Saharan Africa: Searching for a Social Contract

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SUB-SAHARAN AFRICA
SEARCHING FOR A SOCIAL CONTRACT

A Thesis
Presented to
the Faculty of the Joseph Korbel School of International Studies
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ABSTRACT

This thesis examines the phenomenon of civil war and state failure in sub-Saharan Africa (SSA) from a social contract perspective. Its main hypothesis is that authoritarianism will lead to state failure in the context of SSA. In this regard, SSA states are political communities that have not done enough to promote and develop a social contract that is compatible with the region’s sociopolitical and structural peculiarities. Since civil war and state failure have hampered different dimensions of human progress in SSA, analyzing the main patterns of conflict will inevitably lead to an underlying incompatibility between existing governing political structures and the region’s social structures. In this case, one major characteristic pattern of civil war and state failure in SSA is that they are caused by delegitimization of government authority by ethnic groups whose allegiance to internal traditional authority is still stronger than to centralized government. Hence, a social contract that will allow ethnic groups to legitimize state authority is what SSA lacks and needs.
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Chapter One

Introduction

Sub-Saharan Africa is currently the least developed and most insecure region of the world. This ranking is not because of lack of resources, but because the sub-continent has been plagued by ethnic civil wars and economic mismanagement. State failure in the region has been explained in various ways such as aid dependency, endemic corruption, tribalism, and electoral malpractices in the context of persistent conflict. The essence of state failure relates to an inherent incompatibility between the sociopolitical structures and the government regimes that have continued to rule sub-Saharan Africa. Lack of adherence by sub-Saharan African governments to any forms of social contract is where the region’s fundamental ailment lies. As a way of contributing to existing social engineering perspectives on nation-building, this thesis examines the region’s governance predicament from sociopolitical and social contract dimensions. In doing so, it revisits the premises of political community formation and applies universal principles of social contract to the region’s peculiar ethno-political makeup.

Sub-Saharan Africa (SSA) is one region where social contracts have yet to be consciously conceived, appreciated, and employed to the interest of its inhabitants. Having attained formal independence in 1950s and 1960s, most nation-states in sub-Saharan Africa did little to engage in promulgating constitutionalism. Some of the
politicians who received power from colonial administrations manipulated ethnic alliances to perpetuate themselves in power for decades, while many military officers, in the name of patriotism, usurped political power through military coup d’êtats and transformed their countries into one party states with limited to no opposition, political rights, or civil liberties. Those two government categories, civilian and military, shared similar characteristics in that they were all authoritarian regimes. Authoritarianism may mean different things to different people, but in the context of sub-Saharan African states, it denotes blatant disregard by governments of any social contract with the governed populations. It also denotes a political regime where existing social contracts are superficial and do not represent the will of the governed. The governed, in our case, are specific ethnic groups that existed in organized communities that possessed internal authority well before the formation of the current modern state system.

Prior to the emergence of modern states in sub-Saharan Africa, all ethnic groups in the region paid full allegiance to tribal chiefs or kings whose authority over economic, social, and security matters was often effective. Those chiefs/kings passed verdicts on a spectrum of issues after wide consultation with notable elders in their ethnic groups. Even after the advent of the modern state, tribal-based ethno-political structures persisted and loyalty to ethnic groups continues to maintain precedence over loyalty to the modern state and its representative institutions. For many, if not most, after over five decades of political sovereignty, it still remains practically inconceivable for an ethnic African to respect and obey the authority of one man (or woman) who belongs to another tribe, sits in a distant and remote town which is not part of one’s traditional tribal boundaries, and speaks a language one does not understand. Sub-Saharan African countries continue to be
political states but have failed to evolve into nations. The major reason for failure to create nations out of states is an inevitable preoccupation of authoritarian regimes with regime survival, rather than nation building and economic growth. Up until present times, the authoritarian leaders of sub-Saharan African states have manipulated existing ethnic/kinship relationships with ulterior self-serving motives, instead of building new national interests that would be to the benefit of their countrymen/women.

Most civil wars in sub-Saharan Africa are caused by strong anti-government sentiments in tribal heartlands where tribal loyalties are potent and conspicuous. Such sentiments had existed throughout colonialism because colonial administrations benefited from fueling tribal nationalism within the region, but anti-government sentiments and lack of internal unity within states consistently prevailed long after colonialism. Indigenous heirs to colonial governments faced the challenge of consolidation of power and nation building, which most did not handle successfully. In that context of consolidation of state power the majority of the authoritarian post-colonial governments in the region have also played the colonial divide-and-rule game. They reignited tribal animosities, and adamantly refused to leave or share political power through enabling periodic peaceful political transition. Faced with tribal based opposition and aspiring to insure their own self-perpetuation in power, authoritarian regimes created political alliances with ethnic communities and representative politicians who were ready to shift political posts in exchange for political favors. With lack of accountability in an environment where political power guarantees a swift change in tribal economic fortunes, seldom have tribal politicians declined an opportunity to serve in authoritarian governments. Political alliances became the waves that carried tribal boats at the whims
and trickery of incumbent presidents. The security of states became a variable that is dependent on the political games and tribal alliances of the time. Greater alliances maintained greater stability, while lack of inclusivity led to ethnic civil wars.

The Theoretical Argument

I premise my thesis on a proposition that authoritarianism and tyrannical rule in sub-Saharan Africa are bound to produce different results from similar regimes in other parts of the world. Given the region’s sociopolitical structures, SSA authoritarian regimes will generate little to no positive progress on the main three aspects of nation building, political, economic and social. In fact, resistance to authoritarian despots continues to spawn a state of sporadic ethnic civil wars all over sub-Saharan Africa. Considering a condition in which state governance is anchored in a despot rather than in clear and transparent institutions and legal frameworks, governing the nation-state becomes an individual and not institutional responsibility. While that was not a source of division in the West during times when kings strengthened states by consolidating highly centralized political power, the same cannot be said about sub-Saharan African states. That is because the region possessed a peculiar sociopolitical makeup in which authority is firmly enshrined in traditional structures of ethnic communities rather than in the modern nation-state itself.

Problems of nation-building have accompanied rulers throughout history. Affinities based on interest, kinship, and perceptions of common external risks to territorially defined social units have historically shaped human society. They “will limit the exercise of authority which would attempt to interfere or destroy those affinities”
(Bendix 2007, p.21). In this regard, this thesis is not suggesting that nation-building was an easy process in other parts of the world. The European experience with consolidation of national identity and state control has taken a different path than the one this thesis suggests to be most compatible with sub-Saharan Africa’s sociopolitical makeup. This is because of two reasons. First, SSA does not have to follow the same paths which European states passed through in their quests for building cohesive nations and controlling different types of factions, including one that stems from ethnic diversity that arose during and after they consolidated state control. Second, blue prints for successful nation-building processes have already come out of the European (western) experience. These blueprints, which include centuries of vigorous academic writings, have produced governance institutions that could be assessed and, with reasonable adjustments, adopted by SSA states.

Unlike sub-Saharan African countries that went through somewhat identical stages of state formation- e.g. pre-colonial formation of independent ethnic/kinship based states and stateless societies, colonization by European powers, emergence of the nation-state, anti-colonialism revolutions (African nationalism) and Pan-Africanism, military coup d’états, quasi-democratization, are processes that occurred during identical historic epochs; indeed, they transpired within the same decades. The European experience was quite different. But one can draw an analogy between the collapse of the Roman Empire in Europe and the end of colonial rule in Africa. Both events ushered in new challenges that required states that wrestled control from external authority to consolidate internal governance mechanisms. Most European sovereign states benefited from an elaborate and rich history of a Roman political infrastructure of a mixed pluralistic system of
authoritarian control and parliamentary open debate. Post-Roman Empire states in Europe largely retained the same structures in their own internal experiences. However, retention of old structures and powers was only in the immediate period following the collapse of the Roman Empire before the new sovereign states of Europe started transforming over different historic experiences into the democracies that we see today (Ertman 1997). In contrast, SSA countries did not even start any conscious efforts on transforming the colonial state, as only a few can still benefit from its wealth, while the vast majority rejects its authority and suffer its heavy-handed 'disciplinary' measures.

In their search for social justice and good governance, European nation-states went through long periods of both tranquility and upheaval. But, generally, the search for sociopolitical tranquility in the west was accompanied by governmental system transformation, a process whose bedrock has been the development of compatible social compacts. A social contract is the means by which a just political community is established and protected. It involves inhabitants of a defined territory who must develop it and agree to its terms. It enables individual members of a society to destroy natural 'chains' inherently present in the state of nature in which greed, competition, physical weakness or strength, and numeric superiority are some attributes that determine those that survive, or, in this context, which groups are capable to forcefully control the state. It brings all social factions (whether political parties or ethnic groups) into an environment of cooperation, accountability, and relative peaceful coexistence.

Social contracts enable political integration and the holding together of a political system. It is the only means through which radical change in a country's political culture, both at the macro and micro levels could be realized and safeguarded by compatible
institutions. "Change in political culture arises out of instability between central values and structures. These macrochanges have important microimplications…at the level of both the personality and the local community" (Huntington 1975, p.29). Hence, at the individual level, social compacts lead to 'modernization' of one’s political identity and readjustment of his/her political loyalties. Putting emphasis on the impact of social contract on individual loyalty to the state, Huntington further argues that "the most crucial political belief for political modernization is political identity: the extent to which individuals consider themselves unambiguous members of a given nation" (p.32). Currently, individual sub-Saharan Africans remain ambiguous about their belonging to the nation-state (Maathai 1998; Mazrui 1975, 1983); yet consciously and subconsciously unambiguous on their ethnic identity and prejudice.

In order to find a sustainable solution to endemic governance failure in SSA’s peculiar social context, the notion of social contract advocated by political philosophers such as Thomas Hobbes and Jean Jacques Rousseau will have to be conceived into institutions that can accommodate the socio-structural peculiarities of the region. Instead of contracts between an individual and citizens (as it is currently the case in highly centralized SSA countries), it will have to be among the ethnic groups that constitute the potential African nation-state. Such anti-authoritarian contract will have to be safeguarded by institutions and laws, while political leadership controlled by the people who are its ultimate givers and beneficiaries. Here, a social contract that is structured with an aim to forging tribal coexistence is more likely to enable the government, ‘the specialist in violence,’ to socially engineer legitimate nation-states. This is a process
which was not consciously pursued during and after colonialism. The argument above can thus be captured by the hypothesis below.

Hypothesis 1: *Where the specialist in violence is authoritarian, inter-ethnic political competition will inevitably lead to civil war and state failure in sub-Saharan Africa (SSA).*

Hypothesis 1 can be paraphrased as follows: depending on the nature of state authoritarian rule, the degree of tribalism (or tribal power) and ethnic divisions within geographically defined former SSA colonies who have achieved independence determines the processes of social contract evolution and thereby restricts or enhances national development. Hypothesis 1 argues that a correlation exists between authoritarianism, inter-ethnic political competition, civil war and state failure in sub-Saharan Africa. State failure is, therefore, a dependent variable, while authoritarianism is an independent variable. But the correlation above can only be observed and measured in a country in which political competition is between ethnic communities. In the absence of inter-ethnic political competition, the correlation would not lead to an inevitability of civil war and state failure. Thus, the key intervening variable is interethnic political competition. But since absence of political competition over state power is impractical, and in SSA this competition plays out in ethnic terms, the correlation between the above dependent and independent variables will inevitably be triggered where one finds authoritarian regimes.

Hypothesis 1 implies its inverse; that an opposite correlation may exist between non-authoritarianism and minimizing prospects of civil war and state failure. Prospects of civil war and state failure are minimized under non-authoritarian regimes. A *de-facto* Hypothesis 2 would, therefore, read that: SSA states can only begin to successfully
nation-build and escape civil war and state failure when the specialist in violence engages with society via a multi-ethnic political model that accounts for and effectively channels multi-ethnic identification to a national level. In other words, the existence of a non-authoritarian regime is a precondition for preventing civil war and state failure. If the specialist in violence (government) is non-authoritarian, then nation-states in SSA will possibly avoid inter-ethnic competition over government control that has always been problematic during and after elections.

What form of a social contract would be compatible with sub-Saharan Africa? To provide a logical answer to this question, this thesis revisits the notion of social contract to explore its underlying logic and the social contexts within which it is imperative. It demonstrates the current relationship between authoritarianism, ethnic diversity, and lack of progress in the process of nation-state building in SSA and uses a hypothetical model for a common structure of SSA states in which a compatible social compact is to be envisioned and created. Based on the observations above, it argues for a form of social compact which would reduce prospects of delegitimization of the state and enhance an enabling environment for a successful process of social engineering to take place.

For a gradual and sustainable evolution of nation-states in sub-Saharan Africa to accelerate, the state should seek to accommodate tribal interests rather than undermine them. Any government-specialist in violence-must reserve violence to other aspects of law enforcement within its territory, as well as to protecting the territorial integrity of its national boundaries. Turning the means of violence inwards has been central to conflict generation and civil wars, as tribes sought to protect their property (often tribal territory) and authority against the state. A prerequisite for successful process of nation building is,
therefore, that the specialist in violence must prudently employ the means of violence to protect citizens and their private possessions, “and the groups of citizens will choose to devote their time and energies to labor and leisure and foreswear the use of arms, while rewarding the specialist in violence for protecting them against raids by others” (Bates 2008, p.16).

However, before governments apply violence within strict legal frameworks, they have to be legitimized by the societies they govern. In this regard, sub-Saharan Africa’s legitimizing sociopolitical power structures are made up of two broad categories, state and stateless societies (ethnic groups) that must come under government control. Stateless societies are generally characterized by lack of centralized decision-making structures, but a strong sense of unity and solidarity among its members is derived by knowledge of collective historic experience and ancestry. In such tribal societies decision making is performed within often close clans and family groupings. “These groups can allocate their resources among economic activities, military activities, and leisure; they are not farmers or warriors at any given time but rather possess the capabilities of both” (Bates et.al 2002). They are, however, amenable to political order, especially as they are currently confined into the transformative order of modern statehood.

In contrast to stateless societies, state societies in sub-Saharan Africa are characterized by high centralization of tribal sociopolitical power. They often have political structures which are, in many aspects, analogous to those of modern nation-states. Their political, economic, and social arrangements are well designed and spelled out within sophisticated systems of duties and obligations. Most state societies in sub-Saharan Africa are tribal kingdoms- such as the Zulu Kingdom in South Africa, Ashanti
Kingdom in Ghana, Colo (or Shiluk) Kingdom in South Sudan, and Bunyoro and Buganda kingdoms in Uganda. Throughout Africa’s post-independence history these kingdoms have retained substantial authority over their subjects.

Both state and stateless societies have matured to recognize the transcending authority of the state system and acknowledge a trade-off they must make in the interest of stability in their countries. In reciprocation for that trade-off, the state should not take it’s legitimization by those societies for granted. Instead, under a process of social engineering, it must create an environment in which government legitimization is earned, rather than forced. Failure to acknowledge tribal sociopolitical authority will invariably lead to delegitimization of the state- whose authoritarian efforts to absorb state societies into its structures have so far resulted in violent confrontation and state failure.

State delegitimization, corruption, and economic mismanagement have characterized post-independence Africa. Independence for countries in SSA occurred at a time when most had enjoyed long spells of positive economic growth. Due to high prices of minerals like gold, cooper, diamond, and cash crops like coffee and cocoa, “between 1945 and 1960 the economies of colonial Africa expanded by between 4 to 6 per cent per annum” (Meredith 2005, p.143). But immediately after gaining independence, most African states opted to discard mixed economies in favor of pure command economies. It is difficult to determine whether their sense of nationalism carried along from anti-colonial social movements accounted for choosing centralized economies. However, later examples of regional statesmen who turned into multi-millionaire property owners dispel any notion of nationalism or ideology as the main driver of economic decisions. Socialism was only a political tool of public consumption rather than truly an economic
model in the SSA context. He observes that those governments placed a premium on the role played by the private sector, irrespective of the socialist formula they followed on the political front (Meredith 2005).

For the modern state in sub-Saharan Africa to reflect social consistency with the term nation, some argue that tribes would be culturally annihilated. After all, it is the country, assumed to be a nation-state as conceived and shaped by colonial powers, which is promoted as the only recognized political community that is capable of maintaining peace among humanity. But, in sub-Saharan Africa, some tribes are too big to vanish, and smaller ones are stubbornly clinging to their languages and traditions as they slowly head towards cultural extinction. An ongoing protracted conflict between the state and tribes has led some to erroneously identify tribes and tribalism as ‘the greatest’ security problem in sub-Saharan Africa; while some wise elders within tribal/ethnic settings continue to curse the colonial concept of nation-state as a negative influence on historic and relatively stable traditional organizations. Amidst this structural warfare, African statesmen are bewildered by what they perceive as lack of progress in nation-building, in spite of wholeheartedly- or so should we believe - applying the Breton Woods Institutions’ structural adjustments that, along providing numerous economic guiding structural blueprints to which SSA states must adhere, also make emphasis on steps that must be taken by those countries to promote institutional reforms that could lead to sustainable political governance.²

A central point of departure between the modern state structure and SSA social structures is that both possess internally elaborate and sophisticated levels of authority and demand people’s obedience to those authorities. While traditional authority that is
sometimes conceived in mystical beliefs is a product of the people who live and abide by its demands, modern state authority remains so far away and detached from the people whose obedience it continues to forcefully demand. Notwithstanding its relative newness and detachment from the many tribal societies found in each state, the modern authority seeks to supplant long standing traditional authority. With its characteristic supreme individual head of state, supreme courts and law making institutions whose jurisdiction encompasses longstanding and accepted traditional judicial order, and with many more arbitrarily transformable sets of government demands, traditional institutional order is expected to unconditionally subordinate itself to state authority. But many political adjustments between traditional and modern authority have occurred in SSA, except getting ethnic groups to bow to the modern state and its governing institutions. This thesis endeavors to explain why that has been the case.

Outright rejection and mistrust of the modern state authority by individual sub-Saharan Africans has been a cause of rebellion and civil unrest. Mazrui (1975) argues that relative lack of protracted cycles of inter-ethnic wars in colonial Africa was because Africans were not in control of their countries, and all ethnic groups identified the colonialists as their collective enemy against whom they united. He contends that “whereas the colonial rulers were outsiders in relation to the collection of tribes which they dominated, this could no longer be true of the new rulers of Africa” (p.5). As he further observes that colonial ‘masters’ had not faced tribal rivalry for possessions and power, he asks: “How are African rulers to secure the loyalties of the other peoples? How can they appear neutral when the label they carry is still very much tribal? These issues have grave consequences for the stability and the viability of the state,” he argues (p.7).
Indeed, heads of state in SSA are referred to by their tribes as they surely have their own ethno-linguistic affiliations. In such an environment, governments are referred to according to the ethnic group of the incumbent head of state.

Like Mazrui, Kenyan Nobel laureate Maathai (2009) calls the largely internally delegitimized modern nation-state of sub-Saharan Africa a “superficial creation.” While she referred to state and stateless tribes of the region as “micro-nations,” she contends that conflicting interests and loyalties within that ‘superficial’ entity obstructs the process of nation-building. Resolving a crisis of national identity remains at the heart of all other nation-building related activities undertaken by national governments in the region. To this effect, Maathai explains that almost all sub-Saharan Africans relate to their state in a superficial manner since it was not of their own making. Their psychological and physical connections remain firmly connected to their ethnic groups, or “micro-nations.”

“Consequently, even today, for many African ethnic groups, a threat to their micro-nations or those they consider their leaders within their micro-nations carries more weight than a threat to the nation state” (Maathai 2009, p.184).

Many have argued against the colonial state structure but failed to recognize the responsibility Sub-Saharan Africans have over determining their own political fate. While there are elements of truth in blaming foreign actors (state and non-state alike) for exacerbating and fueling civil strife in SSA, the fact remains that the sub-continent must set its political house in order first. Without clearly defining boundaries between social (ethnic/tribal) and political (state-wide) responsibilities, SSA governments will always fall short of applying the principles of governing a political community. The two components that both exercise sociopolitical control will always ‘stumble’ on conflicting
issues that divide them. As ethnic order remains firmly isolated in its insular social and political crusts, the fact that it must share authority with the state, or vice versa, makes it inevitable that a solution for enhancing state control must be sought.

**Thesis Overview**

This thesis will address the way forward for SSA efforts at nation-building in six steps. First, I begin with operationalizing main concepts and variables: authoritarianism, tribe and ethnic groups, interethnic political competition, ethnic civil war, and state failure, relying on social scientists’ definitions. After defining these concepts, I review existing literature on different causes of state failure in Africa. While scholars have espoused varied arguments about the root causes of state failure in SSA, they share broader themes pertaining to political, social, and economic explanations.

Second, I examine levels of state legitimization before relating delegitimization and failure to demographic pressure on a largely incompatible system of governance in the region. I contend that almost all countries have experienced, or are prone to experience, high levels of political instability and civil war. All performed poorly in terms of social, economic and political indicators of growth and stability, yielding high ranking of state failure. For instance, economically, countries like Kenya, Ivory Coast and Nigeria emerged into sovereign statehood on equal footing with most countries in South East Asia, but there is no ground for comparison today. Moreover, South East Asian countries did not have an amount of natural resources comparable to countries such as Nigeria and Congo (Kinshasa). Why did Malaysia and Singapore perform better than Kenya, Nigeria, and Congo in all fronts? To answer this question, I first show that most
states in SSA are failed or failing states. In doing so, *inter alia*, I measure performance of states in a twenty-country sample population by applying some of the criteria for measuring social and political indicators of state failure used by the largely acknowledged Fund for Peace (FfP) Conflict Assessment Tool (CAT). These social and political indicators of state failure were published by *Foreign Policy Magazine*, (a U.S. publication), and are not only conspicuous to external observers including political elites and the mass public, but most importantly, to sub-Saharan Africans whose lives have been transformed by the state into a dangerous adventure. Social indicators such as mounting demographic pressure, massive movements of refugees or internally displaced persons have created complex humanitarian emergencies, a legacy of vengeance, and group grievance. Political indicators such as progressive deterioration of public service, suspension or arbitrary application of the rule of law and widespread violation of human rights, security apparatus operating as a state within a state, and rise of factionalized elites, are all characteristic of most nation-states in the region.

Third, I examine the sociopolitical structure of a population of selected state and stateless ethnic groups in sub-Saharan Africa. I then use the established sociopolitical arrangements found in those groups to support my advocacy for adopting a form of social contract that should be capable of accommodating structural peculiarities of sub-Saharan African nation-states. I use secondary data for this empirical analysis which will provide detail outlines of sociopolitical structures of those two broad categories of ethnic groups (tribes), and then generalize about the entire region. For instance, I use a rebellion by Buganda tribesmen against the central government as a case study demonstrative of my argument that loyalty to ethnic groups outweighs loyalty to the nation-state.
Fourth, I examine the extent to which Africans reacted to the emergence of the modern nation-state. In doing so, I hope to depart from a popular ‘blame game’ in the region in which all social, political, and economic failures continue to be blamed on colonialism and neo-colonialism many decades after Africans took political control of their political organizational destiny. Instead, I argue that in post-independence Africa there were no purposeful efforts by Africans themselves to socially engineer peaceful coexistence among micro-nations within their borders. Almost all SSA countries (there are noticeable exceptions) did not break ties with colonial political arrangements for governing their states. In this regard, I attempt to explain the reasons why did sub-Saharan African nation-states become failed states. I attribute state failure to three main reasons: absence of citizen loyalty to the nation-state, authoritarian attempts to fast-track such loyalty, and absence of a compatible social contract for redirecting it. Without loyalty to the nation-state, central governments will always be delegitimized by groups competing for its control. Redirecting citizen loyalty towards the nation-state must therefore be of paramount importance; but it can only be achieved through a democratic and all-accommodating version of social contract.

Fifth, I revisit the foundation of political community formation by examining what the notion of social contract entails. Social contract theories have not produced identical government system everywhere, but the underlying principles enshrined in those theories have, nevertheless, constituted the foundation upon which political communities are formed and maintained. Thus, those universal principles can apply to different political settings that have peculiar needs such as those found in SSA. In that sense, going
back into pre modern state settings may be useful in that it enables us to see ‘the right
track’ and advise SSA states to start applying universal principles of social contract.

Sixth, I apply the above arguments and findings to a hypothetical model of the
sub-Saharan African nation-state. My assumption of applying one model to all states is
based on the fact that 99 percent of SSA nation-states have identical fragmentation of
ethnic communities, as-well-as identical patterns of political behavior. They all shared
the same experience with colonial administrative control and border mapping, faced
similar challenges in terms of post-colonial state-building and internal government
delegitimization, and they shared similar political organizations which they applied to
controlling the state.

Seventh, I outline the pros and cons of presidential and parliamentary systems,
hoping to spark a debate on their compatibility in the context of SSA countries. My
preference for parliamentary democracy is supported by an argument that it would allow
greater integration to take place within the context of inter-ethnic political competition.
Transforming the SSA state from presidential systems, which are prone to producing
tyranny and authoritarian rule over diverse populations of state and stateless ethnic
groups, to parliamentary systems would be a not so difficult process, or so do I believe.
In fact, changing from parliamentary systems, by which many countries like Kenya,
Sudan, Uganda, Nigeria, etc. were governed in their immediate post-independence
epochs, was not difficult too. All-in-all, a debate on political system compatibility, a
basic human right sub-Saharan Africans were denied by authoritarian military or one
party-system, must be started and a choice allowed in referenda for social contracts in the
region to gain legitimacy.
Chapter Two

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Main Concepts

The main concepts on which this thesis is based are authoritarianism, tribe and ethnic group, ethnic political competition, civil war, state failure, and social contract. These concepts collectively operate to capture the ‘bigger picture’ of SSA’s sociopolitical predicament. Authoritarian government system, which are political systems that are controlled by individuals or a group of individuals who are most often intolerant of credible opposition, paternalistic towards their citizenry, and provide limited space for political participation, have emerged in different shapes and forms in SSA. They took the forms of one-party system, military regime, or a system run by revolutionary vanguards.

The term tribe or ethnic groups may conjure in the minds of some, especially in the western world, a Hollywood image of naked men and women jumping around fire flames as they danced to sounds of drums. Even though that image is to some extent true of a few isolated tribal communities in SSA, rural-urban migration which characterized the region’s post-independence created a new environment in which tribal identification is but one element of many hats individuals wear. Good numbers of the tribal warriors and naked men of old now dress in ‘western’ suits and ties, while some are aspiring for political office. As they or their parents migrated to urban centers, they carried along
whatsoever that linked them with their ancestral land. Just like U.S. citizens refer to their Irish, German, or Jewish ancestry, SSA tribesmen and tribeswomen not only refer to their ancestry, most still speak their languages and maintain close association with fellow tribesmen/women wherever they are found.

A dynamic interaction of the above concepts has not been random, but rather sequential. For example, state failure has more often followed ethnic civil war, which is in turn triggered by acrimonious and violent political competition over state control, which in turn is a product of absence of a political mechanism that can accommodate ethnic plurality within the nation-state. In order to further enhance our appreciation of all the interaction between different but inextricably linked concepts upon which this thesis is premised, they are defined below.

**Authoritarianism**

The Blackwell Dictionary of Political Science defines authoritarianism as:

Any form of organization or attitude which claims to have the right to impose its values and decisions on recipients who do not have the right or means of responding or reacting freely. With governmental systems it is applied to those that deny democratic freedoms: freedom of expression, freedom of assembly and organization, freedom to oppose the government….A type of repressive regime which arises in semi-developed countries with a history of military rule. Unlike personalist military dictatorships which can be found in more primitive countries, this kind of authoritarianism occurs where the military has become more bureaucratized and conscious of the need to nurture economic development. Hence the army allies itself with technocratic individuals who have risen to the top in large organizations including multinational corporations.
In SSA, this kind of alliance between military regimes and technocrats has been controlled by the former, hence lacked any democratic process as technocrats often remained outside the decision-making space. Like democracy, there is not one recognized definition of Authoritarian regimes. However, they are sometimes better explained against their direct opposite- i.e. against what they are not. In this case authoritarianism can be measured against democracy. Yet, there is certainly considerable diversity among democracies – e.g. between states based on majority rule, like the United Kingdom, and those based on complex arrangements among ethnic minorities which combine competitive politics with the unity of the state as in Switzerland; between highly egalitarian societies, as in Scandinavia, and a country with the inequality of India (Linz 1975, p.181). Because of lack of a single reference point, new ideas derived from various value systems have generated different classifications. Hence, “the perspectives of scholarship and of political actors will not always coincide, and the same words would be used with different meanings” (Linz 1957, p.176).

Categorizations of non-democratic governments using interchangeable terms such as absolutism, totalitarianism, despotism, dictatorship, and authoritarianism has created indifference among those who now perceive these terms to mean more-or-less the same thing. Further categorization such as Marxism, Leninism, Stalinism, Trotskyism, and Maoism are lumped into a categorization of communist regimes, which are also authoritarian in nature. The inherent symmetry found in all the categories above allows political scientists to use authoritarian regime/government to describe all non-democratic, exclusivist, and often elitist based systems of government.
To avoid philosophical comparisons with other political regimes and to arrive at a common definition, I use Linz’s (1964) conception that authoritarian regimes are often characterized by limited political pluralism. They may or may not have a guiding ideology on which to base their governing patterns, but they constantly change their grounds for populist mobilization. They often exploit prevailing local and international conditions to create enemies that they project to be posing existential threats to the state. Linz (1975) recognizes that delimitation in his definition pertains to “the exclusion of traditional legitimate regimes, on account of the different sources of legitimacy of the leadership, or oligarchies ruling authoritarianly” (p.264). In other words, considering that traditional authority is often bestowed on individuals without following ‘democratic’ processes, it may not qualify as democratic. But traditional leaders are not authoritarian either, since the sources of their legitimacy are not subject to contestation by individuals within tribes. Only when the later condition of power contestation evolves within traditional authority, and if contestation is suppressed, that traditional authority will fit into the definition of authoritarianism.

Authoritarian regimes are characterized by limited pluralism although they may allow some semblance of pluralism to improve state standing without conceding total control of final decision making. Linz’s concept of limited pluralism takes different forms even though its main characteristic is that “[t]he participation of groups in political power is controlled by certain social forces and channeled through different organizational structures.” He further elaborates that on that ground authoritarian systems range from “those dominated by a bureaucratic-military-technocratic elite that preexisted the regime, to a large extent, to others in which there is limited political participation and
entry into the elite through a single or dominant party emerging from the society”
governments in sub-Saharan Africa that sought to consolidate their grip on political power even when political parties were allowed limited political space to operate. The one party systems in Kenya under Kenya African National Union (1964-1991), Uganda’s National Resistance Movement (1986- to date), and many others countries should all be defined as limited pluralist, thus still authoritarian, systems.

Considering the above characteristics of authoritarian regimes, and when applied to SSA’s sociopolitical structures, one can derive certain attributes of authoritarianism as it is applied in this thesis. Because there are rare instances when post-revolutionary and militaristic regimes contributed to positive transformation of their countries political systems in terms of setting precedents on peaceful transition through promoting constitutionalism and civic participation, for example Julius Nyerere in Tanzania and Jerry Rawlings in Ghana (1981-2001), authoritarian regimes in this thesis are governments that exhibit any four of the eight attributes below:

1- Militaristic or post-revolutionary and oppressive in nature
2- Based on/controlled under one-party political system.
3- In control of civic participation and intolerant of free media and political opposition.
4- Characterized by high propensity to employing extrajudicial measures against opponents and its own members.
5- Exhibit total disregard for any form of social contract, political office term limits, and constitutionalism.
6- Are paternalistic and in control of all avenues of entry by groups/political parties into the political arena.
7- Controlled by an individual or members of a vanguard party rather than institutions and elaborate legal frameworks.
8- Corrupt and lacks accountability and transparency in public expenditure.

One of the main objectives of this thesis is to demonstrate that authoritarianism, characterized by absence of a social contract between citizens and the state, creates an
environment unfavorable for nation-building. Inter-ethnic political conflicts are manifestations of a bigger problem of failure in governance, and not by themselves obstacles to nation-building. Considering that most governments in SSA are authoritarian, strong ethnic affiliation and collective resistance provide the only viable mechanisms for self-preservation against an unjust government. Since all human beings possess certain inalienable rights to protect themselves when there is no one to protect them, that inherent right to self-protection is better exercised by ethnic groups than by individuals. When authoritarian regimes start preying on the people instead of protecting them and representing their interests, social contracts become invalid. Thus, it is because artificial social contracts that govern SSA nation-states are invalid that the sub-continent has continued to exist in perpetual ethnic civil wars.

**Tribe and Ethnic Group**

Tribe and ethnic groups are terms that have been used interchangeably to the extent that they have come to largely mean the same thing in the SSA. However, sometimes the two terms may have slightly different connotations due to the context in which they are applied. For example, when talking about genocide in Sudan's western region of Darfur, the term ethnic, in its broader anthropological sense, would be more descriptive of larger perception of the parties to the conflict. We would say ethnic African tribes have been driven from their ancestral villages by government soldiers backed by ethnic Arab tribesmen (collectively called Janjaweed by ethnic Africans in Darfur). In this context, the word ethnic refers to a bigger notion of identity that transcends nation-state borders, like Arabs, ‘Whites’, and black Africans. Hence, when
applied to SSA states, it carries with it a civilizational identity that identifies broader fault lines in a “Huntingtonian” sense. And since modern nation-states are mostly composed of a mixture of indigenous inhabitants and migrants, it is likely that one finds different 'ethnic' (or civilizational) groups within their borders which may not necessarily constitute tribes.

The term ethnic is also used in some cases to describe intra-state differences in linguistic and religious groups such as with the former Yugoslavia. However, in the context of sub-Saharan Africa, religion has played a pivotal role only when its use was convenient in creating geographical alliances of faith groups. Such religious alliances of ethnic groups are only possible when a certain religion- e.g. Islam or Christianity- is dominant within a collectivity of ethnic groups in a regional context. This pattern is observed in countries like Nigeria, Ivory Coast, Chad, and Sudan where a dichotomy of Christian versus Muslim characterized ethnic conflicts and civil wars between Northern and Southern regions. However, when religious divide is not based on geography, religion becomes a less important element in defining ethnic groups in SSA. Substantial percentages of Muslims and Christians are sometimes found in one ethnic group- for example Buganda of Uganda, Nuba of Sudan or Bari of South Sudan. In the later context, religion becomes a social instrument rather than a political one. Therefore, in SSA, the terms tribe and ethnic group most commonly refer to the same thing except when defining broader differences between Arabs and Africans in countries like Sudan, Mauritania, Niger, and Mali where substantial percentages of 'ethnic' Arabs are found, or Whites and African in countries like South Africa and Zimbabwe, or the other cases mentioned above.
Thus, while various criteria have been used to define the two terms, ethnic and tribe, they both refer to groups that share the same culture and distinct language (Fearon 2003). And since the terms ethnic and tribe have been used interchangeably in modern literature on sub-Saharan Africa, this thesis follows the same pattern, hence they both mean a group of people who speak the same language, believe in a shared history and ancestry, and occupy the same piece of land. They are, henceforth, used interchangeably as this best reflects the SSA context.

*Inter-Ethnic Political Competition*

Because inter-ethnic political competition, especially in the context of SSA, is not a defined concept but an observed phenomenon, it is necessary to provide a descriptive analysis of the phenomenon itself to stand for its operational definition. Inter-ethnic political competition refers to political contest between individuals in a nation-state who are citizens of that state by virtue of their membership in one of its ethnic groups, and, thereby, represent their ethnic groups at the national level. Given the fact that human mobility within SSA states is limited, most of the region’s inhabitants live and die in villages and towns that fall within their geographically defined ‘ancestral lands.’ The few who depart to other regions almost always come back ‘home’ to visit or, if they have become politicians, to solicit votes. As rational actors, just like appealing to one’s static political party base in the western political tradition, SSA politicians’ static political base is firmly found in their ‘ancestral homes’ (Mazrui 1975-1983; Maathai 2009).
As it applies to individuals, the above description also applies to political parties. Party membership is often determined by demographic factors. Ideology, be it right wing(ism) or left wing(ism), is virtually a non-existent intervening variable in the context of interethnic political competition. Considering that the region is inhabited by more than one thousand five hundred linguistically distinct tribes/ethnic groups (Africa-Britannica Online Encyclopedia) divided into only 49 nation-states, demographic alliances of ethnic groups have characterized the region’s post-independence politics. Even when a few political parties exit and contest political power, they tend to fuel ethnic tension with their ethnic coalition strongholds. In times of elections (especially presidential elections), Africans migrate back to their ‘ancestral homes’ where there is safety. Most of the few that violated this now firmly established trend have perished in the civil wars and unrest that followed elections. This is the story of almost all SSA sates except a negligible few such as Tanzania or Zambia that did not fall into post-election violence, even though recent examples demonstrated that no SSA nation-state is immune to this unfortunate experience. Nigeria, a country that exists in perpetual ethnic political violence, is an example. Meredith (2005, p.194) describes the story of Nigeria by saying that:

Despite the promising start made at independence in 1960, Nigeria was soon engulfed by an intense struggle between the country’s three main political parties for supremacy over the federal government. Control of the federal government determined the allocation of development resources. Because each region produced its own political party dominated by the major ethnic group based there, the struggle turned into ethnic combat. Politicians on all sides whipped up ethnic fear, suspicion and jealousy for their own advantage and to entrench themselves in power. Tribalism became the ideology of politics...By nature, Nigerian politics tended to be mercenary and violent. Political debate was routinely conducted in acrimonious and abusive language; and ethnic loyalties were constantly exploited.
Most other SSA nation-states are still struggling with inter-ethnic political competition. Kenya (2008), Ivory Coast (2010), Zimbabwe (2008), Nigeria (2010), Sudan (2010), and Congo DRC (2011) are a few recent examples of elections based on inter-ethnic political competition that resulted into civil wars and massive population flight. Millions of refugees and internally displaced persons (IDPs) are still stranded in refugee camps all over SSA for they cannot go back to their houses and property for the simple reason that they had settled and made a living in regions which are not their own ancestral homes. Because of inter-ethnic political competition, SSA accounts for more than a fourth of the world’s 12 million or so refugees (about 3.2 million refugees are found in Africa) as-well-as accounting for more than half of the world’s 25 million IDPs (International Rescue Committee – IRC, 2012). Consequently, since thousands of children, women, and the aged die of malnutrition, disease, and direct conflict in refugee/IDP camps every day, the story of SSA continues to be for most of its inhabitants a story of displacement, ethnic wars, refugees/IDPs, and political unrest. Even in times of relative peace, there is often a constant lingering specter of ethnic violence and civil war all over the region.

*Ethnic Civil War*

Since the term civil war conjures a perception of legitimacy of grievances, insurgents who are armed and capable of holding or contesting territory often use it to describe their action against government troops. In many ways, the term civil war has carried a positive connotation for insurgents since it implies regional support and the existence of grounds for claiming legitimacy as opposed to simply representing territorial
grievances. It also implies weakness and inability of national authorities/governments to provide security. In this regard, the term is increasingly becoming synonymous with state failure since it implies that sovereignty over the legitimate use of force is challenged on territorial basis. To avoid labels of state failure and the negative perception it brings on nation-states, national governments have resorted to replacing the term civil war with less damaging others, such as banditry and terrorism.

Criteria for determining whether certain conflicts qualify as civil war have varied for many reasons, such as politicization by adversaries of the concept to serve their own political objectives as demonstrated above. However, there are general characteristics that have gained increasing acceptance. Important dimensions in defining a conflict as a civil war are that violence must be "civil", it must be "war" and its aim must be the exercise or acquisition of national authority. The "civil" part means the struggle must take place within territorial borders of a nation-state, must be between the people of that state, and must involve popular participation (Keegan and Bull 2006).

Mundy (2011, p.1) argues that the concept of civil war as operationalized by scholars has been “implicitly and explicitly contested. An examination of the politics of naming civil wars likewise reveals the extent to which varying and sometimes conflicting definitions of civil war are still in circulation among various observer types.” He provides four basic criteria of civil war: (1) internal military action, (2) at least one thousand battle deaths, (3) the involvement of the national government, and (4) the ability of participants to inflict casualties on opponents (p.279). Along similar lines, six criteria are put forth by Elbadawi and Sambanis (2000, p.6) to differentiate between civil wars and other armed conflicts. According to their definition, for an armed conflict to be a
civil war it has to: (1) cause more than one thousand deaths, (2) challenge the sovereignty of an internationally recognized state, (3) occur within the recognized boundaries of that state, (4) involve the state as one of the principal combatants, (5) include rebels with the ability to amount and organized opposition, and (6) involve parties concerned with the prospect of living together in the same political unit after the end of the war. In most assessments of civil war, the death toll ranges between a thousand deaths per annum, in battle or per conflict (Small and Singer 1982, 1994; Regan 2000; Licklider 1995; Collier and Hoeffler 1999). While some argue that death toll should be measured across a period of time, others contend that it should apply to lives lost during the war itself. Failure to agree on a timeline for measuring war related death toll blurs the line between civil wars and other forms of political violence. In this regard, Mundy (2011) argues that even though there is widespread recognition that there is a difference between war and genocide due one-sided slaughter or the widespread use of terror campaigns against unarmed populations, “loaded concepts such as ‘military action’ or ‘battle deaths’ are rarely explicated” (p.283).

The identity of those involved in civil war (i.e. the combatants) is an important element which qualifies armed conflicts to be regarded as civil wars (Elbadawi and Sambanis 2000). Generally, civil war must involve nation-state representative militaries against citizen civilian-combatants who use weapons to resist the state. Hence, an asymmetry of some kind must characterize and relate to how disputants in a civil war may engage in armed combat. The fact that both sides in a civil war are citizens of the same country is an extremely important criterion.
Applying Elbadawi and Sambanis (2000) criteria (5) & (6) - that death toll caused by “the ability to amount an organized opposition” against the government, rather than resulting from random crime, and existence of “prospect of [disputants] living together in the same political unit after the end of the war” – we can appreciate that civil war must be an exclusively political phenomenon. In the absence of political objectives and the desire to live together under a political dispensation or transform political relationships (e.g. through session) between citizens of the same nation-state, irrespective of whether deaths toll exceeds the one thousand threshold or not, an armed conflict inside the territorial boundary of a country cannot be defined as a civil war.

Even though the definition of civil war above applies to most conflicts in SSA countries, there has been a salient difference between patterns of civil war in SSA when contrasted with other regions. While most civil wars in other parts of the world were mainly fought over ideologies where loyalty is a function of one’s political convictions - for example in the United States, Europe, Asia, and Latin America - most SSA’s civil wars have been triggered by reasons other than political ideology. Civil wars in SSA have static fault-lines and remain territorially and demographically defined. In times of civil wars, loyalty-shifts have not been undertaken by individuals, but, rather, by entire linguistically distinct ethnic groups (Maathai 2009, Elbadawi and Sambanis 2000, Mazrui 1969, 1976).

Not all inter-tribal (ethnic) warfare is of equal interest to this thesis. In general, SSA ethnic conflicts come in two types. The first category of ethnic/inter-tribal wars are fought among tribes for reasons other than the political. In fact, inter-tribal wars that have been triggered by sometimes frivolous reasons are prevalent in sub-Saharan Africa. This
category of wars, fought over cattle rustling, revenge, grazing rights, etc., may sometimes lead to death tolls exceeding the one thousand a year threshold, yet do not qualify as civil wars since they are not fought over political objectives.

The second category of ethnic warfare is triggered by political competition by ethnic groups over state control, hence are civil wars if they also met other thresholds. Drawing a distinction between identity (e.g. ethnic) and non-identity (e.g. ideological) civil wars, Sambanis (2001, p.6) defines ethnic wars as “wars among communities (ethnicities) who are in conflict over the power relationship that exists between those communities and the state”. To illustrate the static nature of tribal fault-lines during ethnic civil wars, Sambanis refers to Kaufman (1996) in his assertions that warring communities in ethnic civil conflicts “hold irreconcilable visions of the identity, borders, and citizenship of the state. They do not seek to control a state whose identity all sides accept, but rather to redefine or divide the state itself” (p.138). Considering that civil wars are bound to be triggered by ethnic political grievance, Sambanis (2001, p.15) contend that “ethnic grievance is likely to be exacerbated by the lack of political and civil rights, by collapsing mechanisms for the peaceful adjudication of disputes, and by an inability to nurture diverse ethnic identities”. Hence, since this second category is triggered by inter-ethnic political competition over state control, it is a kind of civil war as referred to in hypothesis 1.

Finally, measuring deaths toll per annum, in battle, or per conflict should not be related to only direct combatants in a civil war. In fact, the greatest percentage of casualties of civil war in SSA have always been innocent civilians (including women, children and the elderly) who die as they are caught amid the war or hunger in refugee
and Internally Displaced Persons (IDP) camps. If we are to confine casualties to direct combatants, we would do injustice to these real victims of war. Hence, counting deaths toll should in itself extend beyond direct hostility to include post-war periods when victims of a civil war still die in refugee/IDP camps. This way, it should not matter whether casualties are from direct or ‘indirect’ causes of civil war. The bottom line is that the only criterion which is applied in this thesis is that deaths resulting from displacement and starvation in refugee/IDP or concentration camps are still counted into the one thousand threshold. The implications of this definition is that the more than fifteen million refugees and IDPs across sub-Saharan Africa, who are currently starving and dying every day, hour, and every minute are not forgotten. While peace deals establishing power-sharing formulae might be signed by the political elite to end direct hostilities, victimization and death counts have continued beyond the signing of those ‘peace’ agreements. There is, therefore, no direct correlation between secession of hostilities and counting of casualties of civil wars. This pattern could be applied to post-election civil wars in Kenya (2008), Ivory Coast (2010), or Sudan, where more than a thousand people die of malnutrition and disease in refugee/IDP camps where they are forced to take refuge, trapped, and unable to relocate to their homes in spite of existence of ‘peace’ agreements and power-sharing arrangements between politicians.

State Failure

There is no unified and general definition of state failure in security studies, even though some elements of state failure have had wide acceptability and applicability. To overcome lack of a general definition of the concept, Kreijin (2004) argues that “what is
required is that the essence of state failure be determined. [And] in order to determine the essence of state failure it is necessary to ask in what respect does a failed state fail?” (p.65). He considers “lack of capacity” to be what constitutes the essence of state failure. But before throwing labels of failure on states, it is essential to determine the political nature of the state. In this regard, Kreijen (2004) examines state failure from a perspective of legal standards (state obligations) and failure to carry out functions.

The nature of the state is relevant to state failure from a normative (juridical) or sociological (empirical) conception of the state based on rights and obligations. They examine the degree and scope of failure by governments to deliver services in addition to violation of legal obligations owed to citizens. The exercise of sovereignty by states must, therefore, be within acceptable frameworks of the rule of law. In this regard, Kreijen (2004) argues that:

“[W]hen there is an imbalance between empirical and juridical conception of the state (e.g. when the state can have total control over the legitimate means of violence, but through forcefully eliminating all kinds of opposition) then theorist must take recourse to legal-formalist conception of the state- i.e. looking into existence of both elements of physical control or monopoly of force operating with national and internationally acceptable legal frameworks” (p.53).

Robert H. Bates (2008) goes further than just looking at attributes of state sovereignty and failure to deliver on multiple economic and political obligations. He considers state failure to be more of an interactive phenomenon between citizens and the state than mere measurements of degrees of governmental failure. Reaction by citizens to governmental abuse of power (predation) is an important element that accelerates state failure. Bates (2008, p.9) contends that states failure is a condition where political predation by government is “accompanied by the militarization of civic society below.
The state no longer possesses a monopoly on the use of force, and society is plunged into political disorder”. Based on his interactive notion of state failure, Bates (2008, p.2) provides the following elaborate definition:

State failure refers to the implosion of the state, by which is meant two things. The first is the transformation of the state into an instrument of predation. As states fail, politicians employ political power to levy resources from those who lack it. Rather than deploying the power of the state to enhance security, those in power use the state to promote their own interests, rendering others insecure. Were the abuse of power the sole distinctive characteristic of state failure, then we would be unable to differentiate it from authoritarianism. The difference between the two arises from the second key characteristic of state failure: a loss of the monopoly over the means of coercion. When states fail, political competition takes place between groups bearing arms. Political parties become political militias as elites transform them into military bands. Private firms seeking protection and private citizens seeking security affiliate with these militias as they search for sources of the security that the state no longer provides. [There is also a] distinction between state failure and revolution. Both lead to violence; but revolution creates a new order, whereas state failure yields disorder.

Like Bates (2008) and Kreijen (2004), Milliken and Krause (2002) believe that the notion of state failure is deeply rooted in the political practice of territorial control of often diverse populations and levels of legitimization or delegitimization of the state by citizens. Acknowledging that “statehood is not a given for some parts of the international system,” Milliken and Krause (2002, p.575) contend that “the modern notion of statehood has entailed a series of different attempts to resolve the question of how states and regimes could be made legitimate in the eyes of the people”. Hence, in this thesis, state failure refers to a situation when the center (government) does not have exclusive control over the monopoly of the means of violence due to rebellion and violent contestation by indigenous groups, and when, as a result, it lacks capacity to protect and deliver basic services to all of its citizens.
Social Contract

Social contract (also social covenant or compact) refers to a constitutional and institutional arrangement that enables representation by the state of all its citizens. It explains a bottom-up process through which citizens give up some of their inherent rights, such as the right to self-protection in both its individual and collective dimensions, to the state which will reciprocate oversight or control to the citizens through well-defined procedures of governance. Even though the degree of inherent rights that citizens must relinquish to the state in a social contract varies from one philosophical argument to another, all social contract thinkers assert that the principle of reciprocity is the foundation of social contracts (Thomas Hobbes 1651, JeanJacque Roseau 1762, and John Locke 1689). In other words, in order for citizens (free men/women) to absolutely subject themselves to a sovereign (government), a political community (nation-state) must be established with terms of the social contract conceived and accepted by both the citizens and sovereign.

Key to the social contract arguments is an assertion that political communities are social constructs, rather than products of nature. Unlike the inherent and inalienable rights nature bestowed upon individual persons, the jurisdictional rights nation-states have over ‘the people’ (who are naturally sovereign) are given to the state by the people themselves through the medium of social contract (Hugo Grotius 1625). The people, who compose themselves into natural social units, are ultimately under their own sui juris (jurisdiction) and possess the moral obligation (bestowed upon them by the law of nature) to self-preservation until a favorable social compact is arrived at between them and a ‘new’ external sovereign entity, which is the state.
Therefore, social contracts promote peaceful radical social transformation of “the state of nature” in which humans exercise their innate rights. The political community that emerges from such covenant is controlled by a central authority which exercises the people’s general will on their behalf. As a result, each of us puts his person and all his power in common under the supreme direction of the general will; and as a body we receive each member as an indivisible part of the whole (Jean-Jacques Rousseau 1762). Existence of a contract, therefore, makes the state a virtual legal entity which must operate under the rule of law and not the arbitrary rule of any one man who is naturally incapable of representing the general will of a collectivity. Only then, shall society experience peace and tranquility as every member goes about his/her living in an environment where his/her civil liberties are protected by a social covenant, an environment where no entity operates outside the rule of law no matter how patriotic that entity perceives itself or is perceived by the governed.

Considering the preconditions necessary for a social contract to exist, it is not unreasonable to argue that most governments in SSA are in control of states with usurped powers outside the confines of any legitimate social contract. As necessary and indispensable ingredients of any social contract, the principles of reciprocity, operating within the rule of law, and voluntary abdication of individual/group rights are absent in most SSA nation-states. Drafting terms of the social contracts governing SSA’s nation-states has been a process undertaken by coercion, overtly or covertly, rather than through consent. As demonstrable in Table 1, most governments in SSA are still controlled, for better or worse, by incumbents who belong to and retain direct control over their military institutions. Most incumbents used coup d’état or armed revolution as the primary means
of usurping government power, then tried to legitimize their rule by undertaking quasi-elections that were far from ‘free and fair.’ And because elections have been largely rigged in favor of incumbents, SSA has continued to have the longest serving heads of state in the world. Their records are only parallel to kings in the international arena who are, in contrast to SSA, largely ceremonial and operate under elected governments that allow them to maintain legitimacy.

Conclusion

Because of their coexistence in political communities ethnic groups promoted more internal cooperation in pursuit of political goals with the larger context of nation-state. In their competition for state power, these groups have often created voting blocks in support of a candidate from their own or from other groups with whom they merged into larger political blocks. This pattern of behavior, which is termed in this thesis as inter-ethnic political competition, is rather a modern phenomenon in SSA and is a product of the territorial nation state. Inter-ethnic political competition has more often triggered violence between competing participant tribal/ethnic alliances. These conflicts, in turn, degenerated into full scale ethnic civil wars leaving thousands of people either killed or displaced. This thesis refers to these kinds of war as ethnic civil war. Given that authoritarian regimes have failed to create conducive political environment for healthy and peaceful political competition, this thesis argues for a social contract that would promote the establishment of that missing political link. Here, a social contract (or compact) is an agreement between ethnic/tribal groups which spell out peaceful patterns of political competition and cooperation within the state.
Chapter Three

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Literature Review: State Failure in Sub-Saharan Africa

Since gaining independence between late 1950s and 1960s, most governments in sub-Saharan Africa have continued to grapple with governing modern states. This chapter examines existing literature on causes of civil war and state failure in sub-Saharan Africa. It divides existing analyses into two broad categories. First, some authors have considered sociopolitical or structural factors within SSA states as most pivotal to explaining state failure. Here, the region’s past and present (pre and post-colonial) are examined together, rather than isolating each historic period. By doing so, solutions to the region’s governance predicaments are mainly thought to be political, while economic failure is regarded as a symptom, rather than a cause of state failure. The second category of contentions regards socioeconomics as a central element to explaining state failure. It highlights the role economic failure on the part of governments as well as opportunity cost of conflict on the part of groups (rebels) that seek to delegitimize and control the state to be recognizable elements of state failure in sub-Saharan Africa. In the latter category, external intervention is claimed to have exacerbated state failure by improving the opportunity cost of rebellion.
Sociopolitical/Structural Causes of State Failure

Herbst (1996) attributes differences between the European model of territorial nation-state and Africa’s sociopolitical structures as one of the main causes of state failure. He contends that “in precolonial Africa, a wide variety of political organizations, villages, city-states, nation-states, empires rose and fell”. That the creation of politically organized territories “and the demarcation of the continent into national states between 1885 and 1902 replaced that diversity of forms with the European model of the national state” (p.120). He further criticizes the international community’s response to state failure in SSA for it “has refused to acknowledge the structural factors at work, despite mounting evidence that the loss of sovereign control is becoming a pattern in at least parts of Africa. Rather, each state failure is taken as a unique event” (p.125). It is the denial of existing structural factors that are sociopolitical in nature which accounts for all other failures. Attempting to draw attention to this essential aspect of nation building, a founding member of the Pan-African Movement, Ghana’s and SSA’s first head of state Kwame Nkrumah (1957-1966) advised sub-Saharan Africans in a famous appeal to, “seek ye first the political kingdom and all other things shall be added unto thee.” Up to this day, most SSA states have not sought to create the kind of political kingdom requested by Nkrumah, who did not focus his energy on condemning the European model but sought ways of arriving into a sociopolitical equilibrium within its boundaries.

While attributing elements of failure to the modern nation-state itself, and critical of current literature on state failure in sub-Saharan Africa, Herbst (1996) acknowledges that Africans themselves have embraced the modern nation-state and prefer to find solutions for their chronic civil wars within its borders. He argues that the acceptance by
Africans of the nation-state “as theorized, designed, and demarcated by Europeans was propelled by several forces… [M]any Africans were glad to be rid of the confused mixture of political institutions that characterized the pre-colonial period” (p.121). In the absence of a viable alternative to the nation-state, the critical task would, therefore, be for Africans themselves to device political strategies into systems that stand greater chances of preventing civil wars and state failure.

Along similar lines of argument, former UN Secretary General Koffi Anan (2004) provides his perspectives on the causes of state failure, civil war, and political conflict in sub-Saharan Africa. While he acknowledges that some variations in conflict triggers may exist between individual nation-states in the region, he also contends that there is ground for capturing specific causes that can be applied to all countries in the region. Anan argues that “these differences [between] the sources of conflict in Africa are linked by a number of common themes and experiences… [such as] Historical legacies, Internal factors, External factors, and Economic motives” (p.8). Anan traces historic causes of civil war and state failure in Africa to the Congress of Berlin in 1885 in which Africa was partitioned into territorial units by the colonial powers. He refers to the fact that “Kingdoms, States and communities in Africa were arbitrarily divided; unrelated areas and peoples were just as arbitrarily joined together.” He argues that after independence, “[T]he challenge was compounded by the fact that the framework of colonial laws and institutions which some new States inherited had been designed to exploit local divisions, not overcome them. What made the situation worse was/is failure by post-independence African statesmen to change the colonial system and devise one that befits the regions social and political demands. Rather, “the necessary building of national unity was pursued through the heavy centralization of political and economic power and the suppression of political pluralism” (p.10).
While a shared historic experience and legacy have contributed to state failure in the post-independence years of consolidation of power, internal factors continue to perpetuate that legacy. Anan reflects on what this thesis refers to as authoritarian regimes and incompatibility of existing forms of social contracts with the region’s sociopolitical tribal structures. He argues that:

“The nature of political power in many African States, together with the real and perceived consequences of capturing and maintaining power, is a key source of conflict across the continent. It is frequently the case that political victory assumes a “winner-takes-all” form with respect to wealth and resources, patronage, and the prestige and prerogatives of office. A communal sense of advantage or disadvantage is often closely linked to this phenomenon…The multi-ethnic character of most African States makes conflict even more likely, leading to an often violent politicization of ethnicity. In extreme cases, rival communities may perceive that their security, perhaps their very survival, can be ensured only through control of State power. Conflict in such cases becomes virtually inevitable” (Anan 2004, p.12).

Recalling sub-Saharan Africa’s distant past, Herbst (1996) contends that, in pursuit of a lasting solution to current governance problems we need to develop an in-depth appreciation of Africa’s pre-colonial social structures. He argues that without appreciating what was lost when the territorial state was arbitrarily imposed in the region, it would be impossible to fathom Africa’s present governance predicaments. That grasping SSA pre-colonial history is the “first step toward investigating what might be appropriate for Africa today. This is not to engage in misty-eyed nostalgia that somehow political formations developed hundreds of years ago can be replicated today” (p.128). In other words, seeking to provide solutions to present political problems without revisiting the origin of modern nation-states into the region would lead to erroneously treating the modern nation-state as it is perceived in Africa as if it was on equal footing with how it is perceived elsewhere.
Contributing to the sociopolitical arguments, Said Adjumobi (2001), an African historian, attributes state failure in Africa to the structure of modern African states in which the main binding sociopolitical force between citizens is the institutionalization of ethnic entitlements rather than citizenship. He contends that the term nation-state suggests a collectivity of nationalities all bound together in a state through the tie of citizenship. He defines the institution of citizenship as, “that political artifact through which a state constitutes and perpetually reproduces itself as a form of social organization” (p.152). Because the modern state structure is a sociopolitical entity often made up of different religious, ethnic, or political identities, citizenship becomes the only tool through which such various groups can identify and forge a common identity. He further argues that citizenship is, therefore, “a form of social pact, constituted by the dual elements of reciprocity and exchange between the individual (citizen) and the state” (p.144-167). It sets the ground on which states become nations.

Adjumobi sees no structural incompatibility between citizenship and pluralism or multiculturalism. He argues that “the idea of nation-state is a plurality of nationalities bound together by a common state identity” (p.155). Social pluralism and “sub-national identity” become a platform of resistance, recruitment, and a threat to the state only when rights conferred on individuals by citizenship are denied by the state. With the state using citizenship to grant equal rights, ethnic politics often employed by politicians becomes ineffective since the ability of politicians to mobilize support on ethnic grounds “is only possible in the context of a fertile ground of citizenship exclusion of a group or people”(p.156). It is, therefore, failure of state authorities to devise a political system that grants equal economic and political rights to all members of different tribal groups, rights
that are based on citizenship and meritocracy, which accounts for state failure in the region. Hence, according to Adjumobi, a lasting solution to the region’s political-identity crises lies in breaking ties with a colonial principle of dualism which encouraged ethnic based political identities that reinforced institutional differences between loyalties. Dual loyalty to both the state and tribe ensured that tribes could not form unitary resistance against colonial administration since citizenship rights were denied in the interest of favoring some tribal groups and undermining others. Weak loyalty to the state and strong loyalty to one’s tribe ensured that the colonial state could forge and maneuver through alliances whenever it found it convenient. A tribe’s proximity to the nation-state authority resulted in economic and political benefits such as exclusive access to employment in civil service and organized forces, educational scholarships, better social infrastructure to be enjoyed by its members, a pattern that persisted long after colonialism. While political sovereignty allowed modern states to exert change, “the colonial political structure and state formation witnessed no radical or qualitative transformation in the post-colonial era in most African states, beyond the change in personnel” (Adjumobi 2001, p.161).

Following on the contentions above, Jean-Paul Azam (2001) regards ethnic civil war as one element of political violence that caused state failure and not ‘the’ cause of state failure. According to Azam, ethnic civil strife is a mere symptom of a much larger structural problem that treated the state and ethnic groups as two distinct entities with separate in-built authorities; hence conflict will stem from failure by the state to accommodate tribal authority. Azam (2001) argues that:

Both the state and the ethnic groups obey constitutional rules enforced by some authority. If the state is defined *a la Weber*, as having the monopoly over coercion, then the African states have to be regarded as being at a stage of formation, because the kin group and the ethnic group both exert
substantial coercive power. Few African states can deliver adequately all the services that the ethnic group provides; an initial phase of federation of ethnic groups must be gone through before African states can provide a credible substitute for ethnic capital. The system of redistribution within and among groups is the key to creating the solidarity links between them, and its breakdown is liable to trigger political violence. Civil wars and other forms of political violence…. In peaceful African countries, a sophisticated system of inclusion of the educated people from the different ethnic groups in various organizations (e.g. students unions or single party) has evolved, whereby the state purchases loyalty from the groups through their educated urbanite ‘delegates’ (p.430).

Spears (2010) contends that internal solutions are imperative if SSA is to attain a sustainable sociopolitical equilibrium. He regards sustainable solutions to be beyond mere coalitions that are often aimed at a regime’s survival. Without a fundamental change in the nature of African state system, ethnic conflicts are bound to recur when elitist coalitions break. Hence, in suggesting a sustainable strategy for changing the nature of African states, Spears takes recourse to contemporary conflict resolution approaches that allow disputants to own their solution. He proposes three approaches for finding that lasting solution: First, the international community may seek to limit the effects of ethnic civil war and chaos through decisive intervention. A second approach “is to recognize that the international community’s ability to reduce anarchy is limited and that the strategies of local actors have much more bearing on conflict outcomes.” His third option, to which this thesis ascribes, is related to examining political system compatibility; a “more open-ended and radical approach- one that is not often addressed in the existing literature- [which] involves Africans identifying and abandoning those structural aspects of the contemporary state system which perpetuate conflict” (p.242).

Last, but not least, we can consider the arguments of Robert H. Bates (2008) in his widely read book “When Things Fell Apart, State Failure in Late Century Africa.” In
explaining the causes of state failure in Africa, Bates disqualifies arguments that are based on a causal relation between ethnicity and the likelihood of political disorder. He contends that “ethnic diversity does not cause violence; rather, ethnicity and violence are joint products of state failure” (p.10). Instead, authoritarianism, political predation, and inequitable distribution of state resources among various groups are the root causes of state failure in Africa - since those who are economically disadvantaged would see no other alternative to end their plight except through challenging the authoritarian state and seeking its control.

To ‘bring his points home,’ Bates (2008) applies a hypothetical allegory - derived from normative (Weberian) and classic theories of social contract - in describing the nation state as a community of three categories of people: “specialist in violence,” a group of elite politicians constituting “powerful patrons,” and the people (citizens-farmers). Political order prevails in a setting when the specialist in violence decides to exploit its control of the means of violence to provide protection rather than to plunder state and private property, and “the groups of citizens will chose to devote their time and energies to labor and leisure and forswear the use of arms, while rewarding the specialist in violence for protecting them against raids by others” (p.16). Hence, civil war results from abdication by the specialists in violence of his ‘protector’ and wealth distributor role, and, instead, taking on the role of a predator. Bates seems to imply that the first role can be made easier in countries with a wider tax base and abundance of resources that generate income for the specialist in violence.
Socioeconomic Causes of State Failure

Attempts to explain the incidence of civil strife in sub-Saharan Africa using economic motives abound. Collier and Hoeffler (1998-2000) developed a model (CH model) of civil conflict to analyze the incidence of civil war in sub-Saharan Africa which they applied to a period from 1965 to 1999. They found that there was no mysterious “Africa effect” but, like other continents, an economic global model could capture the root causes of civil wars in sub-Saharan Africa. Their experiment concluded that the incidence of civil conflict in Africa has not been different from that in the entire developing world, but, rather, a consistency in patterns of conflict in Africa and those elsewhere could be observed. However, they observed a difference in the structure of risk by arguing that “Africa’s economic characteristics have made it more vulnerable to conflict [and that] Africa’s rising trend of conflict is due to its atypically poor economic performance” (p.13). Their observation of recent rise in the incidence of civil wars in Africa after a relative spell of decline during periods of economic growth is “accounted for by divergent trends in African and non-African economic conditions” (p.14). Collier and Hoeffler (2002) contend that greed might have motivated numerous armed conflicts where rebels controlled regions considered to be sources of mineral wealth to the state and, thereby, redirect that income to finance their armies. They argue that “even if the rebellion is motivated entirely by grievance, it must generate revenue” (p.14) to cover the cost of armed rebellion. However, while their argument is firmly anchored in economics, they also recognize that there are alternative “objective” grievances such as inequality and ethnic divisions which may lead to civil strife.
Existence of a history of vengeance among ethnic groups, according to the CH model, also captures another element that explains the root causes of ethnic civil wars in Africa. The CH model concludes that “once a conflict has occurred, it creates a legacy of hatred, and this hatred fuels further conflict…[hence] some societies are doomed to a cycle of repeated conflict” (p.15). In other words, despite of the fact that ethnic wars are mainly triggered by a predisposition to control resources by tribal groups, they tend to go beyond resource conflicts into a realm of revenge and counter revenge. When ethnic conflicts reach this stage, reversing them becomes more difficult. Similarly, when one ethnic group or a regional coalition of ethnic groups is in control of state resources, cycles of violence turn to be between the state and an opposing tribe or tribal coalition.

After applying “recently developed models” to 161 countries covering 39 years (1960-1999) for measuring prevalence of civil wars, Elbadawi and Sambanis (2000) argue against a ‘popular belief’ that there is an inextricable causal relationship between state failure (endemic civil/ethnic wars) in Africa’s nation-states and their sociopolitical tribal structure. Such popular believe is inferred from demographic characteristics of rebellion in the region. In a rebuttal of that ever present erroneous, rather simplistic conclusion, they contend that civil war and state failure could not be attributed to the ethno-linguistic fragmentation characteristic of all sub-Saharan African states or existence of tribes as the basic sociopolitical components of the region’s nation-states, but, rather, civil war and state failure stem from current failed economic and political institutions. They explain that:

“The best and fastest strategy to reduce the prevalence of civil war in Africa and prevent future civil wars is to institute democratic reforms that effectively manage the challenges facing Africa’s diverse societies. To promote inter-group cooperation in Africa, especially tailored political
governance and economic management institutions are needed...We suggest that Africa’s ethnic diversity in fact helps...it does not impede...the emergence of stable development as it necessitate inter-group bargaining processes. These processes can be peaceful if ethnic groups feel adequately represented by their national political institutions and if the economy provides [them with] opportunity for productive activity” (p.1).

Elbadawi and Sambanis (2000, p.10) elaborate on their argument by drawing a comparison between social plurality in Africa and in other regions. They contend that “Africa’s high degree of ethnic diversity, which is widely blamed for causing violent conflict, is a source of safety for most heterogeneous countries”. This is because in highly heterogeneous societies sub-group rebellions are naturally confined to smaller territories and they can only spread as a result of failure by political institutions to contain them. Therefore, regional coalitions of ethnic rebel groups occur when discontent with failed economic distribution of benefits and highly centralized political control increased the opportunity cost of taking control of one’s regional resources and political destiny. This could be observed in the case of Sudan where failure to equitably redistribute the country’s natural resources among all ethnic groups resulted into a ‘coalition of the marginalized’ African populations against the center. Abundance of natural resources can, therefore, be a blessing or a curse, depending on their pattern of distribution. In this regard, Elbadawi and Sambanis (2000) argue that:

“the risk of civil war declines as [relative] poverty levels also decline, since the opportunity costs of rebellion rise...[At] very low and very high levels of income per capita, a strong parabolic relationship [exists]between [relative] GDP and probability of war...[Equitable] economic development therefore has a positive effect by reducing the risk of civil war, though that reduction is not as dramatic as that which [is] as a result of enhancing political freedom”(p.13). [Along similar lines, Sambanis (2001) further argues that] “If ethnic fragmentation is a proxy for the coordination and transaction costs that are associated with mounting a rebellion, then we would expect these costs to be lower or non-existent in
rebellions that are mounted by a single ethnic group aimed at satisfying demands/grievances of that group” (p.12).

In an analysis of civil wars, political conflicts, and propensity by groups within nation-states to engage in violence, the World Bank’s World Development Report: Conflict, Security, and Development (p.73-84) attributes civil war and conflict in African states to multiple “stresses.” The report argues that intra-state group violence and civil wars are consequent to a set of external and internal stresses that operate simultaneously. It refers to “these triggers of violence as security, economic, and justice stresses… [that] rarely exist in isolation.” Past or present experience of persecution creates internal security stresses within groups that use violence as a means of protecting themselves against their common aggressors. On economic stresses, the report emphasizes that “rebellion [is] perceived to offer economic rents to rebel leaders and a viable living to followers who have no other source of livelihood.” In this respect, an important dimension of political exclusion is premised on ethnic, religious, and geopolitical considerations of the excluded groups. Here, the report suggests that “countries with high political exclusion or ethnic exclusion are more likely to experience violent upheaval”.

Table 1 below illustrates the components of the three aforementioned stresses.

While acknowledging internal stresses, Anan (2004) contends that external and economic causes of governance failure ought not to be overlooked. His “external factors” and “economic motives” are closely inter-linked. With regard to external factors, Anan (2004) argues that “in the competition for oil and other precious resources in Africa, interests external to Africa continue to play a large and sometimes decisive role, both in suppressing conflict and in sustaining it.” He, therefore, believes that many groups have benefited from chaos in SSA. These groups seek to prolong conflict in the region through
supporting one ethnic-based rebellion against another, so that they maintain hostility and continue exploitation of natural resources. Anan emphasizes that “high on the list of those who profit from conflict in Africa are international arms merchants” (p.13). In other words, without external ‘refueling’ by non-state corporate entities, some SSA conflicts and civil wars would have had shorter time spans, casualties, and intensity. Hence, even though Anan recognizes internal structural causes of civil war, he also believes that external intervention plays a pivotal role in determining their dynamics.

Table 1: External and Internal Stresses

<table>
<thead>
<tr>
<th>Stresses</th>
<th>Internal</th>
<th>External</th>
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<tbody>
<tr>
<td>Security</td>
<td>Legacies of violence and trauma</td>
<td>Invasion, occupation</td>
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<tr>
<td></td>
<td></td>
<td>External support for domestic rebels</td>
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<tr>
<td></td>
<td></td>
<td>Cross-border conflict spillovers</td>
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<tr>
<td></td>
<td></td>
<td>Transnational terrorism</td>
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<tr>
<td></td>
<td></td>
<td>International criminal networks</td>
</tr>
<tr>
<td>Economic</td>
<td>Low income levels, low opportunity cost of rebellion</td>
<td>Price shocks</td>
</tr>
<tr>
<td></td>
<td>Youth unemployment</td>
<td>Climate change</td>
</tr>
<tr>
<td></td>
<td>Natural resource wealth</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Severe corruption</td>
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<tr>
<td></td>
<td>Rapid urbanization</td>
<td></td>
</tr>
<tr>
<td>Justice</td>
<td>Ethnic, religious, or regional competition</td>
<td>Perceived global inequity and injustice in the treatment of ethnic or religious groups</td>
</tr>
<tr>
<td></td>
<td>Real or perceived discrimination</td>
<td></td>
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<tr>
<td></td>
<td>Human rights abuses</td>
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A sustainable solution to the above causes of civil war and state failure- i.e. a solution that reduces the probability of their occurrence- could therefore lie in expanding internal political rights and economic benefits. To that end, there exists a correlation between political freedoms and violent ethnic conflict. Where political freedoms and civil liberties are granted by the state, prospects of armed conflict are minimal. The reverse is
surely true. In examining the internal aspects of political conflict resolution, Elbadawi and Sambanis (2000) explain the negative correlation between authoritarianism and outbreak of civil war in multiethnic settings:

“At very low levels of democracy and in autocratic regimes, the risk of civil war is higher overall and it is exponentially higher in ethnically polarized societies. This finding has extremely important implications for Africa, given the degree of ethnic fractionalization and suggests that models of political representation in Africa must be designed with a view to neutralize the explosiveness of political competition between polarized ethnic groups...The appropriateness of democratic institutions required for promoting inter-group cooperation in Africa depends on the degree to which the institutions embody the principle of participation, inclusion and consensus-building among ethnically-defined social groups...The question that arises is how Africa’s high ethnic diversity would affect the potential to reach a bargaining equilibrium in the process of institution-building...[and to achieve that equilibrium] ethnic groupings can be the basis of the bargaining process...Formalization of ethnic affiliation into the political process might enhance the efficiency and credibility of political governance institutions in Africa” (p.12-20).

Azam (2001) also ascribes to the cost-benefit or opportunity-cost economic analysis of probabilities of ethnic civil wars in SSA. In his quantitative ‘basic model,’ he concludes that the prospects of armed opposition taking full control of state power “depends on the relative resources invested in the game by the two parties. Here, it is the probability of over-throwing the government that is a function of the resources invested by both the opposition and the government” (p. 432). To minimize prospects of state failure, Azam believes that a federation of all ethnic groups in a SSA state creates stronger solidarity between members of different tribes who will have no other option but to regard state stability and prevention of state failure as in their collective interest—hence, guard against state failure through seeking political consensus at the national (federal) level. According to Azam (2001) a federation of ethnic groups is a typical African organization of society where the state bureaucracy and the political elite are
composed of people from most of the different ethnic groups of the country; they in fact play the part of ‘delegates’ of their kin groups or ethnic groups (p.437). To avoid state failure, “[t]he African state is thus constructed, or should be, as a means by which to federate the different ethnic groups via a coalition of their elites” (p. 438).

The practice of ethnic-based power-sharing advocated by Azam (2001) has lately been advanced as a means of dispute resolution between the region’s political elites who function as representatives of various ethnic groups. While it enabled disputants to temporarily halt ethnic violence, its short-run success must be exploited for creating more sustainable conflict resolution mechanisms. In this regard, Spears (2010) contends that:

“African leaders are adept at forging inclusive coalitions amongst key ethnic groups. After all, most African regimes are built on complex patronage networks which include representation from different ethnic groups...[Hence], for the disputants themselves, power sharing is also an attractive option, because it solves the enduring problem that minorities face in divided societies where voting patterns reflect ethnic lines”(p.10-11).

In his perspective on explaining the economic premise of state failure, Bates (2008) argues that civil war in Africa is a result of a narrow tax base (due to bad macroeconomic management of African states) and the region’s dependency on natural resources. Of particular importance to his natural resource dependency theory was sighting a sharp decline in public revenue due to a fall in oil prices and other natural resources during 1970s and 80s, which led to a sharp decline in revenue accruing to Africa’s incumbents (specialists in violence). But even when revenue was available, the authoritarian nature of post-independence African states did not enable steps for institutionalization of resource distribution. Bates contends that, because authoritarian government were prevalent in SSA’s post-independence era, “rather than having to
distribute benefits in a universalistic manner, incumbents could now allocate them more narrowly, thereby retaining a greater portion for themselves” (p.47) consequently strengthening their ethnic group alliances. Bates therefore relates economic failure and predation by authoritarian regimes to state failure in Africa. He observes that:

“Beneath the political surface of Africa’s authoritarian regimes, there were forces at work that sowed the political landscape with multitudinous opportunities for conflict…So long as political order reigned at the national level, and so long as the incumbent regimes could marshal resources with which to purchase or to compel political restraint, the resultant conflicts could be contained. When states began to fail, however, local conflicts then acquired national significance…Competition between local [ethnic] communities thus increased the cost of governing by authoritarian regimes and the pace with which they subsequently collapsed”(p.75-76). [Hence, because of its predatory nature, lack of institutionalization of political consensus, and economic unfairness to the detriment of local (ethnic) groups, it is] authoritarianism that lay the foundations for state failure” (p.137).

In refuting the economic theory of causes of ethnic civil wars, Sambanis (2001, p.10-15) perceives a “weaker relationship between poverty/under development and ethnic war.” He argues that, “If ethnic war is defined as a struggle over the survival of ethnic identity, one would expect that rebels care more about changes that are likely to protect their identity. Such changes are typically political and not economic.” This, however, should totally undermine the economic logic of opportunity cost which, to a far lesser degree, remains marginally relevant- but not when the survival of ethnic groups are at stake, which is often the case in the bitterly fought ethnic civil wars of SSA. Hence, “greater democracy, rather than greater economic opportunity should have a more significant impact on issues at the core of ethnicity.”

When reviewing the arguments above, we see two broad themes for the analysis of ethnic civil war and state failure in SSA. These are sociopolitical and economic causes.
On the sociopolitical side, the colonial legacy that led to the emergence of the modern nation-state system could not be ignored since its inherent incompatibility with SSA’s sociopolitical structures is argued to be what accounts for the demographic patterns of civil war in the sub-continent (Herbst 1996; Anan 2004; Adjumobi 2001; Azam 2001; Maathai 2009; Mazrui 1967, 1975, and Spears 2010). The economic causes have been framed around economic predation by the political elite as-well-as the opportunity cost of launching a rebellion (Anan 2004; Elbadawi and Sambanis 2000; Collier and Hoeffler 1998-2000, and Bates 2008).

With reference to the sociopolitical structural arguments above, one must make clear that its analysis is not be motivated by lamenting the past but, rather, by the desire to forge a peaceful future. Understanding the difference between pre-colonial and post-colonial sociopolitical settings enables us appreciate our problem parameters and devise a political strategy for establishing sustainable peace in SSA. To do so, one needs to critically analyze convergence points in both approaches to explaining state failure in SSA. One important point of convergence is that post-colonial governments in the region are the ones to account for failing to handle new realities, not ethnic groups per se. Ethnicity and demographic patterns of civil war are thus consequences of state failure rather than causes. In other words, if Africans had dealt with the new structural setting in which they found themselves, ethnic civil wars would have been avoided and economic growth and development would have been far more sustained.

Planning for the future without appreciating the past is virtually impossible when it comes to analyzing causes of ethnic civil wars in SSA. In other words, SSA must bend to the overwhelming winds of structural change brought by the modern nation state without
engaging in ‘misty-eyed nostalgia,’ as Herbst (1996) suggests. Sub-Saharan Africa cannot afford crying over spilled milk when the cow is still alive. The region’s inhabitants shared its natural resources: arable land, rivers, wild-life, rain forests, minerals, etc. before the modern state made them conscious of this fact; there is no reason why such sharing should not continue into the present. In fact, if used methodically, the modern state structure may further accelerate equitable income distribution and organize exploitation of the region’s resources to benefit all its inhabitants.

This thesis agrees with the contentions that in order to transform the political causes of state failure in SSA, it is imperative to undertake thorough analyses on the structural impact of the modern nation-state project on pre-colonial sociopolitical structures. This is necessitated by the simple fact that absorbing various independent ethnic groups into a single state structure was a result of the emergence of the modern nation-state. Most of the analyses on this issue have correctly identifies the sociopolitical structural causes of state failure, but pays lip service to the impact brought to bear on governance by citizens’ perception of the modern state. In what ways are modern states structurally different from traditional systems? Where does individual loyalty lie? How can citizen loyalty be shared between the modern state and traditional societies? What are the political and economic causes of state delegitimization by ethnic groups? What political systems are capable of forging sustainable cooperation among Africa’s ethnic group? These questions are pertinent to understanding the transformative impact which the modern state project has had on political governance in sub-Saharan Africa.

Life in the modern state system, not formal independence per se, is the major turning point for inter-tribal relations in sub-Saharan Africa. While the Peace of
Westphalia brought an end, even though short-lived, too many years of carnage in Europe, it also spelled the beginning of many things in sub-Saharan Africa but peaceful coexistence. Its main creation, the ‘territorial state’, brought more confusion to the region than certainty. Such confusion continues to generate bewilderment and intense disbelief in the subconscious perceptions of the vast majority of sub-Saharan Africans to date. Since the emergence of state boundaries and division of colonies, many things have changed except loyalty to ethnic affiliation; to which individual Africans remain steadfast. Great psychological predicaments continue to underpin the impact of sudden, unprovoked, and obligatory redirection of individual loyalty towards new forms of authority.

This thesis agrees with assertions in the reviewed literature that neither the tribe nor rigidity of ethnic fault-lines are ‘the’ problems that prevent successful nation-building projects or accelerate state failure in sub-Saharan Africa. Failure by African statesmen to manage the modern state is the problem. The main question often raised by many social and political scientists who prescribe solutions to governance quandaries facing SSA ought to change from the usual: How can the modern state accommodate ethnic group interests? To: How can the regions ethnic groups accept the modern state and live with its intruding demands? The first question, which is commonplace, puts nation-building in the hands of a few authoritarian elites- asking them to provide ‘the’ elusive solution. The second question enables an environment in which all ethnic groups become self-identifying members of a social contract which they would collectively bless and protect. Only when right questions occupy the minds of solution-seekers will the region start to heal from protracted self-feeding cycles of ethnic civil wars that pit against each other.
ethnic groups which had coexisted relatively peacefully before the emergence of the modern state project into Sub-Saharan Africa.

After studying pre-colonial experimentation with heterogeneous state-like sociopolitical organizations, Crawford Young (1994) concludes that

“Africa had an especially rich endowments of state forms before they were submerged by the territorial grid of colonialism: the quasi-feudal monarchy of Ethiopia, the Mameluke states of the Nile Valley, monarchies of various descriptions (divine, Islamic, Conciliar, among others), military-conquest states, mercantile politics, Jihad theocracies, as well as many interstices where social organization operated without benefit or burden of state institutions” (p.14-15).

A few of what Young describes were sociopolitical entities that ruled over different ethnic groups, while most were ethnically based.

Bates’s (2008) assertion that most post-independence governments in sub-Saharan Africa are authoritarian and incapable of effecting real reform is the premise of this thesis. Since taking charge of their own political destiny, post-colonial rulers of sub-Saharan African nation-states continue to live under the inherited colonial political arrangements. Ironically, the same politicians who took over political power from colonial rule would swear that the colonial system was obnoxiously oppressive and divisive, but resorted to maintaining the same system. They claim that it was designed to “divide and rule,” yet continue to divide and rule by it. They maintain it because it transformed them overnight into “big men,” way above tribal kings, with more armed men to order than tribal armies. And, most importantly, it offered them free unchecked access to their countries’ public coffers. They enjoyed dressing like colonial masters, driving and buying their loved ones Mercedes, eating caviar and sipping Champagne with foreign envoys, and touring the world whenever they wished. When addressing exclusive
public ‘intellectual’ gatherings, they spoke in sophisticated terms about “neo-colonialism,” on which they eloquently hang their countries’ economic stagnation and personal failures- amid most sincere applause by proud smiling government sponsored tribesmen-turned-businessmen, sycophants, and appointed Ministers.

Only a handful of sub-Saharan African countries sought to transform inherited colonial state institutions in their endeavors to minimize in-built structural sociopolitical mechanisms that had contributed to colonial control over ethnic groups. Former individual heads of state like Julius Nyerere (1964-1985) of Tanzania and Thomas Sankara (1983-1987) of Burkina Faso (formerly Upper Volta) sought to transform political institutions in ways that would allow central governments to govern less and improve lives more. They continue to serve as beacons of hope for a poor and dangerous continent, a place where specialists in violence turn into predators instead of protectors of the interests of their own diverse peoples. The vast majority of heads of state and statesmen in the region live in status quo as usual, since they may not have other times to eat- to borrow from Michela Wrong’s book title. Wrong is an African affairs writer and former Financial Times and BBC journalist. Her 2009 famous book “It’s Our Time to Eat: The Story of a Kenyan Whistle-Blower” is based on interviewing a former Kenya Anti-Corruption Commission czar, John Githongo, who fled to London after exposing malpractices by Kenya’s government officials which involved fictitious award of contracts worth hundreds of millions of dollars. Wrong’s account of corruption in Kenya is thought by New York Times Book Review to be “a cautionary tale.” But, again, the overall fault is not in those corrupt politicians, but in the system that propelled them to
and sustain them in state control; a system that must be readjusted to enable the creation of greater public accountability.

Hence, attributing state failure to poor economic performance is rather a weak category of argument to which this thesis does not subscribe. For example, in explaining the outcome of their economic model, Collier and Hoeffler (2002) claimed that conflicts in Africa “are consistent with the global pattern of behavior,” while, on the same breath acknowledging that “the structure of risk differs considerably from other regions.” Like Bates economic argument, their model observed a correlation between economic growth or decline and the incidence of civil war in SSA. This thesis argues that if we apply this argument to that which relates civil war to the opportunity cost of waging it (Anan 2002; Elbadawi and Sambanis 2000; Collier and Hoeffler 2002), we would have had more wars in times of increase in the price of minerals in the international markets. In times of economic boom, just like nation-states, rebels stand to equally benefit from controlling access to rich mineral resources.

The argument above seems to imply that absence insurgents’ access to mineral resources - political grievances cannot by themselves lead to rebellion. The two must converge in a country before people undertake rebellion because, as Collier and Hoeffler (2002) would have us believe, “even if the rebellion is motivated entirely by grievances, it must generate revenue” to cover its operative cost. In contrast, denial of equitable access to their countries’ wealth (mineral or otherwise) is what has made populations rebel in Africa. In exception of a few cases like in Sierra Leon and Congo (Kinshasa), most rebel groups in the region (South Sudan, Uganda, Eretria, Burundi, Nigeria, Chad, etc.) have been poorer than the masses and rely on looting and hunting for the survival of
their members, rather than on holding areas of mineral wealth. In fact, most members of rebel groups have always ‘come back home’ penniless after hostilities have seized—without diamonds in their pockets.

As we have seen, Bates (2008) ascribes to the above economic correlation between ethnic civil wars in Africa and state failure. His assertions that the rulers’ propensity to succeed is a function of decline or rise of commodity prices and national revenue may have overlooked an important point which pertains to the difference between tactical and strategic (sustainable) mechanisms of preventing state failure. His Machiavellian dissection of state control enables rulers in Africa to retain power without undertaking radical sociopolitical transformation of their countries. It is one thing to be able to retain political power as a result of judiciously ‘dishing out money’, but yet another to establish a system in which power transition is periodic, in a transparent process, within uninterrupted fixed intervals, and amicable. In this regard, power derived from the people rather than through equitable resource distribution by a specialist in violence is what can prevent state failure. Equitable distribution of state resources through appropriate macroeconomic policies is only one pillar of security in the modern nation state project everywhere; sub-Saharan Africa is not an exception.

**Conclusion**

There are many reasons for seeking radical reconstruction of governance institutions in sub-Saharan Africa. So far, it is self-evident that post-independence governing regimes in the region have not governed their states successfully. While some would argue that failure is attributed to, *inter alia*, prevalence of unscrupulous statesmen
in the region, this thesis argues that it is attributed to the regimes governing the region’s nation-states, for men are not angels, as James Madison (one of U.S. founding fathers) would surely agree. It is the system in which they live that must provide security. This claim entails political regimes in sub-Saharan Africa to improve their capacity for addressing the region’s structural peculiarities. This, in turn, does not mean reinventing different political wheels that would speed the region into an awaiting utopia. It simply means that existing pillars of government found in all nation-states across the world which are virtual tools of governing must be differently employed in the region. Currently, just like in other parts of the world, all nation-states in sub-Saharan Africa have executive, judicial, and legislative institutions of government. However, modalities of their formation are nothing more than ‘copy-and-paste’ blueprints from colonial powers. This simply cannot, did not, and will not work if institutional formation is not changed to accommodate and defuse the ethnic composition of the region.
Chapter Four
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Examining State Failure in Sub-Saharan Africa

The sub-Saharan African state is a recently defined territory ruled by an authoritarian government. It is not a sociopolitical organization that is willing to treat the region’s inhabitants with the respect every state owes its citizens. While new waves of sham elections seeking to legitimize the rule of largely illegitimate governments have been prevalent in the last few years, tolerance for effective opposing views has been lacking. Most credible opposition parties in sub-Saharan Africa can attest to the fact that they have been operating in an environment of fear and intimidation. Some opposition figures like Dr. Kizza Besigye in Uganda or Morgan Tsvangirai in Zimbabwe have been bundled into vehicles, severely beaten under the watch of helpless journalists or family members, and stamped upon by state “security” operatives for daring to challenge long serving heads of state. On the eve of South Sudan’s independence (July 11, 2011), many newspapers and websites reported that the leader of opposition in South Sudan’s National Legislative Assembly, Mr. Onyoti Adigo and five of his party members had been attacked and severely beaten by “unknown” gunmen. He had to take shelter at the parliament’s premises with a swollen lip and broken tooth. Having somewhat prudently survived his not so few years in office because of his strategy of ethnic alliance seeking and ‘accommodating’ policies, the new president of South Sudan is faced with the task of establishing a social contract that is premised on the rule of law in a region where most
languages translate the word opposition into enemy. Most sub-Saharan African opposition figures prefer taking their families to other countries before forming armed resistance against the state, rather than stay in their countries and get humiliated by thugs-turned-security men on behalf of an incumbent who would prefer to die in power or leave it by personal choice and not by establishing a constitutional arrangement of term limits.

In addition to prevalent violence against opposition leaders, citizens’ active involvement has only been requested by governments in times of election. They [citizens] are not allowed to get vocally involved in politics beyond election times, for they are expected by politicians to not ‘just talk of what they did not know,’ as the task of governing is perceived to be an exclusive government domain. Political rights and civil liberties are phrases that you do not come across or read that often in sub-Saharan Africa simply because most people do not know what they mean or entail. Many of those who know about these rights have not used them to justify the legality of their actions so as not to face their governments’ wrath. However, in spite of facing personal security risks, some activists across the region have valiantly continued to take action against state injustices by holding placards and shouting slogans based on civil liberties and political rights. These local civil libertarians and political activists are trying hard to transcend their ethnic identities and identify with the whole of the populace in its engagement with the state. However, in most cases, their efforts have always been undermined by ethnic politics because ethnic groups provided the only safe and reliable space where opposing views are freely exchanged in tribal languages. That is because most SSA governments did not promote the necessary space for political interaction where free inter-ethnic discussion of rights and responsibilities are undertaken. And because most states have
denied their citizens basic political rights and civil liberties, delegitimization of the state by ethnic blocks continue to fuel state failure and citizen rebellion. In such tense environments, most incumbents have worried less about their political legacy than changing their country’s constitutions to allow them perpetuate their rule. In fact, the phrase political legacy has had no similar value in SSA as it has elsewhere.

In a prevalent environment of resistance against state injustice, delegitimization and group grievances have occurred as two distinct processes, and the latter has always followed the former. Delegitimization of the state refers to a situation where one decides to exercise his/her natural rights to protection and self-preservation instead of abdicating such rights to the state under a social compact. But when social compacts between citizens and the state are nonexistent or only artificial in shape and content, the state cannot legitimately claim its mandate of providing security and protection. This situation gets worse when the state itself turns into a predator instead of protector; when citizens decide to protect their lives, properties, civil and political liberties against state arbitrariness. Given the fact that there is not a clear cut distinction between ethnic community and political community in SSA, ethnic groups have continued to express grievances as collective entities. Grievances have been expressed by ethnic groups (social blocks) on grounds of socioeconomic marginalization and state predation. In the absence of civil and political rights to objectively oppose an existing unjust political order through peacefully expressing dissatisfaction with the status quo, the state itself loses legitimacy over its use of the means of violence. This, ultimately, sets the precondition for the state being delegitimized by aggrieved groups that run out of choices or avenues of action.
To further explain the assertions above, the following tables (Table 2 and Table 3) of all 49 SSA states can be read together as they illustrate the argument that most governments in SSA have been authoritarian. They [tables] demonstrate low levels of political rights and civil liberties in most SSA states by showing the nature of government during and after the period that followed formal political freedom from the shackles of colonial control. While most, if not all SSA governments have experienced political power transitions, the vast majority of such transitions have come through using the military rather than the ballot box. Most leaders who claimed democratic credentials have allowed limited space for citizens and political parties to exercise democracy and argued that opposition is detrimental to national unity. As they demonized opposition, they held themselves as embodiments of unity in diversity. This has been the case in all “emerging democracies” that had either lived under one-party-system or under a uniformed active duty military officer president. To their credit, a good number of countries like South Africa, Ghana, Botswana, Lesotho, Malawi, Senegal and a few others have come a long way into becoming legitimate democracies, but they remain remarkably exceptional.

Following Table 2 and Table 3, we shall examine a fourth table (Table 4) which represents a sample population of twenty states that are selected at random from all the 49 states. It is a representative sample population showing the interaction of three variables: Legitimacy of the State, Vengeance-Seeking Group Grievance, and Sharp or Severe Economic Decline, extracted from the Fund for Peace (FfP) data. Certainly, the degree of interaction between the three variables differs from one country to another, but the principle remains applicable to the vast majority of SSA states.
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<th>Ethnic groups =&gt;10% of population</th>
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<td>South Sudan</td>
<td>2011- Restricted Democratic Practice</td>
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<td>Swaziland</td>
<td>1968-1973 Emerging Democracy [Constitutional Monarchy]; 1973- Traditional Monarchy; [1973-1978 Political Parties Banned; No elections held]; [1978-1993 Political Parties Banned; Indirect elections held]; [1993- Political Parties Banned; Elections held through direct and indirect processes]</td>
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Country | Regime Type
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Key (Table 2): In measuring levels of Political Rights and Civil Freedoms: 1 represents the most free and 7 the least free; With regards to government type Republic, Parliamentary, and Others are used.

Table 2 demonstrates that most countries in SSA are republics and are governed under presidential systems. While most of them have had civil war, it would be an inaccurate assertion to claim that they have experienced civil war because of their governing political structure in and by itself. The truth is that they have experienced civil war because they were under authoritarian regimes that adhered to no systemic and predictable approach to governance. However, considering the features of both presidential and parliamentary systems, one can claim that, in the context of SSA in particular, presidential democracy has more potential to breed tyranny and authoritarianism than parliamentary democracy.

Presidential System:
- President is directly elected by the people.
- There is separation of executive and legislative powers.
- Head of government (president) is not directly accountable to the parliament.
- President is both head of state and head of government.
- Party discipline is comparatively weaker.

Parliamentary System:
- Prime Minister is elected indirectly through his/her party.
- There is fusion of executive and legislative power in the parliament.
- Head of government (premier) is directly accountable to the legislature.
- Head of state and head of government are two separate positions.
- Stronger party discipline and greater prospects for inter-party cooperation/alliances.

Since SSA states have higher ethnolinguistic fragmentation, parliamentary democracy may be a more attractive option for governing the region. Unlike the presidential system where a president is directly elected by a percentage of the people (not “the people”), parliamentary democracy enables a collectivity to govern rather than an individual. Strong intra-party discipline and constant legislative scrutiny of the ruling party in parliamentary democracy creates multiple layers of accountability which are
absent in presidential democracy where the president is not accountable to parliament but to those who elect him/her. Through party competition for power, parliamentary democracy tends to defuse tension that often arose from individual competition that characterized the presidential system. In contrast to presidents who acquired high personal importance, the prime minister's importance is essentially derived from his/her party’s strength more than from individual attributes, even though personal traits play a significant role in propelling them to leading political parties.

Given the fact that sub-Saharan African individuals are socialized as part of larger groups of peers, institutionalization of individualism inherent in presidential systems will continue to generate psychological tension within the region’s republics. Surely, this statement could only be substantiated in more elaborate and separate psychology research, but the point is that one system cannot be compatible with both individualistic and communal societies. And since the main aim of forming social contracts is to govern human beings, the choice between collective and individualistic governing systems must measure potential acceptability by the governed. The strength of law and order is not in law itself, which is an abstract value, but in the obedience of the governed. The main question would therefore be: which of the two systems has the potential to promote law and order through harnessing the obedience of the governed?

A few more trends can be extracted from Tables 2 and 3. One important observation is a correlation between regime type and state failure. Where governments are authoritarian, countries score lower (or higher, as the case might be) in the Failed States index. In this correlation, state failure is, therefore, a dependent variable, while regime type is an independent variable whose function impacts prospects of state failure.
negatively or positively. However, before proving the correlation between these two variables, a clarification of some few terms is necessary at this stage. Referring to our definition of authoritarianism, and considering column two in Table 3 (Regime Type), terms such as “one party system,” “military regime,” “restricted democratic practice,” and “emerging democracy” are all different shades of authoritarian governments.

One party system means exactly what it sounds like, a single governing party controls all aspects of the political system. When SSA countries emerged into sovereign nationhood nationalist politics and sentiments were high. Conscious of the need to consolidate political power as a means of controlling the governed, statesmen in SSA started debating the essence of the party system and its link to political stability and good governance (Mboya 1962; Kunzi and Lambright 2005; Basedau and Moroff 2011). Surely, there is an important link between party systems and civil liberties, political rights such as citizen voting rights, and freedom of choice (Bogaards 2002; Rothchild 2006, Lindberg 2007). Under widespread independence euphoria, many countries advocated for unity of purpose among their citizens, and thought that existence of multiple political parties would add to already ‘naturally’ existing sociopolitical fragmentations. Most countries became one-party states where people had no choice but to join and vote for members of the ruling “vanguard” political party, irrespective of whether they agreed or disagreed with its programs. Table (2) substantiates this claim by showing that 36 out of 49 sovereign states have ever lived under one party system where citizens had only one choice to make, which is voting for an incumbent president, once again.

Table(2) also show that many countries in SSA have been ruled by military regimes. A military regime is a system of government where the head of state is a
military officer who exploited the military to become head of state. It is virtually a
government by the military. Surely, it is authoritarian, even though in some few cases it
was motivated by a genuine desire to get rid of corrupt and unscrupulous civilian
politicians. This system of government has been prevalent in SSA for too long, and many
of today’s heads of state still represent military juntas, even though they strove to use the
ballot as a means of gaining legitimacy for their governments. As military regimes tried
to ‘democratize’ they allowed a system referred to in Table 2 as “restricted democratic
practice.” More than 29 countries in SSA have lived under military regimes and
restricted democratic practice, some for the larger parts of their post-independence time.

Restricted democratic practice, in turn, is assumed to be a system that paves the
way for democratic practice to emerge. In this case, a country described as restricted
democracy may or may not pave the way to becoming an “emerging democracy.”
However, an emerging democracy is not a democracy. Rather, it may be a more tolerant
form of authoritarianism, but it remains an authoritarian regime of governance where
rulers are paternalistic towards the governed. Democratic practice entails granting
freedom of political choice. Whether you call it military regime, restricted democratic
practice, or emerging democracy, authoritarianism remains a dominant feature of SSA
political landscape. More than 90 percent of governments that have ruled SSA states for
90 percent of the span of its post-independence history have been/are authoritarian; yet
‘African specialists’ are still looking for causes of state failure in the region. More than
any other factors, the strongest negative correlation in SSA governance and security
predicament is between authoritarianism and state failure.
Considering that the greatest percentage of the sixty most failed states in the Failed States Index from 2007 to 2010 (Table 2) are from SSA, their ranking have reflected the levels of political participation and civil liberties granted to citizens. It is not a coincidence that those few countries that ranked above the sixty most failed states mark- like South Africa, Ghana, Tanzania, Botswana, etc., have had better records of political participation, freedom, and civil liberties. Moreover, not ironically, they have had periodic free and fair elections and transfer of power between different heads of state whose tenures are constitutionally restricted. South Africa, Tanzania, Ghana and their like have not experienced civil wars or violent state delegitimization because they have, to a large extent, chosen a peaceful and democratic way of political power transition. The fact that they also are multiethnic like their peers did not become a negative influence on governance and state control.

In contrast to countries like Ghana and Tanzania, those ranked among the sixty most failed states, which are the majority, were considered “not free” or “partially free.” They scored poorly in terms of political rights and civil liberties. Most have had civil wars and continue to live in perpetual political unrest. Most have presidents who have spent more than a decade in power. For instance, countries like Sudan, Ethiopia, Cameroon, Zimbabwe, Guinea, Central African Republic, and Uganda have had presidents who have spent more than two decades in power. Countries like Somalia, Ethiopia, and Sudan could not hold themselves together and ceded territory to ethnic coalitions that became sovereign nation-states like Eritrea (seceded from Ethiopia), South Sudan (seceded from Sudan), and Somaliland (declared autonomy from Somalia). More regional coalitions of ethnic groups that seek autonomy are prevalent in SSA, yet authoritarian
governments still use force as the means of reacting to rebellion. Force has often been used to consolidate government legitimacy, instead of establishing and respecting a just social contract where all ethnic groups are treated as equals; social contracts that allow peaceful and periodic transfer of power from one head of state to another without military interference or a change in constitutional terms.

Examining Table 2, out of SSA’s forty-nine states, twenty-eight countries (about 56%) have had at least one episode of protracted civil war since independence, while only nineteen countries have not (yet) experienced a civil war. Almost all of the countries that did not experience a civil war are considered either Free or Partly Free in terms of freedom status; except Zimbabwe, Swaziland and Gabon who stood as “Not Free” even though they did not experience civil war. However, the three countries experienced prolonged periods of substantial political violence that brought them to the brink of a full-fledged civil war, especially Zimbabwe. On March 21, 2012, as this thesis is being written, the Malian military launched a successful coup d’état led by Captain Amadou Sanogo, ousting President elect Amadou Toumane. Captain Sanogo declared himself to be head of state and head of a “National Committee for the Restoration of Democracy (CNRDR),” thereby reversing over two decades of democratic and peaceful political transition. Hence, even though the table shows the country’s freedom status as “Free,” Mali demonstrates the precarious condition of African democracy.

To further substantiate the claims above, we can employ an empirical methodology for ranking degrees of state failure undertaken by the Fund for Peace (FfP) Conflict Assessment Tool (CAT). The Fund for Peace “is an independent, nonpartisan,…non-profit research and educational organization that works to prevent
violent conflict and promote sustainable security” (www.fundforpeace.org). According to FfP, “the ranking focuses on indicators of risks and is based on thousands of articles and reports that are processed by [FfP] CAT Software from electronically available sources.” In order to appreciate the ranking system employed by CAT, we need to look into FfP’s methodology which evaluates twelve indicators⁵ (social, economic, political, and security) of vulnerability or risk of violence established in each nation-state, before assigning a ranking to each state compared to all others in the index. For each indicator, “the ratings are placed on a scale of 0 to 10, with 0 being the lowest intensity (most stable) and 10 being the highest intensity (least stable). The total score is the sum of the twelve indicators and is on a scale of 0-120.” Since its inception, the tool has ranked many sub-Saharan African nation-states among the most vulnerable and failed states of the world. The tool shows that one of the most common attributes of state failure “is the loss of physical control of its territory or a monopoly on the legitimate use of force.”

To serve the purpose of this thesis, three indicators whose interplay underpinned scores assigned to the other nine indicators used by FfP are chosen (see Table 4). In SSA states there inevitably are correlations between Legitimacy of the State- hence forth referred to as delegitimization, Vengeance-Seeking Group Grievance, and Sharp or Severe Economic Decline. There is a causal relation between delegitimization of the state and group grievance as two mutually exclusive variables; the former being a dependent variable while the latter is an independent variable. A third dependent variable, Economic Decline, is a consequence of failure in governance. Equally, the remaining nine indicators- Uneven Development, Human Rights, Security Apparatus, Human Flight, Public Services, External Intervention, Demographic Pressures, and Refugees/IDPs
(Internally Displaced Persons) are also mere symptoms of an underlying struggle for legitimization within nation-states. Using the data in Table 4, it becomes clear that when group grievances increase, it leads to an increase in delegitimization of the state and state failure. This finding is critical to all subsequent claims and arguments for restructuring SSA states and their social contracts.

We have earlier seen that, as a direct result of prevalence of ethnic civil wars, human flight created presence of refugees and internally displaced persons in almost every SSA country. Such condition of constant human flight has made a large percentage of the regional land mass a virtual refugee and IDP camp. People fled from Congo (Kinshasa) to South Sudan, South Sudan to Uganda and Kenya, Somalia to Kenya and Ethiopia, Ethiopia to Sudan, Sudan to Chad, Rwanda to Congo Kinshasa, Zimbabwe to South Africa, Liberia to Ivory Coast, Ivory Coast to Burkina Faso, and so on and so forth. Such massive flight of millions of refugees across numerous borders is brought by civil wars pitting government armed forces against ethnic-based regional rebellions. In fact, one can observe a situation where there is simultaneous crossing of the same border lines by refugees that are heading toward opposite directions for safety. For instance, as Sudan’s Darfur became hell to its inhabitants, it is a safe-haven for Chadian refugees. A great number of human flights have exhibited similar patterns.
Based on the data presented in Table 4, some trends and observations can be highlighted. In Sudan, as group grievance in 2007-2008 attained the highest score of (10) provided by the tool, delegitimization of the state also reached that highest score of 10. In the following two years, 2009-2010, as group grievance fell by 0.1 in both years to 9.9, delegitimization of the state also fell by 0.2 and 0.1 respectively. In Kenya, the trend can also be observed. When group grievance in 2007 and 2008 scored 6.9 and 7.6 respectively, delegitimization of the state stood at 8 and 8.2. Correspondingly, as group grievance increased in 2009-2010 to 8.6-9.2, delegitimization of the state increased by 0.8-0.9 points to 9 and 9.3. A similar causal relation between the two variables above.
could be seen in almost all twenty sub-Saharan African nation-states, as state
delegitimization either increased with an increase in group grievance or remained almost
unchanged.

Group grievance has also had an impact on economic performance. In Sudan, as
group grievance in 2007-2008 attained the highest score of (10), economic decline
fluctuated between 7.7 and 7.3 respectively. When group grievance fell by 0.1 in 2009-
2010, economic decline correspondingly inverted by 0.3 to 0.6 – as it stood at scores of 7
and 6.7 respectively. In Kenya, when group grievance in 2007 - 2008 scored 6.9 and 7.6
respectively, economic decline stood at 7 and 7.9. And as group grievance increased in
2009-2010 to 8.6-2.9, economic decline scored 7.5 and 7.4. In all other cases, there is no
trend to prove that delegitimization of the state fell substantially in isolation from group
grievance. In fact, while delegitimization of the state is a dependent variable, it
sometimes remained high even when observable group grievance experience miner
drops.

Reference to groups in the context of SSA is, as discussed earlier, synonymous
with reference to tribes. Considering that political parties and civil society organizations
are more often tribally based, group grievance is naturally tribally based as well. As the
Failed States Index above clearly demonstrates, sub-Saharan African nation-states are
largely delegitimized by their own inhabitants. Their governments enjoy legitimization
by global and regional political and financial institutions, but failed to receive such
recognition in their own countries. Governments all over the region have struggled to
receive recognition by ethnic groups that have their own internal traditional governance
structures. Only one county in the random sample population of twenty (Table 4) did not
rank among the most failed sixty nation-states in the world. Tanzania is that country, and I later explain how it succeeded in socially engineering a nation-state out of multiple tribes.

What needs to be appreciated here is that the level of Ethnolinguistic Fractionalization (ELF) in SSA is by far the highest when compared to other parts of the world. Existing literature linking civil war to ethnicity, nationalism, and economic decline have employed ELF to establishing correlations between the instance of civil war (dependent variable) and ethnic fragmentation/heterogeneity (independent variables). In this regard, considering ethnic war as a sub-set of civil war, Sambanis (2011, p.265) asserts the correlation above in a hypothesis that: “the probability of ethnic war should be an increasing function of the degree of ethnic heterogeneity.” However, the correlation between ethnic heterogeneity and ethnic civil war could have higher probability within authoritarian political systems. “Lack of democracy should significantly raise the probability of ethnic civil war because it threatens the core of ethnic identity” (Sambanis 2011, p.267). Applying Sambanis’s (2011) hypotheses to Fearon’s (2003) investigation of global ethnic fractionalization which placed SSA above the rest of the world, it can be argued that the propensity of state failure in SSA nation-states that are ruled by authoritarian systems is higher when compared to other regions with lower levels of ethnolinguistic heterogeneity. As we further investigate this claim, it is worth examining the nature of state failure in the twenty sample population of SSA states in Table 4 above. But before doing that, we must keep in mind the fact that almost all SSA states have gone through recurring episodes of political unrest in which change of government has not been through a social contract (or constitutional arrangements). Twelve countries from
Table 4 (Sudan, Chad, Uganda, Central African Republic, Congo (Kinshasa), Ethiopia, Burundi, Guinea, Congo, Burkina Faso, Niger, Cameroon) have current heads of state who came to power through the force of arms: after either a military coup d’état, civil war, or ethnic violence and remained in power for decades. The heads of state of five countries out of the remaining seven in the sample population (Nigeria, Zimbabwe, Kenya, Liberia, Ivory Coast, and Liberia) have come to power through contested elections that were preceded or followed by ethnic civil wars or interethnic violence. With only two exceptions, Malawi and Tanzania, which have had more than three presidents that served for ‘only’ two terms in power without changing their constitutional term limits, most have ruled for decades after changing their constitutional term limits.

If the one thousand citizen deaths per a political conflict is the threshold to go by, then ongoing or recently concluded political violence (between 2007-2010) in almost all the twenty states in the sample population above -except Malawi, Tanzania, and Cameroon- qualify to be termed civil wars. As mentioned in the above definition of civil war, casualties of violent ethnic political competition are victims of either a direct combat situation where all kinds of deadly weapons (including the infamous machetes) are used between competing ethnic groups, or through ‘indirect’ causes like disease, malnutrition, etc. in refugee/IDP camps where they take shelter and await resettlement. For instance, while the post-election (2008) ethnic civil war in Kenya claimed more than a thousand deaths in direct confrontation between the Kikuyu and Lou alliances, tens of thousands have been displaced in refugee/IDP camps in Uganda and inside Kenya, where they are experiencing ‘indirect’ conflict related deaths on daily basis.
Governments in all twenty states in Table 4 (except Malawi and Tanzania) have experienced or continue to experience delegitimization by rival ethnic groups. Total or partial, but significant loss of territorial control over the means of violence has been a persistent characteristic of conflict in those states. Rebel groups in Chad, Sudan, DRC, Ethiopia, Burundi, Uganda, Ivory Coast, etc. have either held and controlled territory or, when unable to hold territory, made service delivery by government agencies almost impossible. In some regions, citizens are subjected to harassment by both government soldiers and rebel groups. Government soldiers often ethnically profiled and treated indigenous residents of certain regions where rebels operated as if they were outlaws, while rebel groups engaged in looting, rape, and killing of civilians with impunity.

In conclusion, we have seen that the Failed States Index’s 2007-2010 rankings, Table 3, and Table 4 have all demonstrated that the vast majority of regimes in SSA are authoritarian and most are failed states. Loss of capacity to deliver services, loss of exclusive control over vast territories and over the means of violence, presence of groups that delegitimized governments, widespread instances of ethnic civil war have all been elements of state failure. At least 20 out of 46 countries have experienced one or more episodes of civil wars in the last 40 years (Elbadawi and Sambanis 2000, p.1), and post-election violence that has become a pattern. As claimed by Hypothesis 1, the causal relations between authoritarianism, interethnic political conflict, civil war, and absence of legitimate social contracts between the nation-state and citizens (identified by their strong ethnic/tribal affiliations) are factors that combine to cause an increase in the incidence of ethnic civil wars and state failure in sub-Saharan Africa.
Considering the prevailing lack of recognition by most SSA governments of any form of social contract and the implications of that on state failure, there is nevertheless ground for optimism, as more governments are currently forced to open up political space due to internal, regional, and international pressure. Not only has it become ‘unfashionable’ to be a dictator in SSA, authoritarian governments are increasingly being made illegitimate by many interstate forums such as the UN, AU, EU, etc. As a result, by 2012 sixteen SSA countries (Benin, Cape Verde, Comoros, Ghana, Lesotho, Liberia, Malawi, Mauritius, Namibia, Sao Tome and Principe, Senegal, Sierra Leon, S. Africa, Tanzania, and Zambia) out of 49 - or 115 worldwide- are now considered “electoral democracies” (Freedom House 2012). The rest are forced to use the ballot box to gain legitimacy, even if they undermined such legitimacy by widespread rigging, intimidation, and constituency gerrymandering. With more pressure mounting on incumbents to conduct free and fair elections, the coming decades should witness more countries having to democratize and allow free and fair, periodic, and peaceful transition of state power between different heads of state and members of legislative bodies. The ‘new’ sub-Saharan African statesman is expected to have learned from past experience and matured in terms of recognition of the state as a political community in need of a social contract, as-well-as in terms of emotional affiliation to their ethnic groups which has more often been at the expense of national affiliation. These two dimensions of individual and collective maturity are pivotal to successful nation-building.
Chapter Five

Case Studies of State Failure and Ethnic Politics in Sub-Saharan Africa

Chapter five outlines case studies of ethnic politics and nation building in five SSA states- namely: Nigeria (1967-1970), Sudan (1956-2005), Uganda (1962-2012), Kenya (2007 post-election violence), and Tanzania (Arusha Declaration 1967). Four of the case studies are examples of government delegitimization by regional coalitions of ethnic groups that decided to take up arms against their states in virtual nullification and collapse of the social contract between them and the state. Two cases, Nigeria and Sudan, demonstrate cases of the more often brutal response to rebellion by authoritarian regimes (specialists in violence). In the case of Nigeria, a regional ethnic coalition (led by Igbo ethnic group) which sought independence from the state and proclaimed independence, sighting genuine injustices, was defeated militarily in what was regarded by many as a war of attrition against an ethnic group. In contrast to Nigeria, Sudan’s case reflects the role played by religion and civilizational ethnic divide (Arabs and Africans) in fueling a perpetual state of ethnic warfare, state failure, and eventual breakup of a country into two sovereign nation-states. Uganda and Kenya are different from the first two in that they did not involve secessionist objectives. They, however, demonstrated similar patterns of ethnic political competition over state control that resulted into ethnic civil wars and state failure. The last case, Tanzania demonstrates a largely successful social engineering
endeavor which was based on “African socialism,” a political ideology developed by some SSA Pan-Africanists in the immediate period following colonialism.


Nigeria is a country (or region turned into a nation-state) that is composed of more than two hundred linguistically distinct ethnic groups that had formed manageable functional political communities before the British Empire decided that they would be politically controlled under a territorial political entity they named “Nigeria.” In this case study of an ethnic civil war in Nigeria, the Biafran civil war demonstrates the manner through which most governments in sub-Saharan Africa have responded to containing ethnic diversity within the modern nation-state’s all-engulfing sociopolitical structure. As repeatedly argued so far, it is failure to manage ethnic diversity rather than ethnic affiliation or connection which is responsible for state failure in SSA.

Like all other countries in the world, Nigeria has tried to improve on its constitutional framework (social contract) for governing the state. Its attempts to create a compatible social contract for ruling over its more than 200 ethnically diverse inhabitants have sometimes been frustrated by long periods of suspensions under military juntas. Starting from the colonial constitutions which were framed by the British with no involvement of Nigerians (1914; 1922, 1946, 1951, and 1960), post-independence Nigerian constitutions created what were referred to as First, Second, Third, and Fourth Republics. Starting from the Independence Constitution (1960), 1963 Constitution (First Republic), 1979 Constitution (Second Republic), 1992 Constitution (Third Republic), and 1999 Constitution (Fourth Republic), each version tried to create a sociopolitical order.
that would be durable. From their titles, they were not mere constitutional amendments, but new social contracts that initiated radical restructuring of the state and its political institutions.

Before gaining independence from British colonialism, Nigeria was divided into three self-governing regions based on ethnic, religious and sociopolitical structural differences among its inhabitants. The northern region was predominantly Muslim and inhabited by a majority Hausa Fulani ethnic group. The Hausa Fulani ethnic group (over 90 percent of Northern Nigeria) is a Muslim society and is considered a state society, for its sociopolitical governance is based on hierarchical control through Emirs and Sultans (both derive their sociopolitical influence from excelling in Islamic scholarship and jurisprudence). The southwestern region is inhabited by many ethnic groups, but the Igbo ethnic group constitutes an overwhelming majority. The southwestern region is inhabited by a Yoruba majority ethnic group. Both Yoruba and Igbo are state societies that had established kingdoms and political communities before colonialism. Apart from the three divisions above, a major North-South dichotomy more conspicuously divides Nigerians into Muslims in the north and Christians in the south. It is the latter dichotomy that persisted to influence modern Nigerian politics.

The Nigerian civil war, known as the Nigerian-Biafran War (July 1967-January 1970), was a secessionist attempt that pitted Nigeria’s southeastern regional coalition of ethnic groups against the Nigerian authoritarian state and demonstrates the patterns of state delegitimization discussed throughout this thesis. Underlying triggers or causes of civil war discussed earlier, such economic marginalization could be seen at play in this instance of an ethnic civil war. Just like in many other instances of ethnic civil war that
led to successful secession of regions into sovereign statehood, a self-proclaimed republic, “The Republic of Biafra,” was an example where a civil war that was motivated by self-rule could not attain its ultimate goal. Failure was not attributable to lack of manpower since the people of Biafra (led by ethnic Igbo) did believe in their cause and many joined ‘the armed revolution’ against an aggressive Nigerian military composed of other ethnic groups, especially from the northern region. The reason why the Igbo were defeated was because the Nigerian army, supported by oil revenue and multinational corporations, used superior armament and brutal force rather than a negotiated settlement.

Nigeria was a “nation-state” born out of imperial craftsmen, just like the rest of SSA states. The Igbos, who were nicknamed ‘the Jews of Africa’, were more educated in the Western economic tradition of capitalism. As they gained more education, some moved northwards where their capitalist mentality and success was resented by the Hausa Fulani, who were more of a self-identifying homogenous traditional Islamic community. Migrant Igbos were resented because they occupied all kinds of jobs that paid- such as railway men, teachers, technocrats, as well as having the lion’s share in the number of commissioned officers in the Nigerian army. Like all ethnic civil wars, that resentment required a trigger or pretext. The trigger came as a result of a failed military coup d’état led by Igbo officers on January 15, 1966, in which northern leaders including the premier and governor of the Northern Province were killed, yet the coup plotters were not prosecuted by their fellow Igbo officers. Northern officers led by Lt. Col. Murtallah Muhammad (Muslim) and Lt. Col. Yakubu Gowon (Christian) launched a successful counter coup (July 1966). Because of that event which occurred only six years into formal sovereignty, northern ethnic Hausa started retaliation attacks against Igbos who
settled in the north. In a house-to-house campaign of ethnic cleansing somewhat similar to the Rwandan Genocide of 1994, tens of thousands of Igbos were killed in the North and hundreds of thousands fled back ‘home’ to the southeastern region.

Because of failure by the state to protect its own citizens from being massacred, in addition to the principal failure to equitably redistribute national revenue, the rebellious southeastern region felt aggrieved against the state. To the Igbo-led ethnic coalition in the southeast, the Nigerian state was a Hausa-Fulani dominated and aggressive entity to which they did not wish to belong. Since the country was divided into three greater regions, the governor of eastern Nigeria at the time, who was a well-spoken Oxford educated Colonel, known as chief Odumegwe Ojuku, started convincing his ethnic group to speak of their plight and region as not just a distinct part of Nigeria, but as an oppressed, robbed, and economically marginalized region that aspired to become a sovereign nation-state. Ojuku appealed to his aggrieved constituency about the Northerners’ intention to continue their genocide into a largely Christian Igbo land and “dip the Quran in the sea.”

As a popular military governor, Ojuku’s eloquent discourse about secession and formation of the Republic of Biafra, a potentially viable republic by all objective standards, resonated with most Igbos who decided to join him in big masses. His talk about “the ordinate ambition of the Hausa-Fulani oligarchy to continue to dominate the whole of what was ‘formally’ the federation of Nigeria and [their] unrealistic desire to acquire the wealth and resources of Biafra, while rejecting their people,” was understood as more than mere political rhetoric. The targeted mass killing of Igbos in the North, including women and children, changed the way Nigerians, indeed many sub-Saharan
Africans identified with the colonial concept of nation-state and its viability with its current boundaries as a sociopolitical organization capable of solving the bitter interethnic conflicts it is responsible for causing. After that unfortunate event which, thenceforth, repeated itself in different manners and forms in many African states, Ojuku and his regional parliament proclaimed independence of Biafra.

Recalling earlier massacres of Igbos which occurred in the North in 1945 and 1953 (where thousands of Igbos were killed and displaced), chief Col. Ojuku declared the Independence of Biafra from the Federal Republic of Nigeria on May 30 1967. In one interview, he stated that:

“Our people are being massacred all over Nigeria. And to be able to give them protection, in the circumstance available and within the means available to me [as governor of the southeastern region], what was done was: ‘once you crossed this line [drawing a line on air]’ you are home and safe. And Biafra, to a large extent, was in fact that line. I cannot go to Kaduna [a northern state] and bring people back, neither could I go to Kanu [another northern state] and bring people back,…If ever you can cross ‘this line’ my government will do whatever it can to give you protection within the east bank [of the Niger river]…The Nigerian government practically castrated eastern Nigerian authorities, and it was a question of what do we do, in the circumstances. We decided to hold on to what we had at that time. It was like cutting your losses.”

After half-hearted efforts or, rather, ultimatums on ‘negotiating’ a settlement to Biafra’s grievances, the Nigerian government decided to attack Biafra’s poorly equipped army. However, Nigeria’s military campaign was halted by stiff resistance from Biafran forces who not only defended well, but decided to launch successful offenses of their own. Biafran troops decided to advance to Lagos, Nigeria’s capital. They also annexed territory across the Niger River to the west. It took five years of a war of attrition in which more than 2 million lives were lost (McCollum and Hugh 2004) before the
government of Nigeria regained momentum and started pushing retreating Biafran forces eastwards. The last few months of the war saw a scorched earth military campaign in which the Nigerian military used all kinds of heavy artillery, tanks, air force, and large columns of infantrymen.

After five long years of fighting Igbo insurgents, the Nigerian military marched into the capital of Biafra, Enugu, which was virtually evacuated by Igbos who took shelter in small corridors of rebel territory held by chief Ojuku’s men, whom they trusted more than the invading Nigerian military. Biafrans became refugees and IDPs in their own self-proclaimed country, fleeing from one corner to another, while horrible pictures of dying malnourished children trickled into the international media which had been reluctant to show sympathy towards ‘African rebels.’ Simplistic perception of ethnic civil wars in SSA was reconsidered when civilians decided to flee with rebels rather than receive and celebrate the victory of the Nigerian state military.

The Nigerian-Biafran war is but only one case study of many failures by successive military/authoritarian governments in Nigeria. As it gained independence under a colonial social contract (1960 Constitution) which ‘shoehorned’ a British (Westminster) parliamentary system into federal structures, passing through a radical reform under the 1967 Constitution (Second Republic) that abandoned the Westminster system in favor of an “American system” of Presidential democracy, Nigeria has been in a constant search for a compatible social contract that can forever halt the constant ethnic civil wars that have plagued most of its regions. The country’s main problem is widely attributed to governmental failure to manage ethnic diversity. Without finding that elusive social contract, and given current cases of massive violence, especially growing
tension and violence between Nigeria’s geographically associated ethnic groups, North (Muslim) and South (Christian), could lead to the country breaking up into two sovereign states—just like Sudan and South Sudan or Ethiopia and Eritrea.

**Ethnic Politics, Civil War and State Failure in Sudan (1956-2005)**

At the time when Sudan gained its formal independence in 1956, the country was considered one of the most ethnically diverse in SSA. At the time when Sudan was still under British colonial rule, it was divided into two entities, North and South, a division that was premised on security, ethnic, and religious considerations. In terms of religious fault-lines, as the population of North Sudan was/is predominantly Muslim, the South, which practiced traditional African religions, was placed under Christian Missionaries in a process of transforming it into a Christian region. In terms of ethnicity, the North is inhabited by mixed populations of ethnic Africans and ethnic Arabs; while the South is inhabited by over 60 linguistically distinct ethnic African tribal groups. The human security reasons for creation of a North-South divide/dichotomy had its roots in historical realities related to slave trade (Madu 2007, Petterson 1999).⁷

Against expectation, Sudan was granted independence as a unitary state. Like all other former British colonies, Sudan was granted independence under a Westminster system of governance. Its first Prime Minister, Ismael Al-Azhari, was a Northern Muslim who failed to honor a promise to Southerners that Sudan would be governed under a federal system in which the South would have some form of autonomy. Since Sudan unilaterally declared independence on December 19, 1955 from the chambers of a
transitional parliament, the country was recognized by Britain a few weeks later. However, a coalition of Southern ethnic groups decided to start a civil war in 1955 calling for partitioning Sudan to two sovereign nation-states. Instead of peace talks with the popular Anyanya revolutionaries, the Sudanese government decided to send invading troops to the South. With Northern troops unable to defeat Southern rebels, the military decided to launch a coup d’état in 1958 under General Ibrahim Abud who escalated military campaign in a manner that called for condemnation and charges of ethnic cleansing from different circles, especially from Vatican, Organization of African Unity, and Western countries. The civil war in Sudan lasted for seventeen years with no side able to gain an absolute upper hand. Under such a long stalemate, millions of Southern civilians fled into IDP and refugee camps inside South Sudan and in neighboring states like Uganda, Congo (Kinshasa), and Central African Republic. The civil war was brought to a satisfactory conclusion by another military head of state (General Jafar Numeri) through a peace agreement that was signed in Addis Ababa in 1971. The Addis Ababa Peace Agreement granted South Sudan’s regional coalition of ethnic African tribes some level of autonomy under their own regional government.

After the 1971 North-South peace deal, Sudan enjoyed the only period of stability and absence of civil war since gaining formal independence in 1956. However, the same authoritarian head of state who signed peace with the southern ethnic coalition of rebel groups decided to trash the peace agreement in 1983, reminding Southerners who put down their arms that it was “neither a Quran nor a Bible”. He decided to change the country’s social contract which was based on a semi-federal arrangement into a constitution based on Islamic Shari’a law (Islamic penal codes) which also governed
non-Muslims. Given the fact that over 90 per cent of the South (a third of Sudan’s population of about 32 million as per 1982 population census) who occupied a third of the country’s territory is Christian or believers in traditional religions, the new Islamic social contract was rejected, leading to another civil war that lasted for twenty-one years (1983-2005) and claimed an estimated 2 to 2.5 million lives (Madut 2007).

The second civil war took the same pattern of scorched earth military expeditions by Northern troops into South Sudan. However, Southerners, Led by Dr. John Garang’s Sudan People’s Liberation Army/Movement (SPLA/M), were now more determined to change the pattern of ethnic conflict in Sudan and sought to form coalitions with other ethnic groups (mostly Africans) in the north. Garang, who held a U.S. PhD, was a former Colonel in Sudan Armed Forces, and former member of the southern post-independence rebel group. He had mastered the strategy of ethnic coalitions and called for a radical change of the political interaction in Sudan and the formation of a new political dispensation he called “The New Sudan (NS)”. His political vision was well articulated to other ethnic Africans living in northern provinces neighboring the South like the Nuba Mountains (South Kurdufan), Blue Nile, and Darfur regions whose ethnic African populations decided to join the SPLA in great masses to fight against the military junta in Khartoum. Garang’s strategy of discrediting a religion-based North-South dichotomy and replacing it with an Arab-African dichotomy created a new reality in Sudan’s dynamic sociopolitical landscape and ethnic relations. It established a new ethnic coalition which enabled the SPLA to take the war into many Northern provinces whose Muslim inhabitants pledged loyalty to a Christian leader from the South because they perceived
themselves as marginalized Africans first and Muslims second. The alliance was formed under the term “coalition of the marginalized.”

As the SPLM was negotiating the text and modalities of a U.S. sponsored peace agreement, dubbed the Comprehensive Peace Agreement (CPA), Khartoum was battling with SPLA supported rebels in Darfur who sighted marginalization by Khartoum as reason for taking up arms. The CPA was finally signed in January 2005 granting South Sudan’s ethnic African and mainly Christian population the right to self-determination and secession from Sudan. The agreement called for Northern troops in South Sudan to move north of 1956 colonial border divide (the British colonial divide), while Southern troops in North Sudan were required to move south of the same border. A third military component which consisted of Southern and Northern troops was created and called Joint Integrated Units (JIUs). The JIUs were stationed in multiple locations both in South and North Sudan. The units were created to be the nucleus of a future national army in case Southerners decided to vote for unity in a June 2011 referendum, or would be disbanded if South Sudan decided to break away, which it did.

However, the secession of South Sudan did not mean the end of Garang’s ethnic political coalition. Since the SPLA had military divisions in both Nuba Mountains and Blue Nile regions on the other side of the border, the CPA called for another referendum on autonomy and federalism to be undertaken by citizens of the two regions. But that referendum, which was supposed to simultaneously take place with the Southern referendum, was not allowed by Khartoum. Failure to allow a referendum to take place in the two northern regions whose inhabitants are ethnic Africans complicated ethnic relations in Sudan. With no autonomous government, SPLA allied forces (who named
themselves Sudan People’s Liberation Army-North or SPLA-North after the South seceded) called for guarantees from Khartoum that their referendum would be held. Instead of negotiating with the SPLA-North and its leader who was elected by his people as governor of the Blue Nile State in 2009 and his deputy who was declared by Khartoum’s electoral commission to have narrowly lost in a widely rigged 2010 gubernatorial election in South Kurdufan State (Nuba Mountains), Khartoum decided to send troop into the two regions. With Northern troops currently battling ethnic African forces in what is now considered Sudan’s new South, Khartoum has committed the same mistakes and atrocities it did more than six decades ago in South Sudan.

The same ethnic prejudice led Khartoum’s ruling ethnic Arabs to send troops to Darfur under a pretext of fighting (ethnic African) rebels. To complicate the situation in Darfur, Arab rulers in Khartoum exploited the region’s demographic (Arab-African) ethnic divide and provided arms to ethnic Arab groups such as Rezegat against ethnic African groups like the Fur, Zaghawa, and Masalit. As a result of Khartoum taking sides and anti-African ethnic prejudice, a government sponsored militia made of ethnic Arabs known as the Janjaweed became party to the government’s ethnic cleansing campaign— for which the president of Sudan, Omar Hassan Al-Bashir became the first sitting head of state to be indicted by the International Criminal Court (ICC), together with many members of his government and army.

Like most SSA countries, Sudan has failed to manage its ethnic diversity. Throughout its post-independence history, Sudan continues to be controlled by the military—directly or indirectly. Military rule has been characterized by absence of a social contract that is designed to manage the country’s diversity. And because of widespread
discontent with political injustices and ethnic prejudice, successive governments in Sudan have always engaged in civil wars against groups that delegitimized them. As a result of regional based rebellions by different ethnic groups, the country has lived in a perpetual state of failure since its independence. Civil wars in South Sudan, Darfur (west), South Kurdufan (center), Blue Nile (South East); Beja (northeast) meant that the country is at perpetual war with its own people. Consequently, South Sudan seceded, while other regions like Darfur, Blue Nile, and Kurdufan remain under attack by Sudan armed forces. Without an acceptable social contract, those regions might eventually break away too.

Power and Ethnic Politics in Uganda (1962-2012)

In 1962, having gained formal Independence from British rule, Uganda had two political parties, the Democratic Party(DP) and the Uganda People’s Congress(UPC) which was led by Uganda’s first (post-independence) President Milton Obote. A few weeks before general elections were held in 1962, the Buganda Kingdom decided to participate through an expeditiously formed political party called Kabaka Yekka (KY), which represented the Kingdom’s subjects. Having automatic command over millions of electorates from the tribe, KY became an instant political force to be reckoned with. The other parties, DP and UPC cajoled the Buganda King (Kabaka), who also doubled as head of the new party, into forming a coalition. The Kabaka decided to join hands with UPC during the election. With millions of the King’s subjects voting, UPC’s leader, the incumbent Premier Milton Obote, was handed an incontrovertible victory and became Prime Minister of Uganda. As a result, Obote appointed the Buganda King as President of Uganda- a ceremonial head of state, while the premier retained executive power.
In 1964, two years into that political marriage of convenience, premier Obote
decided to side with another tribal kingdom, the Bunyoro Kingdom, in its quest to annex
two disputed counties from Buganda- which resulted in those counties joining Bunyoro
Kingdom. Ties between the Kabaka (ceremonial President) and premier Obote broke,
leading to bitter and mutual animosity between the two leaders. Consequently, with
government control over the means of violence, the Buganda King and his subjects
became objects of state persecution. In 1966, when a KY Member of Parliament tabled a
motion before the Ugandan Parliament requesting establishment of a commission of
enquiry into alleged financial misappropriations (The president and Col. Amin were
allegedly involved in dealing in illegal gold and other minerals from Congo Kinshasa) by
the President and his crony, Col. Idi Amin, rather than allowing an enquiry, Obote
promoted the Colonel to army commander; accused the Kabaka of sabotage and fired him
from his ceremonial Presidency; dismissed the vice-President; abrogated the constitution
and replaced it with a “revolutionary constitution.”

On May 19, 1966, as a response to President Obote’s abrogation of the
Constitution, the Buganda Kingdom’s parliament passed a resolution asking the
government to vacate its territory. Obote responded by sending a military force under
Col. Idi Amin on May 25 to crash what he termed as a coup attempt by the Buganda
Kingdom. A state emergency was declared and the entire city of Kampala was put under
siege as Col. Amin’s troops engaged in looting, rapping, killing hundreds of the King’s
tribal supporters who would not allow him to be captured. Fighting between government
troops and Buganda tribesmen who were armed with whatever weapons available,
including spears and arrows, went on for the whole day.
After being overwhelmed by government troops, the Baganda (tribesmen) withdrew from areas around the King’s palace, which was then set ablaze by government troops. The King was smuggled out of his palace amid the carnage, only to resurface in Britain- where he took refuge and later died. President Obote, now enjoying all power, adopted a “Republican Constitution,” declared himself president of Uganda, and abolished all tribal kingdoms- with a special retrospective effect on the Buganda Kingdom. In his judgment, abolishing tribal kingdoms and authority would enable him consolidate more powers as a head of state. In addition to abolishing ethnic traditional authority, Obote decided to further curb conventional political activity through banning all political parties in Uganda and become an absolute ruler of the country. He explained his “move to the left” ideas of economic and political community improvement in a document titled “The Common Man’s Charter-” which he submitted to his party members for adoption. Uganda thereafter remained under a one party system until Obote fled to Tanzania in January 1971 after being ousted in a military coup d’état led by his very commander, Col. Idi Amin Dada. Amin’s infamy and brutality against Ugandan citizens became legendary. Idi Amin was later ousted in 1979 by an invasion of Tanzanian military supported by Ugandan exiles.

Obote returned to the presidency of Uganda in 1980 after what was widely regarded by Ugandan opposition parties as a rigged election. A civil war broke out claiming thousands of innocent lives. The civil war lasted for five years. Resentment against Northern ethnic groups intensified after government forces- most of whom were from Northern Uganda- were believed to have killed tens of thousands in a military campaign against rebel positions in 1983 termed “Operation Bonanza”. As the chaotic
situation got out of control, Obote was again deposed on July 27, 1985 through a military coup d’état led by Gen. Tito Okello. But before the military could consolidate political control of the state, rebel forces led by Yoweri Museveni invaded Uganda’s capital, Kampala, and established a government. However, consolidation of power proved an uphill task as ethnic-based rebel groups from the North and West Nile sub-regions (mainly consisting of coalitions of Acholi, Lugbara, Kakwas, Langu, and Teso ethnic groups) continued to delegitimize Kampala’s government.

After consolidating political control over most of Uganda through a combination of peace agreements and war, President Museveni allowed traditional kingdoms, including the centuries old Buganda Kingdom, to return to their territories. He has since ruled Uganda as one of the longest serving Presidents in SSA. In spite of controversies over his manipulation of a constitutional presidential term limits to perpetuate his staying in power; many believe his long tenure to be a result of his strategic move to recognize traditional tribal sociopolitical arrangements. His National Resistance Movement (NRM) ruled Uganda under a one party system without elections for ten years, before allowing the first presidential election in 1996 in which he won a five year office term. He then won a second term in office through a 2001 presidential elections. However, since Uganda’s constitution stipulated that a president must only serve for two terms, Museveni’s NRM parliamentary majority removed that constitutional clause in order for him to stand for a third term (2006-2011) and a fourth term (2011-2016).

Uganda’s post-independence history has been stained with military coup d’états and civil wars. No single president has come to power through peaceful means. Even with Museveni’s leadership style, which allowed Ugandans more political freedom and
civil liberties compared to his predecessors, in addition to widely praised economic policy of market liberalization which improved the lives of many Ugandans, many in SSA are disillusioned by his desire to cling to power at all costs. Many thought that he was going to set a precedent for peaceful transition of power in Uganda, yet that seems now unlikely. Ugandan opposition groups may have to either wait for another coup d’état or civil war, or hope that president Museveni decides to step down after almost three decades in power, before getting another head of state.

**Ethnic Politics in Kenya: The 2007 Post-election Violence**

Once an oasis of sociopolitical stability in eastern and central Africa, regions that are considered the most unstable in the continent, Kenya’s 2008 post-elections violence shattered any notion that peaceful tribal coexistence was possible under existing forms of government in SSA. The 2008 post-election violence served as a shocking reminder to Kenyans in particular and sub-Saharan Africans in general that tribal political coalitions whose main aim is to win political office do not lead to sustainable progress in nation-building. Such coalitions only reward their architects’ political ambitions, but do little or nothing with regard to establishing lasting peace among various competing tribal structures. Ultimately, however long they may last, such coalitions that been between individual politicians rather than through institutional arrangements are destined to crumble and drag back countries that use them into the chasm of bitter tribal divide.

When Kenya gained formal independence in December 12, 1963 its socio-political stability hung on a tribal coalition between the country’s two biggest tribes, the Kikuyu and Lou (represented by individual politicians). Kikuyu is the tribe of Kenya’s
founding father Mzee Jomo Kenyatta, and Lou is that of his vice-president Ogenga Odinga. Another tribal coalition brought Daniel Arab Moi, from the Kalenjin tribe, to power in 1978. That latter coalition enshrined an authoritarian one party system under KANU (Kenya African National Union), a political party that ruled Kenya until multiparty democracy was allowed by President Arap Moi in 1991. Moi went on to win two more terms through multiparty elections, before naming Uhuru Kenyatta (a Kikuyu by tribe, and son of Kenya’s first president Jomo Kenyatta) as his successor. But Uhuru lost to another Kikuyu-Lou coalition led by Moi Kibaki (Kikuyu) and Raila Odinga (a Lou by tribe, and son of first vice-president Oginga Odinga). The second Kikuyu-Lou coalition swept the first multiparty election since Kenya’s independence.

The Luo-Kikuyu coalition that maintained political stability throughout Kenya’s post-independence history collapsed in the December 2007 presidential election. Instead of agreeing on one candidate, each ethnic group decided to file its own candidate. The Kikuyu maintained support for the incumbent Mwai Kibaki, but lost a vital constituency in the Luo who supported the son of Kenya’s first vice-President, Raila Odinga. Raila managed to form a coalition with other tribes (including the Kelenjin ethnic group) against the Kikuyu. As a result, according to many observers, Odinga was believed to have won the 2007 presidential election, yet was denied his victory through widespread electoral fraud. But, since there is no such thing as a ‘landslide’ victory in any election in SSA given inevitable fragmentation of votes among different ethnic groups, Kibaki (Kikuyu) and his handpicked Electoral Commission Chairman decide to reverse more than one million margin of votes between midnight and 6 am to declare Kibaki the winner and president-elect.
Immediately after Kibaki was declared the winner, widespread ethnic violence erupted. Kikuyu tribesmen, women and children resident in Luo regions (such as Nyanza and Rift Valley Provinces province) were killed, some burned alive in churches where they took refuge, and survivors fled for their lives. Similar targeted ethnic killings occurred in Kikuyu regions (such as Nakuru and Naivasha towns) where people associated with the Luo, even if only through anthropological ties and physical resemblance such as South Sudanese were killed or forced to flee. Kenya, a country that was stable for decades, became a failed state overnight with two people who claimed to have won the same seat receiving massive support from their ethnic constituencies. Thousands of people fled to refugee camps in Uganda or back to their ancestral regions where they were accommodated in IDP camps. As the stalemate continued, the Kenya police used brutal force in its attempt to bring an end to the violence. Among those killed by the Kenyan polices during that period of ethnic violence (which qualifies by our criteria to be a civil war) were two members of parliament allied to Odinga.  

Relative calm was only restored through high-level mediation by UN Secretary General, Koffi Anan, Ghanaian President Sam Kufuor, and U.S. Assistant Secretary of State Jendayi Frazer. A coalition government was formed in which both Kibaki (Kikuyu) and Odinga (Luo) would share executive power as President and Prime Minister, both with substantial powers. Even though it is an anomaly to have two executives, the same experiment was repeated in Zimbabwe and Ivory Coast as a result of similar political ethnic conflicts which proved unavoidable in all sub-Saharan African countries. Hence, it must be recognized that “if in the West, it is impossible to use the word ‘tribe’ without raising eyebrows, in Kenya [and all sub-Saharan Africa] much of what takes place
becomes incomprehensible if you try stripping ethnicity from the question” Wrong (2009, p.42).

As a relative cessation of hostilities between Kenya’s ethnic groups was brought by a synthesis of presidential and parliamentary systems, investigations into the 2007 post-elections violence revealed that some senior politicians had mobilized their ethnic constituencies in preparation for violence against competing ethnic groups. But since ethnic tension had strong bearing on Kenya’s judicial system, investigations were referred to the International Criminal Court (ICC) in the Hague. After extensive investigations, ICC prosecutor, Luis Morino Ocampo, sought summons in 2010 for six people (known in Kenya as “the Ocampo six”) whom he accused of crimes against humanity. On March 8, 2011 a summons to appear before the court was issued for the six suspects by the ICC Pretrial Chamber 2. The same Chamber on January 23, 2012 confirmed the charges brought by the prosecution against four suspects (Uhuru, Ruto, Muthaora, and Sang) who were present before the court, but could not confirm charges against the other two (Ali and Kosgey). As a result of the ICC investigation and possible indictment of senior Kenyan politicians, the Kenyan parliament decided to vote for revoking its ICC membership. But popular sentiments in the streets of Kenya are in support of ICC participation, since they know that impunity and tribal manipulation has made them victims while politicians continue to play the ethnic game at their expense.

Like Nigeria and Sudan, Kenya’s search for a compatible social contract continues. From a multiparty Westminster parliamentary system under its independence (colonial) constitution of 1963, through which its founding father Mzee Jomo Kenyatta became the countries first executive Prime Minister (and head of state), Kenya has gone
through various political reforms. Just a year after having become Kenya’s first premier, Kenyatta decided to scrap the colonial constitution and adopt a new constitution (1964) that transformed Kenya from a parliamentary to a presidential system. He abolished a bicameral system to combine the upper and lower houses into a unicameral parliament and abolished a system of local government based on provinces. He was later sworn in as President, not Prime Minister as he had been. In 1983, president Moi decided to abolish multiparty democracy in favor of a one-party state. Eight years later (1991) Kenya returned to multi-party democracy. In 2008, a dual system of two executives (president and premier) was introduced by a constitutional reform. In 2010, a new draft constitution which stipulates Kenya’s return to a parliamentary system with an executive premier and ceremonial president (head of state) was widely circulated for adoption through a referendum, although currently the system remains firmly based on the compromise system set up to restore order in 2008.

**The Arusha Declaration (1967): Ideology and Social Engineering in Tanzania**

The Arusha Declaration and TANU’s [Tanganyika African National Union] Policy on Socialism and Self-Reliance (1967), more commonly known as the Arusha Declaration, was one of the most publicized documents across SSA during the region’s immediate period of post-independence. As it came in the aftermath of waves of bitter African nationalist struggles for self-determination and independence, it established a political and economic blueprint for nation building that was opposite to imperialism, which was conceived as synonymous with exploitative capitalism. It builds on a concept of “African Socialism” which was promoted by many of the intellectual founding fathers
of SSA’s states such as Kwame Nkrumah of Ghana and Leopold Senghor of Senegal. African Socialism advocates for formation of a political community that equitably shares all its resources in a manner identical to the African extended family system, where land and all other resources belonged to a collectivity rather than owned by individuals. Hence, the state, which should behave like a father who equally cares for all of his offspring, must be a socialist entity driven by an African identity and culture (Friedland and Rosberg 1964).

Nyerere and members of TANU thought that their vision of an African socialist nation-state in Tanzania should be reproduced all over SSA, for believed that it is the only compatible sociopolitical system for the region (Spene 2004, Sebastian 2012). Like many countries in the region, Tanzania became a one-party state under TANU. There was a prevailing conviction at the time all over SSA that multiparty democracy is incompatible with the region’s sociopolitical makeup, and that single-party democracy was at least a unifying system that may allow further consolidation of state power by African governments that took over from colonial administrations (Mazrui 1976-83, Mathaai 2009). The one-party system was seen as a viable means to economic and political objectives. This case study looks at how TANU decided to use African socialism as an ideological driver of Tanzania’s socioeconomic stability. Inspired by established sociopolitical concepts, TANU argued that:

“All citizens together possess all the natural resources of the country in trust for their descendants; That in order to ensure economic justice the state must have effective control over the principal means of production; and That it is the responsibility of the state to intervene actively in the economic life of the nation so as to ensure the well-being of all citizens, and so as to prevent the exploitation of one person by another or one group by another, and so as to prevent the accumulation of wealth to an extent
which is inconsistent with the existence of a classless society” (Part One, g-h-i).

The principles of African socialism as explained in the Arusha Declaration are based on twelve main objectives:

1- Consolidating state power and independence.
2- Upholding the Universal Declaration of Human Rights.
3- Establishing a democratic socialist government of the people.
4- Promoting cooperation with like-minded SSA political parties.
5- Eliminating poverty, ignorance, and disease through equitable sharing of resources.
6- Establishing state-run cooperative organizations.
7- Nationalization of the economy.
8- Upholding citizenship-based equality among citizens.
9- Eradicating all forms of exploitation, intimidation and corruption.
10- Effective control and facilitation of the principle of collective ownership of resources.
11- Promoting pan-Africanism and African unity.
12- Cooperating with the United Nations to enhance world peace.

TANU declared that it is “involved in a war against poverty and oppression in [Tanzania],” and that its “struggle is aimed at moving the people of Tanzania (and the people of Africa as a whole) from a state of poverty to a State of prosperity.” To achieve high levels of assimilation among his country’s ethnic groups and improve the standard of living for most inhabitants of rural Tanzania, President Nyerere nationalized Tanzania’s economy and took control of local and foreign enterprises in 1975. He set out to establish agriculturally “self-sufficient villages” through a policy of African (or indigenous) socialism referred to as Ujamma (Swahili for what he termed in English as “familyhood”). By 1977 the largest mass relocation in modern sub-Saharan Africa’s history resettled about eleven million people in new Ujamma villages where social services were provided.
Meredith (2005, p.249-258) contends that “by bringing together the scattered rural population into *Ujamma* villages, Nyerere hoped to raise agricultural productivity; peasant farmers would gain access to modern techniques and equipment” when they chose to relocate to those relatively modern settlements. For many, relocation was perceived as a win-win-situation in which they got employment in farms and enjoyed other amenities, meanwhile their children got free access to public schools where Nyerere’s dream of a “Swahili nation” was being gradually molded. Most inhabitants of those villages, some of whom were from mixed tribes, relocated of their own will. While Nyerere’s vision for a better, productive, competitive, and self-sufficient nation-state was being preached from an economic viewpoint, what was largely conceived from a social engineering perspective was that his population concentration was for creating his dream of creating a linguistically homogenous nation out of multiple linguistically heterogeneous tribes. The later objective- not economics as such- is popularly appreciated in the sub-continent to have been impressively successful and exemplary.

Nevertheless, Ujamma did have its critics who saw it as an arbitrary and unnecessary uprooting of people from their ancestral lands under the pretext of agricultural self-sufficiency. According to many reports, lack of sufficient funds to finance all agricultural schemes coupled with draught between 1975 and 1977 led to some people being taken to empty bushes, even before services could be provided. In 1975 the Tanzanian government “had to be rescued by grants, loans and special facilities arranged with the assistance of the International Monetary Fund and the World Bank and by more than 200,000 tons of food aid” (Meredith 2005, p.256). Nyerere himself admitted after ten years that Ujamma did not fully achieve what he intended and that it
would take longer than TANU’s initially anticipated timeframe to achieve full self-reliance. Nonetheless, apart from Nyerere’s largely isolated but successful social engineering project in Tanzania, the region’s post-independence history suggests that ethnic response to centralization of decision-making has been hostile. Nyerere’s personal leadership style made for positive ethnic response to Ujamma and his socialist project. In terms of ethnic tolerance, Tanzania stands today as a benchmark against which inter-ethnic relations in countries all over SSA is measured. It is SSA’s only beacon of hope which demonstrates that there is a possibility for the regions hostile ethnic groups to live together in a state of sociopolitical tranquility devoid of inter-ethnic hatred and violence.

**Conclusion**

All five case studies highlight the need for a social contract which is compatible with SSA’s peculiar sociopolitical structures; a social contract which will be just enough to appeal to all ethnic groups within the territorial nation-state. The propensity by SSA nation-states to maintain law and order outside the confines of a just social compact has always been counterproductive, leading to delegitimization of the state by regional ethnic coalitions and to massive human flight. This is because human beings have an inherent right to protect themselves in the absence of a social compact that defines the conditions upon which they may abdicate that right to the state.
Chapter Six
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A Social Contract Framework Application
for Sub-Saharan African States

Having come this far, we may now look at what solutions are there for good governance to take root in SSA. We may be in position to make an informed contribution to answering questions such as: Who are sub-Saharan Africans? What should be the foundation of nation-state building and governance in SSA states? What institutional arrangements will secure the viability of social contracts? We have seen that SSA states consists of ethnic/tribal communities that are broadly divided into state and stateless societies which constitute the public in almost all countries in the region. In order to develop into modern states that operate peacefully without constant delegitimization and interethnic civil wars, SSA governing systems need to incorporate these ethnic/tribal elements of society into specific political structures that are to be developed.

This thesis’ basic recommendation for a compatible social contract for sub-Saharan Africa will be based on four dimensions. First, it recognizes that sub-Saharan Africans have had and continue to have stronger allegiances to their micro-nations than to their modern states; hence, we will ‘visit’ a few state and stateless societies to appreciate the evolution of their internal sociopolitical dynamics. Second, I will draw a hypothetical model of the SSA modern state and its composition. The model will serve as an analytical framework on which social contracts in SSA must be built. Third, through outlining the
arguments of social contract theorists like Thomas Hobbes, Jean Jacques Roseau, and James Madison, we will revisit the classical theoretic conceptions of the notion of social contract, before applying the same principles on the sub-Saharan African modern state structure. Fourth, I will argue that the institutional political organization enshrined in parliamentary democracy is more compatible with SSA than presidential democracy.

For a gradual and sustainable evolution of nation-states in sub-Saharan Africa to accelerate, while remaining external to individual tribal authority, the state needs to find a compatible and sustainable social contract that would accommodate tribal interests and authority, rather than undermine them. Specialists in violence are increasingly forced to reserve violence to other aspects of law enforcement within their states, as well as to protect the territorial integrity of their national boundaries. Turning the means of violence inwards has been central to conflict generation and civil war, as tribes sought to protect their property (often tribal territory) and authority against the state. Up until now, for the process of nation building to take root, specialists in violence have had a propensity to apply highly manipulated social contract principles that perpetuated the office-holding longevity of incumbents, with little to no genuine acquisition of legitimacy.

Political community formation entails that, before governments apply controlled violence within strict legal frameworks they have to be legitimized by the societies that constitute the state. In this regard, legitimization is derived from the two broad ethnic categories, state and stateless societies. Stateless societies are ethnic groups/tribes that are generally characterized by lack of centralized decision-making structures, but a strong sense of unity and solidarity among their members is derived by knowledge of their collective historic experience and ancestry. In such tribal societies lineages within closed
social settings work in a collective fashion to coordinate economic, social, and security activities such as defending their territories and properties (e.g. livestock) against external threats, farming, and leisure (Bates, Greif, and Singh 2002).

In contrast to stateless societies, state societies in sub-Saharan Africa are characterized by high centralization of tribal sociopolitical power. They often have political structures which are in many aspects analogous to those of modern nation-states. Their political, economic, and social arrangements are well designed and spelled out within sophisticated systems of duty and obligation. Most state societies in sub-Saharan Africa are tribal kingdoms. A few examples are the Zulu Kingdom in South Africa, Ashanti Kingdom in Ghana, Colo (or Shiluk) Kingdom in South Sudan, and Bunyoro and Buganda kingdoms in Uganda. Throughout Africa’s post-independence history these kingdoms have retained substantial authority over their subjects.

Within the context of larger sovereign statehood, both state and stateless societies recognize the transcending authority of SSA governments and acknowledge a trade-off they must make in the interest of stability in their countries. Unfortunately, in reciprocation for that trade-off, the SSA nation-state has taken its legitimization by ethnic groups for granted. Instead, under a process of authoritarian political control, most states did not seek to create a conducive environment in which government legitimization is earned, rather than forced. But failure to acknowledge the intrinsic capacity of tribal sociopolitical authority has invariably led to delegitimization of the state itself, whose authoritarian efforts to absorb ethnic groups into its structures have so far resulted in violent confrontation and state failure.
To further appreciate the positive role ethnic groups can play in the process of consolidation of statehood in SSA, we need to get an understanding of the internal cohesion of these groups. Just as participant observers in social research become members of these groups before espousing policy recommendations, we need to appreciate how these groups perceive themselves and undertake internal interaction. As they existed before being engulfed by state authority, state and stateless societies did not disappear in the fast growing urban dwellings of Africa. Their long history of wars and struggle for group survival in the past and within the state has created more group solidarity than dissolution. Hence, the exercise of group solidarity has often pitted ethnic groups against state authorities. Like local governments everywhere, they always sought developmental projects from the state, and are disillusioned when other ethnic groups and regions seem to be getting more attention or inequitable shares of national revenue. In this relatively new context of the modern state system, they weighed gains and losses on collective tribal grounds rather than on individual basis.

In order to better understand how state and stateless ethnic groups develop group solidarity and distribute internal authority, we will look at an outline of five state and stateless ethnic groups. The first group, state societies, consists of Ashanti (Ghana), Buganda (Uganda), and Zulu (South Africa), and the second, stateless societies, consists of Nuer (South Sudan) and Kikuyu (Kenya). These tribes are chosen because of their percentage (substantially more than ten percent of their countries’ populations) as-well-as sociopolitical weight relative to other tribes in their respective countries. Since there are more than one thousand five hundred linguistically distinct ethnic groups in SSA, their distribution into two broad categories enables a five-tribe sample population to be
sufficiently representative of both categories and, by extension, of all other ethnic groups in the region. In fact, some states were framed by colonial powers around already existing political organizations that had existed in form of kingdoms. That was the case with Uganda whose name emerged from Buganda Kingdom or Ghana where the Ashanti already existed as a state that conquered neighboring smaller tribes and annexed them into the Ashanti Kingdom.

State-Societies

Ashanti

A Ghanaian tribe considered among the largest tribes of sub-Saharan Africa. The Ashanti are about 19% of Ghana’s 24.3 million (UN 2010)-i.e. approximately 4.6 million people. Considered part of the Akan people of West Africa, the Ashanti inhabit Ghana’s mid-South belt- a region where one of the country’s biggest and most populous town, Kumasi, is located. As one of the largest ethnic groups in West Africa, the Akan people speak Kwa languages and largely inhabit Ghana and Ivory Coast. Before colonialism, between 11th and 15th Centuries, the region flourished due to the discovery of large deposits of gold. Various sub-groups of the Akan, including the Ashanti tribe, became rich as a result of booming trade among each other and with Arab and Persian traders from the Middle East. Accounted for in the Persian scholar and historian Al-Kwarizmi (780-850), trans-Saharan trade between sub-Saharan African kingdoms and the Middle East in gold, ivory, and salt flourished with the use of camels and horses. With wealth, the need for security necessitated a political alliance between the Ashanti, Dagomba, and Bono and Denkyira states. The Bono-state was predominantly a trading region during the
gold boom in West Africa. The Denkyira state (also known as Agona), to which the Ashanti was tributary until 1701, dominated trade in gold with Europe until civil wars led to the breakaway of its regions that subsequently formed independent ethnic-based states/kingdoms like Ashanti. The Dagomba Kingdom seat was in what is currently Northern Ghana. Dahomy Kingdom, which was founded as early as the seventh century, consolidated political control during the gold boom in the region. It was later colonized by France and became The Republic of Dahomy after independence. It is now The People’s Republic of Benin as it encompassed more tribes (Fuller 1921, McCaskie 2007).

Out of the Ghana’s gold rush, the paramount chiefs of clans whose immediate control of smaller entities grew more frustrated with an authoritarian center whose preoccupation was accumulating more wealth using labor and security provided tributaries of armed tribesmen. Since tributaries like Ashanti identified with their tribesmen on linguistic uniformity, it was not difficult for tribal chiefs to mobilize rebellions and seek direct trade with Middle Easterners and Europeans in order consolidate accruing wealth in their hands. In mid-17th century, one such chief, Chief Oti Akenten of the Ashanti, mobilized all Ashanti clans into a tribal union that later rebelled against the Denkyira. Under the Asante Union (Asanteman), a golden stool used by the king symbolized a pyramidal tribal authority to which Ashanti people’s alliance is ultimately bequeathed. In Ashanti mythology, the golden stool has a mystical power to unite the Ashanti. And since it descended from the sky into the lab of their king, Osei Tutu I, to whose successors it will continue to bestow wisdom and good judgment in managing the people’s social, political, and economic affairs, the stool encapsulates the collective spirit of the Ashanti people. By 1701, because of expansive independent trade
in gold with neighbors and outsiders, the Ashanti kingdom developed and financed a formidable military which consisted of infantry and horse regiments that finally, under King Osei Tutu defeated the Denkyira state in the Battle of Feyiase in 1701. The Ashanti Empire of West Africa was thereafter established and lasted for about two centuries. The Ashanti Empire, which supplanted the Denkyira state, lasted from 1701 to 1896 (McCaskie 2007). It was more of a loose confederacy of multiple chiefdoms that paid allegiance, taxes, joined the army, and fought under the King of Kumasi (current capital city of Ghana).

The Ashanti established a political system not so different from European colonial states that were later introduced. The Asantehene (King of Ashanti) who is elected by the council of chiefs, elders, and representatives of the youth (military) sits at the tipping point of a government hierarchy that included departments for specialized tasks such as internal and foreign affairs. The Ashanti king could as well be made a commoner by the same body that elected him in case of appalling breach of his powers. His powers virtually emanate from the collective obedience of the governed. The Ashanti King adjudicates over all murder cases, while chiefs address lesser crimes. After establishing guilt, the king’s council may in some exceptional circumstance appeal to the king for commuting his judgment to banishing the guilty instead of putting him/her to death.

Unlike most kingdoms, political power within the Ashanti is largely based on merit rather than inheritance (McCaskie 2007). All senior Ashanti statesmen, including the King, are elected after initial nominations, this being an exclusive prerogative of recognized senior/elderly females. In this regard, there is a widespread belief in some sub-Saharan African societies that senior women possessed better judgment, because as
they remained in their villages looking after the young while men went for hunting and war, they observed the process of personality development and controlled socialization of those who later aspire for social responsibilities. Because every citizen of a clan could trace his/her lineage to a chief, other government appointments were largely based on individual merit. For example, physical strength, valor, and wisdom would assure one of a position in a war department, while mastery of foreign languages would take one to foreign affairs. Under a sophisticated war department, the Ashanti engaged in and won multiple wars against both regional powers and the British army. These wars include the Asante-Fante War (1806); Ga-Fante War (1811); Ashanti-Akim-Akwapim War (1814); First Anglo-Ashanti War (1823); Second Anglo-Ashanti War (1863-1864); Fourth Anglo-Ashanti War (1894). Even though the Asantehene theoretically consolidated all executive and legal powers unto himself, he undertook extensive consultations with notables like ministers and chiefs before taking final decisions that would be binding on all citizens. After all, the King depended on chiefs and tribal notables in implementation of orders within constituencies such as clans that inhabit sub-tribal land. And since all clans are conscious of their contribution to the establishment of the kingdom, any conspicuous marginalization would weaken the King’s authority as it may derive insubordination and rebellion.

**Buganda**

Buganda is a Ugandan tribal Kingdom located in central Uganda with its capital Kampala shared with the state as Uganda’s capital. As a single linguistic group, the tribe is considered one of sub-Saharan Africa’s oldest, most sophisticated and cohesive
sociopolitical communities. The Baganda are organized into groups (clans) that had a common ancestry and constituted the most important unit in Buganda’s culture. The leader of each clan is regarded as a chief who ruled of part of the Kingdom’s population section.

With more than 5.5 million people, the tribe was divided into five ‘original’ clans which have later expanded into fifty-two clans. “The five clans Kintu found in the region included… the following: Ffumbe clan, Lugave clan, Ngeye clan, Nyonyi Nyange clan and the Njaza clan and they are referred to as Ebika Binansangwa.”14 Each clan is considered as an administrative political structure headed by a clan chief, Bataka, who is answerable to the King of Buganda, known as the Kabaka on issues pertaining to the welfare of their clans. To date, inauguration ceremonies for new Buganda Kings are held at Naggalabi Buddo, which is home of the most powerful and last defeated clan chief, Bemba.

While the Baganda trace their origin down to a common ancestor known as Kintu who is believed to have descended from heaven and from whom all other Baganda emerged, the historical origin of the Buganda Kingdom’s formation is difficult to trace. However, the Baganda believe that sometimes before the 12th century, the Buganda clans were largely autonomous with no centralized power until the time Kintu Kato, great grandson of Kintu, the first Muganda (individual tribesman) and father of all clans. After inter-clan wars in which he managed to forge alliances, Kintu “came to Buganda as a conquering hero with a big force that enabled him to establish himself as King” (Kingdom’s website) over all other defeated clans who hitherto continued to pay homage to Kintu’s descendants. After establishing himself as king of Buganda, Kintu started the
process of consolidation of power by expanding the original five clans he found in existence into thirteen “original/founding” clans that formed the Buganda kingdom.

Administratively, the Buganda kingdom consists of elaborate sociopolitical structures on top of which is the king who rules by consensus. According to the Buganda Kingdom official website, the kingdom is governed under a democratic local government system in which power is devolved to different hierarchical layers of administration:

“For easier ruling and quicker communication to the subjects, the Kingdom is partitioned into administrative units famously known as Amasaza (Counties) which are sub-divided into Amagombolola (Sub-Counties) which are also sub-divided into Emiruka (Parishes) which are also sub-divided into sub-parishes. The smallest unit is the Bukungu which is more or less a village unit.”

While the Kabaka (king) is the head of the Kingdom and has veto powers, the head of government is an Executive Prime Minister, known as the katikkiro of Buganda who is appointed by the King, after nomination by the people’s assembly. The King may also appoint two premiers (Bakatikiro) if he deems it necessary. Like any modern day premier, the katikkiro runs the day-to-day affairs of government and administer the kingdom on behalf of the Kabaka to whom he is ultimately personally accountable.

Article 8 of the Buganda Constitution stipulates that “the Speaker shall fix a day by which nominations of candidates for the office of Katikkiro shall be submitted” (Kingdom website) to the King.

Another important kingdom positions include heads of the department of war which is sub-divided into navy and army, known as Gabunga and Mujasi respectively. Since the kingdom is founded on the shores of Lake Victoria, where multiple Islands
considered home to Buganda clans are found, the navy’s reinforcements across the lake were pivotal in Kintu’s initial wars against clans leading to the formation of the kingdom.

The kingdom’s house of deliberations or Lukiiko is composed of notables (men and women) from all the clans and plays a pivotal role in all political decisions taken by both the Premier and King. Deliberations in Lukiiko are often held in the presence of the premier and cabinet Ministers, known as Akakiiko Akafuzi. Like any modern legislative assembly, Lukiiko members undertake extensive deliberations that sometimes last for days and weeks before their decision, which ultimately represents inclinations of all clans, are adopted by the King. There is no recorded incident in the kingdom’s modern history in which the King disregarded popular positions taken by all clans - reflected by the people’s assembly. While the King may also appoint many personal advisors, the assembly remains his most valuable. And as a traditionally significant part of his advisory team, the Queen (Nnabakereka); Queen Mother (Namasole), and Royal sister (Nnalinnya) play important advisory roles in women affairs and child welfare in the kingdom.

Zulu

The Zulu Kingdom is a tribal organization made up of the Zulu (Amazulu) tribe of South Africa which are currently estimated by the UN to be over 10 million. They live in KwaZulu-Natal, Gauteng, Free State, and Mpumalanga provinces in Central and Eastern parts of South Africa. Before formation of the kingdom, the Zulu lived as pastoralists in scattered tribal homesteads each headed by a chief. “Exogenous patrilineal clans (men and women of common descent bearing a common name) tended to be local units and the cores of tribes” (Gluckman 1987, p.25). When large scale farming began to
take root as an economic activity, it created more settlements within an otherwise largely pastoralist economic life that characterized the tribe.

With adopting a more settled pattern of lifestyle, populations within sub-tribes increased. Pressure on land, cattle rustling, and inter-tribal conflicts increased the powers of chiefs who engaged in dispute resolution with neighboring sub-tribes as-well-as adjudicating in disputes in their homesteads. Such legal powers gradually increased into political clout, not only within a chief’s constituency, but across multiple neighboring sub-tribes that seek alliances in times of inter-tribal warfare.

A key figure to Zulu political history is Shaka Zulu (1816-1828), a man whose military prowess allowed him to subdue all other Zulu sub-tribes and establish a bigger Kingdom beyond his direct control to engulf the entire Zululand (Deflem 1999). Central to Shaka’s strategy for nation building was based on a militarized nation. At its zenith, the Zulu Kingdom, founded at the coast of the Indian Ocean, stretched from Tugela River in the South to Pongola River in the North. He implemented an idea of regiments formed by “men of the same age, and quartered them, for most of the year, in large barracks built in different parts of his country. They trained there for war, herded the King’s cattle and worked his fields” (Gluckman 1987, p.26). As the Zulu King (inkosi) symbolized his people’s existence and pride, a man was referred to as ‘war-shield of the king’ (isihlangu senkosi). This way, clan loyalty was gradually defused into loyalty to the entire Zululand which soldiers collected from all clans vow to defend against external enemies. They, under King Shaka, fought and won many battles against the British invaders, leading to Shaka’s reputation for military genius reaching beyond sub-Saharan Africa to Europe. Having developed into a highly militarized tribal political state, the Zulu entered into
lengthy wars with Boers and English invading forces in which they initially managed to inflict heavy casualties of invading troop- such as in the Battle of Isandlwana on 22 January 1879, in which Zulu warriors killed more than a thousand three hundred British soldiers in one day.¹⁵

In modern day South Africa, the Zulu remain loyal to their King whose sovereignty over Zululand must be respected by all- including visitors- in order not to outrage the Zulu tribe (abakwazulu). He (the King of Zulu) controls his people through clan chiefs with whom he conducts constant consultations on various issues cutting across multiple sociopolitical and economic affairs of the Kingdom. Chiefdom is awarded on heredity bases as a chief’s lineage plays political and moral roles in maintaining social stability. Given their unified positions against apartheid rule in South Africa, the apartheid regime, following its divide and rule policies, promulgated the Bantu Homeland Citizenship Act (1970) which stripped all Zulu of South African citizenship and concentrated them in KwaZulu Natal which would be an independent region. Later, the Zulu would form a formidable political party; the Inkatha Freedom Party (IFP), which was central in the fight against apartheid- though sometimes used by the apartheid regime in a strategy to weaken national resistance.¹⁶

**Stateless Societies**

Stateless societies form the other side of the structure of sub-Saharan African tribal societies. As mentioned above, while state societies in the region are characterized by high political centralization and control, stateless societies are characterized by lack of
centralized political control. They consist of multiple independent units or sub-tribes that make up their bigger tribes; but pay no allegiance to any individuals or institutions outside their local sub-tribal boundaries. As they live in scattered homesteads (villages), they have no political representation at any centralized level. In fact, even at the clan and sub-tribal levels, sociopolitical controls are loosely given to a collectivity of elders, who only exercise such powers when called to do so by their tribesmen. A few men may retain undefined leadership positions in their sub-tribes as a result of perceived individual integrity rather than by election. However, stateless tribes in the region continue to act as single units during elections within their nation-states. Their internal lack of political organizational cohesion- which can be academically and descriptively illuminated- may not be as conspicuous to other tribes.

*Nuer*

A tribal linguistic group of 900,000 to 1.5 million people found in the Northern and North Eastern regions of South Sudan. The Nuer (or Nath) ethnic group inhabits Unity, Upper Nile, and Junglei states of the Republic of South Sudan. A substantial number of villages fall across the border inside Ethiopia; hence there are Nuer tribesmen/women who are Ethiopian citizens, in spite of being from the same villages. Like their larger cousin neighbors, the Dinka (Jieng/Monyjang), Nuer are pastoralist communities and they practice subsistence agriculture and cattle-husbandry. In Nuer villages, cattle-keeping underpin all other economic and social activities men, women, and children undertake throughout their lives. Nuer sub-tribes possess hundreds of thousands of cattle; and because they live close to the Nile River banks and tributaries, as-well-as close to Sudd swamps, access to pastures for their large heads of cattle is year
round. Due to climatic factors and drought and floods intermittently occur every year in Nuerland and surrounding areas, Nuer youths often leave their villages in dry seasons and travel to Sudd wetlands for grazing their cattle. They are expected to protect every single cow— which they know by name—from loss to wildlife and rustling by other neighboring tribes—hence, like most of their neighbors, the Nuer exhibit an aggressive warrior life style. A plethora of their traditional songs praise strength and valor.

Unlike state societies that have adopted large-scale agriculture, which in turn facilitated village settlement, Nuer’s economic lifestyle contributes to the tribe’s sociopolitical organization. “While in a narrow sense the economic unit is the household, the larger local communities are, directly or indirectly, cooperative groups combined to maintain existence, and corporations owing natural resources and sharing in…exploits” (Pritchard 1987, p.274). It is around collective ownership of land and cattle by such cooperative and militaristic groups the Nuer clans and sub-tribes are founded. Hence, while economics and security facilitate strong group loyalty at sub-tribal levels, they also led to absence of centralization of authority. Each sub-tribe—whose members identify with a single lineage through a founding patriarch—, owes its existence and provision of security to its own members rather than to a supra-structure. Each sub-tribe is well versed with a defined and exclusive territory that is its collective possession, jointly owned by all its members.

Political and legal powers in each tribe are equally defused among a group of individuals rather than on a single leader. Within each sub-tribe there are collective legal and moral obligations and responsibilities expected of every member. Law enforcement mechanisms involve male elders, the youth, and leopard skin spear masters who are
considered as incarnates of all that is good in the tribe. The spear masters are mystical figures who are believed to have direct connection with a just spiritual god to whom- in times of need- they slaughter sacrificial cows using their holy spears, before giving requests. However, while such mystical powers derive some level of political control over sub-tribes, spear masters may have little powers over declaring wars against perceived aggression from neighboring tribes. The Nuer see war as an exercise of valor which is often decided and executed by middle-aged men and the youth; while the elderly and spear masters would have to bless decisions for war or risk being absolutely ignored and accused of cowardice.

While bitterly fought wars between sub-tribes and clans are intermittent, the fact that the bigger tribe- which includes all sub-tribes and clans- exist in territories defined as Nuerland allowed for free movements and social intercourse. Having a single language, sharing and practicing cultural believes, intermarriages, and believing in one ancestor for all Nuer (Naath) made it a common occurrence for a Nuer to leave his or her territory and become a member of another clan or sub-tribe. Friendships among members of many neighboring sub-tribes allow for visitations that sometimes last for weeks; providing a platform for not only conducting joint festivities, but also for the more serious agreements on alliances in times of wars with other tribes. Festivities may include initiation of young men into manhood through facial scars conducted every 3-4 years. These new proud men, between 13 and 17, are identified as age-mates in spite of obvious variations. Festivities also include intermarriage celebrations in which cows are slaughtered, liquor brewed, and dancing to drums that may last for days. In such occasions, all who can hear the sound of the drums are invited and they converge from far away villages. Youth from different
clans often mobilize and undertake cattle rustling in which many die. It is such collective activities of war and peace that make the Nuer perceive a shared destiny. It allowed them to collectively put strong resistance to Arab, Turkish, and British conquests in the past, even though each sub-tribal alliance had independent military headquarters.

_Kikuyu_

Estimated at over five million, the Kikuyu is the largest tribe in Kenya and one of the largest in sub-Saharan Africa. They are found scattered across fertile valleys that are surrounded by mountains in Kenya’s Central Province. Kikuyu land falls between Mount Kenya to the northwest, the Nyandarua Mountains to the west and the Ngong Hills to the south. Given abundance of arable land, the Kikuyu are a horticultural tribe. Unlike most sub-Saharan African tribes, the Kikuyu practice surplus agriculture and are considered among the pioneering tribes that introduced barter trade in East Africa. They also herd large stocks of cattle, sheep, and goats which they do not have to graze far from their own tribal land due to the fact that green pastures are abundant throughout the year. Because of their characteristic economic self-sufficiency and enjoyment of physical security, consequent of their tribal land’s location, the Kikuyu are mostly peaceful and industrious.

Like other tribes in the region, social solidarity among the Kikuyu is conceived in a collective believe that they emerged from a single ancestor, Gikuyu, to whom god gave the fertile lands they call their own. Gikuyu’s nine daughters are mothers of the tribe’s nine clans named after them, and it is within these nine clans that all administrative, judicial, social, and economic aspects of the tribe’s existence rotate. Names of the nine founding clans of Kikuyu are: Achera, Agachiku, Amirimu, Ambui, Angare, Anjiru,
Angui, Aithaga, and Aitherandu. Lacking centralized government, each clan forms its own specialized tribal governing councils that range from those whose membership are mixed; to those predominantly from the youth, and those- like judicial councils- whose membership are almost exclusively made-up of elders. In this respect, some councils governed economic issues like grazing; “others, marriage relations; others, the affairs of particular shrines or locations. The councils were loosely ranked, the higher the council the greater the significance of its jurisdiction” Bates (1987, p.6). An individual can be a member of multiple councils, and in times of inter-clan disputes, joint ad hoc task oriented councils are formed from clans whose members are parties to the disputes as well as from distinguished elders from neighboring clans.

Having survived for centuries on fertile lands, colonialism was a major transformation which has had a catastrophic impact on large segments of the Kikuyu tribe and their way of life. British settlers confiscated large segments of Kikuyu tribal land and forced millions into mass migrations to towns. Accounting for the origin of the Kikuyu-led Mao Mao nationalist insurgency against colonial rule, Bates (1987, p.6) describes how British colonialism dislodged some Kikuyu clans from their fertile lands, how that transformed their way of life, and how the members of those clans contributed to the Mao Mao insurgency against the British.

The British alienated the lands to the North- Nyeri, Nanyki, Lai-kipia becoming part of the White Highlands-and the lands to the South- Thika, Nairobi, and parts of Kiambu. Establishing ranches, plantations and mixed farms, the colonists alienated lands over which Kikuyu settlers had established mbari [kin-based units for the acquisition, development, and holding of land] land rights...The rebellion possessed two key rural foci: the Kikuyu who worked in the commercial farms of the White Highlands and the Kikuyu who remained behind in the reserves. A central thesis of this article is that common forces tied together the two wings of the
rebellion; both the "squatter wing" and the wing in the "reserves" responded to dynamics whose origins lay in Kikuyu tribal society.

As many became town dwellers after being dislodged by colonists, they still prefer traditional mechanisms for resolving disputes among Kikuyu families, to the state’s legal processes. To date, Kikuyu internal conflict resolution mechanisms continue to contribute to keeping members of clans closely tied.

In conclusion, we have examined the essential characteristics of state and stateless societies sub-Saharan African. These ethnic groups have been the deciders of the level of stability within SSA nation-states. In other words, they have been the main stocks of guerilla insurgencies in the region. Of course, some may argue that they can also be members of guerilla insurgencies by virtue of their citizenship of the state whose governments they seek to overthrow. That is far from the truth. The major difference between the force of citizenship and ethnic belonging is that the later can move individual action, while state and stateless societies act as blocks. They always moved in concert for and against central government control.

State and stateless societies often stopped fighting government troops when appeased through government positions through their leaders. They also resumed hostilities when they perceived marginalization by the political system. Unfortunately, the SSA ‘political game’ of tribal/ethnic coalitions that many heads of states have mastered did not translate into a desire for permanent coalition of all tribes. This thesis argues that the SSA ethnic political game that have been cynically ‘played’ in the modern state could, ironically, be the safety net of stability in the region if it is institutionalized and made to stand on permanent pillars. It is only when the ethnic political game is
institutionalized and made all-inclusive that it becomes costly for one ethnic group, no matter how large, to think of dominating other groups that would most likely seek to protect an established all-inclusive system in which they have a stake.

**Social Contract Model**

Having discussed causes of state failure in sub-Saharan Africa and examined some of the state and stateless ethnic groups (their sources of authority, social interactions, strength of affiliation, absorption into the modern nation-state, and modes of interaction with the modern-state), reasons for competition over controlling the nation-state power, and rebellion against the state, one can now authoritatively answer the question: why did most nation-states in Africa become failed states? The reason espoused here pertains to the sociopolitical composition of the region’s state sand their incompatibility with existing forms of government in the region. To provide the framework for a sustainable solution to the regions sociopolitical predicaments, I use an illustrative hypothetical model of a sub-Saharan African state in which the basic constituent social elements are twenty-five tribes/ethnic groups which are distributed to five regions within the hypothetical sub-Saharan African nation-state.

As we have seen, in sub-Saharan Africa’s post-independence internal efforts to consolidate state power, regional coalitions have been most threatening to national governments than individual tribal communities. From Darfur in western Sudan to Biafra in Nigeria, and numerous other examples, regional coalitions of ethnic groups continue to characterize rebellion in the region. In some cases, such as in Eretria and South Sudan, multiple ethnic groups created regional coalitions and demanded self-determination in
order for them to be able to form sovereign countries. But as soon as countries like Eretria and South Sudan became independent, similar scenarios involving regional coalitions and tribal competition over control of government continued within both the new and old nation-states.

Based on the aforementioned observations, the hypothetical model below is premised on an assumption that SSA states are essentially identical in their constituent parts. Almost every single nation state consists of tens of linguistically distinct ethnic groups as constituent blocks. Those ethnic groups, in turn, are divided into only two categories, state and stateless ethnic groups. In most parts, their patterns of interaction within the modern state structure have essentially been identical. In essence, the same set of nation-building challenges and events characterizing modern state building in SSA has replicated itself across most states. The story of authoritarian state fighting against rebel ethnic groups cannot be narrated differently in each and every country, as it occurred in Sudan, Uganda, Kenya, Nigeria, or Ivory Coast. One cannot single out a unique case study of ethnic civil war which essentially stands out as different of the rest. The names of actors (tribes and tribal coalitions, heads of state, regions, and persons involved in in ethnic civil war) may differ, but the underlying causes of such wars remained identical. In other words, if we are to treat each case study as unique in its own right, then we may need forty-nine models to represent the forty-nine states of SSA.

For the reasons above, the hypothetical model below could be regarded as a ‘one-fits-all’ kind of model. This is not only for simplification of analysis, but because, at least as a structural framework, it nearly fits the depiction of every SSA nation-state in terms of their tribal/ethnic composition.
A Hypothetical Model of the Sub-Saharan African Modern State

Figure 1: The M. Deng (MD) Model.

Key:
T: Tribes: (Ta,Tb, etc. noting different tribes/ethnic groups)
N,E,W,S, C: North, South, East, West, and Center.
Tx: Central/federal government.

**Tribe (x) or Tx** would refer to government (the specialist in violence) made up of x number of tribes, and is assumed to be in the central region ‘C’. It is a dependent variable whose level of viability and legitimization is dependent on external influence from all five regions in of the hypothetical model (NWSEC) numerically assigned the number 25; in addition to similar influence from all tribal state and stateless societies in those regions N (Ta,Tb,Tc,Td,Te), E (Tk,Tl,Tm,Tn,To), C (Tu,Tv,Tw,Ty,Tz), W (Tp,Tq,Tr,Ts,Tt), S (Tf,Tg,Th,Ti,Tj).

**Tribe x (n) or Tx (n)** would refer to the number of state and stateless societies actively represented in a government. For example, any political regime can be represented by the letters above or by a combination of letters and numbers.
Representation could be assigned complete values such as Tx (NWSEC) or Tx (25) which both denote an all-inclusive and an ideal political regime for SSA’s modern nation-states. It would reflect a complete social contract and have higher probabilities of maintaining peace within SSA’s nation-states. Recognizing that almost all regions in every sub-Saharan African country had consisted of independent forms of tribal governance mechanisms before formal independence, values such as Tx (25) or Tx (NWSEC) will simply extend recognition by the modern nation-state to those regions and earn higher probabilities of reciprocation by ethnic group coalitions. It denotes a fully democratically representative government structure.

**Tribe x (1) or Tx (1)** would refer to the least viable and most authoritarian political regime in which all but one tribal state and stateless societies are excluded from contributing to decision making and nation building. While expected to give up all authority, legitimize the nation-state, and unconditionally obey the specialist in violence (central government), this value creates unrealistic expectations on the part of an authoritarian central government which seeks to rule over multiple micro-nations through the use of force and intimidation. One ethnic group cannot rule a nation-state in the region, neither directly nor indirectly through a president who belongs to it. Currently, most sub-Saharan African nation-states are so far Tx (1) states, and that largely underpins the prevalence of ethnic civil war and civil strife all over the sub-continent.

**Tx (2); Tx (3) ,..., Tx (n)** would denote various levels of inclusivity, depending on the number of tribal state and stateless societies represented in a government. As the value of \( n \) increases, the more viable a state becomes, and as it decreases the less viable a state becomes. Considering that ethnic groups can commit to regional coalitions-
demonstrable by the few case studies outlined above, there is no evidence to substantiate a claim that they cannot commit to national or state-wide coalitions within a framework of an all-inclusive social contract. Just like regional coalitions of ethnic groups in almost every single instance of ethnic civil war in SSA were/are all driven by regional interests and claims of marginalization by central governments, there is reason to suggest that inclusivity could lead to improvement of a sense of national interests that could be served by nation-wide ethnic coalitions.

If we apply the MD model above to our case studies in chapter four it fits well as a descriptive model that can be applied to investigating political inclusivity in any SSA state. Let’s take Sudan, for example. Fitting Sudan into the Model South Sudan would be South (S): (T Dinka, T Nuer, T Shiluk, T Mundari, T Azande); Darfur would be West (W): (T Fur, T Zaghawa, T Masalit, T Rezeigat, T Miseria); Eastern Sudan East (E): (T Hadandawa, T Bani Amir, T Bejia, T Beshareen); Nuba Mountains and Blue Nile States would be Central (C): (T Nyamang, T Kanga, T Funj, T Daju, T Miri), and North Sudan would be North (N): (T Halfaween, T Danagla, T Shaigia, T Jaleen, T Mahas), and the capital city (seat of the specialists in violence) correspond with Tx (n). An ideal social contract in Sudan would establish a government which is a Tx (25) that is derived from a consensus between (Dinka, T Nuer, T Shiluk, T Mundari, T Azande, T Fur, T Zaghawa, T Masalit, T Rezeigat, T Miseria, T Hadandawa, T Bani Amir, T Bejia, T Beshareen, T Nyamang, T Kanga, T Funj, T Daju, T Miri, T Halfaween, T Danagla, T Shaigia, T Jaleen, and T Mahas). Of course, that ideal might not be feasible. However, only one regional coalition of Arab tribes, to whom the British handed state control, continued to rule the country without accommodating the interests of a majority ethnic African tribes.
That authoritarian concentration of power resulted into a rebellion in Southern Sudan which ended up into splitting the country into two. It also led to rebellion in Darfur (West), Nuba Mountains and Blue Nile States (Center), and Eastern Front (East).

**Social Contract Application**

The same description of Sudan above could be said of Nigeria where a rebellion undertaken by Igbo –led coalition of ethnic groups in Biafra (South-West) unilaterally declared independence. Recent attacks on Christians who hail from Southern Nigeria have occurred in the Northern states that are dominated by the Hausa Fulani tribe whose members are Muslims. And in spite of the fact Nigeria is a federal state, it has lived under military rule for most of its post-independence history. In its constitution, Uganda recognized the role ethnic-based kingdoms and ethnic authority can play in nation-building. It went as far as recognizing all languages as collectively forming the languages of the country, and English being the official language of government. Tanzania decided to go a step further and make an African language, Swahili, the official language. Swahili was one important tool of social engineering that helped different linguistically distinct ethnic group forge a sense of nationhood. Like Tanzania, Kenya has also used Swahili to allow easy communication between its different linguistically distinct ethnic groups. However, authoritarianism in Kenya and Uganda did not allow wider political participation at the national levels.

The five countries in the case studies are currently all republics with presidential systems. Tanzania has a unicameral legislature in a political arrangement (social contract) where members of parliament and President are all elected through a popular vote every
five years with a presidential two 5 year term limit and unlimited parliamentary tenures.

Nigeria, which is a presidential federal republic, has a bicameral legislature and a presidential tenure limited to two 5 year terms. Kenya is a representative presidential republic with a unicameral legislature. Its President is elected for two four year presidential terms. Uganda is a presidential system with a unicameral legislature. Uganda’s president is elected every 5 years and has no term limits. Sudan is a presidential republic with a bicameral legislature. It also has no presidential term limits.

It is worth noting that three instances of civil war sighted in the case studies occurred under military rule or direct involvement of the military in politics: Nigeria under General Yakubu Gowon (1966-75), Sudan between 1956-2005 was mostly ruled by Gen. Ibrahim Abud, Col. Jafar Nimeri, and Gen. Omar Bashir. Uganda’s crises involved Gen. Idi Amin who later took up power through a military coup. Kenya had lived under the autocratic rule of feared president Daniel Arap Moi for twenty-four years (1978-2002) before meaningful elections were allowed. Being the principal founding members of an economic block referred to as EAC (East African Community), Kenya, Uganda, and Tanzania had been governed under a one-party system for a considerable period during their post-independence period. All five countries lacked the kind of an all-inclusive system advocated for by The MD model for they were either military authoritarian or presidential, and both regimes have no potential to be all-inclusive.

The MD model can be applied as an analytical tool for determining the viability and governability of SSA’s ethnically heterogeneous nation-states. It is given that each region consists of a combination of state and stateless tribal societies that are assumed to be independent (are indeed independent administratively, as shown above in the outline
of state and stateless societies). Assuming that the five hypothetical regions are now annexed into an arbitrary boundary (modern nation-state), four out of the five regions would now pay allegiance to an authority found in one region (which becomes a seat of the specialist in violence, the capital city). Sometimes tribes/ethnic groups that do not belong to the region where capital states are located have had more control of countries through ‘their son,’ an incumbent President.

One can apply the above scenarios where the specialist in violence is either authoritarian (disregarding the social contract) or non-authoritarian (respectful of a consciously molded social contract). The specialist in violence is not an individual but a regime consisting of individuals who are complacent with or fanatically loyal to a president. In one scenario an authoritarian leader of an authoritarian regime could be a Machiavellian figure who, having become the sovereign- i.e. acquired control over the means of violence by virtue of his position- ought to make himself the head and defender of his less powerful neighbors. The less powerful neighbors are inevitably ethnic communities belonging to the hypothetical five regions above; regions that are expected to pay full allegiance to the specialist in violence and his/her Tx (1) regime. In a second scenario a non-authoritarian sovereign that equally acquires control over the means of violence could seek to accommodate the interests of all state and stateless societies in a Tx (25) sociopolitical structure.

Observers and sub-Saharan African policy advisors can also predict outcomes in other situational scenarios in which specialists in violence are non-authoritarian regimes that seek to promote and respect a form of social contract with state and stateless ethnic groups. One may, or may not, argue a proposition in support of the viability and
The indispensability of the second scenario in any successful process of nation building in sub-Saharan Africa—i.e. indispensability of a new social contract, which neither colonial powers nor post-independence authoritarian African leaders envisaged, vigorously pursued, or sought to promote. And since molding and safeguarding continuity of such a social contract would require participation of representatives of all ethnic communities, authoritarianism, because of its very exclusivist nature, is incapable of orchestrating or promoting a consensus-based social compact. In fact, authoritarianism will inevitably lead to confrontation with and between ethnic groups, hence accelerate state failure.

As earlier mentioned, an ideal SSA social contract must have ethnic groups as building blocks (or contractors). These groups are to be collectively assigned the responsibility of building their nations because of two reasons. First, ethnic groups existed in defined territories before the emergence or imposition of modern state structures in the region. Second, the degree of intergroup hostility—indeed hatred—has exponentially intensified as they have been encompassed by the modern state. While the first reason may only be helpful in analytical terms, the second reason calls for a practical solution to inter-group hostility. Because of protracted conflict over state control, group consciousness and definition of inner-groups (e.g. clans of the same tribe) and outer-groups (others) became necessary as a means of ensuring group survival. In other words, such outcomes could be a result of a positive effect of conflict on group solidarity, but a negative to nation building.

Because of inter-group conflicts, which sometimes led to genocide and untold crimes in many parts of Africa and continue to feed into existing genocidal tendencies among ethnic groups, the role of the modern state ought to be that of a neutral mediator.
However, since neutral mediators are often assumed to be external actors, the institutional structures of the modern state government system- Tx (n)- ought to at least act as structures that transcend tribal affiliation. This has not been true in most SSA states, as demonstrated in the case studies and Tables 2 and 3.

**Social Contract Principles**

Revisiting the origin of government, enshrined in the theories of natural rights and social contract, enables us to proceed with an understanding of how it applies to SSA. Since we accept that both the nation-state and its governing mechanisms are imports, a lack of appreciation for the need for a stout social contract by sub-Saharan African statesmen is an extremely weak link in their quest for good governance, if only due to lack of socialization with the concept. Hence, briefly re-examining the political philosophies of political writers like Thomas Hobbes (*Leviathan*); Jean Jacques Rousseau (*The Social Contract: Book l*), and a couple of U.S Federalist documents, may aid the assertions that a durable sub-Saharan African social contract is yet to be conceived and constructed. While the mentioned writers represent different time epochs, their classic arguments on the essence of social contract does not necessarily mean agreement on its shape and form; nor are they meant to be exclusively applied in Western nation-states.

*Thomas Hobbes’s* thoughts on the need for government in his famous book, “Leviathan” is based on an observation that without government human beings lived in a “state of nature” in which life was “solitary, poor, nasty, brutish, and short.” Such status was a result of what Hobbes contends to be “the right men have by nature to protect themselves, when none else can protect them.” Nature, therefore, endows us with an
inherent right to self-defense against those who wish us and our loved ones physical harm. And given the fact that good tangibly exists in the behavior of a substantial many human beings, so does evil. Hence, in the state of nature, the conflict between good and evil is unchecked except through constant warfare in which mankind is divided into only two camps- with no third, good and evil. As such descriptive condition inevitably influences group interaction, so does it apply at individual level. Consequently, according to Hobbes, “the condition of man is a condition of war of everyone against everyone; in which case everyone is governed by his own reason; and there is nothing he can make use of, that may not be a help unto him, in preserving his life against his enemies.”

Against that undesirable condition in which natural passions control our deeds, our constant search for peace and justice will inevitably lead us to envisage some form of collective protection mechanisms. Mechanisms in which natural laws that governed the state of nature are enforced not arbitrarily by individuals in a collectivity, but through a specialized entity acceptable and supreme above all individuals. The first step into collective protection would therefore be conceiving a strong social entity which shall enforce the laws of nature on our behalf. Consensus for having a common power is hence a natural element in our search for order, and “the only way to erect such a common power, as may be able to defend [a society] from the invasion of foreigners, and the inquiries of one another” is to empower another or a select group with power to enforce laws. In Hobbes’s words, individuals “confer all their power and strength upon one man, or upon one assembly of men.”

Therefore, government is nothing but a “common power” which must only come into existence through the collective will of the governed, if it is to be legitimate. It has
not, or ought not to have power unto itself which is not derived from the governed. Having a government is therefore just necessary, because where there is no common power, there is neither common law nor justice. It can thus be conferred from Hobbes’s contention that a government which forces obedience from the governed or arbitrarily usurps power cannot be legitimate. Only a people’s covenant, and no other means, can confer legitimacy upon selected groups. If the Leviathan, an individual or an assembly of individuals, do not appreciate the nature of that covenant, that can be in itself an adversity to society— a fact that nullifies any social contract. For rulers not to appreciate this fact would be like making social contracts with brute beasts, and “to make covenants with brute beasts is impossible” since they will not adhere to “any translation of right, nor can translate any right to another; and without mutual acceptance, there is no covenant.” Hobbes therefore envisaged a centralized government whose main power is but a reflection of the collective will of the society it governs.

Jean Jacques Rousseau, like Hobbes, traces the foundation of social contract to the state of nature where political organization was absent. He begins by observing that “the most ancient of all societies, and the only one that is natural, is the family” (Rousseau 1762, Sec 2). In that first unit of society, a man’s first priority is to provide for his own preservation, “his first cares are those which he owes to himself; and, as soon as he reaches years of discretion, he is the sole judge of the proper means of preserving himself, and consequently becomes his own master” (Sec 2). In becoming one’s own master, judge and executioner, one faces others who are also their own masters, and that quality of being one’s own master without common laws (duties and obligations) becomes in itself a burden which we, in our collective interest, would wish to thrust
aside. Having no alternatives, Rousseau supposed that human beings had reached the point at which the main impediments to their self-preservation in the state of nature demonstrated “their power of resistance to be greater than the resources at the disposal of each individual for his maintenance in that state. That primitive condition can then subsist no longer; and the human race would perish unless it changed its manner of existence” (Sec 6).

Hence, having recognized existing benefits in the trade-off between self-preservation and collective good, a fundamental challenge is in forming an association whose mandate is to protect the whole body of society and each individual associate. Only a social compact will enable “the total alienation of each associate, together with all his rights, to the whole community; for, in the first place, as each gives himself absolutely, the conditions are the same for all” (Sec 6). Once we attained a social compact, each member [associate] will be under obligations and duties to the general will of the collectivity. “Thus, from the very nature of the compact,…every authentic act of the general will, binds or favors all the citizens equally” (Sec 4).

Formulating a social compact is therefore the gateway between the state of nature and creation of a civil state. Once that was achieved,

“passage from the state of nature to the civil state produces a very remarkable change in man, by substituting justice for instinct in his conduct, and giving his actions the morality they had formerly lacked. Then only, when the voice of duty takes the place of physical impulses and right of appetite, does man, who so far had considered only himself, find that he is forced to act on a sovereign, a representative of the general will of the governed is a natural consequence of the social compact...The Sovereign, being formed wholly of the individuals who compose it, neither has nor can have any interest contrary to theirs” (Sec 8).
The sovereign can be an individual king or an institution, but in either case, is subject to the general will embodied in the social contract - which must be arrived at through free public deliberation. In this respect, quoting Grotius, Rousseau contends that “a people is a people before it gives itself [even to a sovereign king]. The gift is itself a civil act, and implies public deliberation.” (Sec 7). Without such public deliberation, or if a sovereign detracts from the clauses of the social compact, such social compact becomes null and void, and sovereignty goes back to its givers, the people, who then decide on where to place it.

*James Madison and Alexander Hamilton* writing on the Federalist Papers, state that when social contracts are made in plural societies, they are made with the objective of establishing and maintaining peace among its different factions. It is our human nature which often renders the process of building a nation-state out of a pluralistic society intricate; since each faction would want to get the best out of any arrangement, even if at the expense of the collective good reflected on this social inclination as an innate ailment afflicting all humanity. They contend that:

“The history of almost all the great councils and consultations held among mankind for reconciling their discordant opinions, assuaging their mutual jealousies, and adjusting their respective interests, is a history of factions, contentions, and disappointments, and may be classed among the most dark and degraded pictures which display the infirmities and depravities of the human character” (Federalist No.10).

In pluralist societies, factions are, therefore, identified as the supreme threat to nation-building, since they can lead to violent antagonism and civil wars. According to Madison, curing the negative effect on nation-building brought by factions requires either removing its underlying causes, or controlling its effect. Similarly, removing the
underlying causes of faction could be through two methods: “the one, by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests” (Madison and Hamilton 1788, Federalists 37). Madison prefers the latter, since the former, destroying liberty, is indistinguishable from destroying political life to which liberty is prerequisite. And since “the causes of faction cannot be removed,…relief is only to be sought in the means of controlling its effects.” One can thus confer from the above argument that having factions are not threats by themselves, for they are natural elements of human social interaction. The major threat to internal peace would, therefore, be failure to develop a sociopolitical regime that can contain the negative effects of factional competition.

Hence, an all-inclusive government is constructed against the background of factional competition for power. Success of statecraft should be measured through the effectiveness of adopted government strategies for defusing mutual animosities between those who are full members of society. On natural mutual animosities Madison contends that: “so strong is the propensity of mankind to fall into mutual animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions and excite their most violent conflicts” (Federalist 10). To that effect, John Jay contends that nothing is more certain than the “indispensable necessity of government, and it is equally undesirable, that whenever and however it is instituted, the people must cede to it some of their natural rights in order to vest it with requisite powers” (Federalist No.2). However inconveniencing it may be for the people to cede power to their government, they and the government become two
phases of the same social compact. Arriving at a compact acceptable to all is, therefore, the beginning of social stability and human progress.

Social Contract Development

It can be deduced from Hobbes, Rousseau, and the *Federalist Papers* that there is no one ideal formula of government that fits all societies. For the modern nation-states of SSA, a “common power” in Hobbes’s *Leviathan* would entail that the sub-continents ethnic sociopolitical groups, as constituent elements of the state, should either confer all their power and strength upon one man, or upon one assembly of men. Nation-states in the sub-continent have so far, erroneously, chosen to confer all power upon one man, rather than on an assembly of men. That choice is regarded by Mazrui (1975, p.34) as the key link between Africa’s colonial past and its present, as he contends:

“Those who argue that African political independence has been merely the replacement of white faces and white rulers by their black counter-parts would probably see in the present day African executive president the continuation of the colonial governor.”

In the context of the sub-Saharan Africa, presidential democracy is not democracy, but disguised authoritarianism. The choice between parliamentary or presidential democracy is never a matter of semantics, for it sets a foundation for true or false representation of multiple state and stateless ethnic groups. Choosing either presidential or parliamentary systems for representing a country’s social contract should depend on existing degrees of sociopolitical homogeneity or heterogeneity within its jurisdiction. In more homogenous nation-states, where political difference is driven by ideological preferences, the “strong man” in presidential democracy may not be a source of fear. His/her appeal can wane and wax not because of who s/he is, but what s/he
represents. That cannot be said to be true in the linguistically heterogeneous nation-states of sub-Saharan Africa, where loyalty is often based on who one is and to which ethnic group they belong, irrespective of the ideas they represent. Of paramount importance to this social context, a choice between presidential and parliamentary democracy does not only entail a choice between having presidents or premiers, it is also a choice between electoral procedures through which power is conferred upon presidents or premiers.

Before arguing for why parliamentary democracy is more compatible with sub-Saharan African nation-states, two observations underlie the call for restructuring the shape of governments in the region, since the main claim of this thesis is that existing systems of government are incompatible with sub-Saharan African sociopolitical structures. One vital observation relates to patterns of wars in the region. Throughout the region’s over six decades of post-independence experimentation with self-governance and economic management, an overwhelming percentage of conflicts have been intra-state civil wars. Seldom did the region experience wars between sovereign nation-states. Hence, tribal regional boundaries have become major fault-lines that need urgent attention. And we must “realize that civil wars in socially diverse societies represent an extreme failure of inter-group cooperation and argue that the best conflict prevention strategy is to build institutions for political governance and economic management” Elbadawi and Sambanis (2000, p.3). In this regard, most constitutions in the region pay lip service to defusing those fault-lines in that, while they recognize the need to have regional representation at central parliaments, they [constitutions] did not provide lasting structural solutions to ethnic civil wars.
A second observation relating to patterns of ethnic civil war in sub-Saharan Africa is that ethnic fault-lines are often ignited by presidential elections. Africans can tolerate abject poverty for a very long time – even under authoritarian regimes - without massive protests or tribal conflicts. Rural-urban migration demonstrates that members of different ethnic groups can coexist in a state of social equilibrium, as they socialize and exchange goods and services. Their young ones become friends, play football (soccer) and ecstatically hug and dance as they celebrate winning against other teams. In such peace times, ethnic fault-lines, like a dormant volcano, become temporarily insignificant security threats to governments and the people. However, this social equilibrium is often brought to an abrupt explosion leading to a Hobbesian-like war of ‘all-against-all’ once presidential elections are held. Of all possible triggers of ethnic civil wars in the region no other trigger has been more noxious than ethnic based- not ideologically driven- competition over control of the presidency and the modern nation-state.

From the two observations above, it would be preposterous to derive a conclusion on causes of political instability in the region without re-examining the kind of political power executives hold. If executives have all power, then it is natural that all ethnic groups in a country would want to have control over it. The desire of preeminence is part and partial of competition in all pluralistic societies; not a unique phenomenon to sub-Saharan Africa. Hamilton reflects on the root causes of conflict between nations by saying that “there are some [causes] which have a general and almost constant operation upon the collective bodies of society. Of this description are the love of power or the desire of pre-eminence and dominion” (Federalist No.1). The love of power and
preeminence is surely higher when absolute power is the subject of political competition in a winner-takes-all environment.

Considering the arguments above, this author contends that Presidential democracy will most likely lead to political instability in sub-Saharan Africa because it is incompatible with the region’s sociopolitical structures. Essentially, the choice between presidential and parliamentary systems of governance is not irrelevant to social stability in any country; it actually determines it. When countries like India and Britain chose parliamentary democracy, or the U.S.A. and France chose presidential democracy, they did not take such decisions without reference to social and historic realities and experiences. In such countries, the choice of adopting either system was made with the aim of creating sustainable political systems and social stability. They were results of patriotic brain-storming by multitudes of individuals who wholeheartedly wished their countries sustainable peace.

Just like those countries that consciously chose a system which they deemed compatible with their social structures and political history, sub-Saharan Africans cannot afford throwing a dice as a mechanism for choosing which political system is compatible with their historic experience and social structures. Compatibility should also be the basis of adopting one of these two systems. In this regard, recent developments in the African Union (AU) which demands that presidents must be elected in order to be welcomed in the exclusive club are nothing but treating symptoms of an insidious security and political ailment. Sub-Saharan Africa must treat the underlying political causes of state failure, not just symptoms. Unlike Western countries, election by itself cannot be a measure of legitimacy in the region; but the system in which election is conducted is what needs
reassessment by sub-Saharan Africans. For instance, there were reasons behind the United States’ decision to use an electoral college rather than popular votes for choosing its president, yet the US is not as linguistically and ethnically heterogeneous as SSA.

A main attribute of presidential democracy is that it creates a wide cleavage between the most powerful branch of government, the executive, and representatives of the people, the legislature. The executive branch, where policy is formulated and implemented, remains a domain of the president, who chooses his/her Ministers (Department Secretaries in the U.S.) with limited legislative input. Whatever alliances presidents make domestically are their exclusive rights. In most cases, they retain power over not just taking their countries to war and creating regional and international alliances; but also controlling the entire spectrum of social, security, economic, and political environment in their respective nation-states. That form of social contract between all tribes in a SSA context would confer too much power on one man or woman and is what this thesis argues against. No matter how many stories of how efficient some few individual presidents have been, the system itself is where peril lingers. A swift change of allegiance which had historically been directed towards tribal kings and leaders to presidents is almost impossible in an environment of interethnic hatred.

While legislatures can, theoretically, exercise oversight over the executive branch, oversight continued to fail in sub-Saharan Africa. Because presidents have exclusive control over rewards and punishments, even representatives of the people are compromised to toe the presidential line. If a dichotomy between Democrats and Republicans in the US or the Labor and Conservative parties in the UK insured less fragmentation of votes, sub-Saharan Africans have blood lines as potent fragmenting
forces, not political parties. They are far much fragmented by divine order than political parties can join them. Such fragmentation was never a curse before nation-states emerged in the region, and managing it has so far, to a large extent, resulted in miserable failure.

Throughout post-independence, for sub-Saharan Africans, the title ‘president’ has been ‘the devil they know,’ so to speak. Presidents have orchestrated genocide against other tribes and regions. Presidents have brought little to no economic growth. Presidents have illegally accumulated immeasurable wealth and used public money for buying political alliances and sponsoring electoral campaigns. Presidents have suspended constitutions and ruled by decree. Presidents have lifted constitutional term limits to rule indefinitely. Presidents have tortured political opposition, journalists, and political activists. Presidents have declared one-party systems in which only the parties where they held the title “chairman” contested elections. Presidents have refused to leave office when they lost elections. Presidents have constructed tarmac roads only to their villages or the churches where they prayed. In sum, they have made a mockery of sub-Saharan Africa and its people.

Why have presidents failed the region, yet maintained power for decades? A partial answer would be: because checks and balances cannot be effective against leaders who are assured massive tribal support at all times. Given the region’s sociopolitical structures, presidents have always singled out their regions and tribal heartlands for developmental projects, before they looked for alliances. In addition to being symbols of tribal pride and power, tribes from which presidents emerge stand to benefit in terms of social and physical infrastructures—schools, electricity, clean water, roads, hospitals, positions in civil service, government and bank loans, and business contracts. It is not
unique to the region that when a group of individuals have entrenched themselves in power and controlled the means of violence, it would be a difficult task to uproot them. Sunnis in Bahrain and Iraq serve as examples. Obviously, simple numeric superiority means little in such a situation in the face of a determined specialist in violence.

In sub-Saharan Africa, presidents cannot, due to the importance of ethnic/tribal origins, appeal to every citizen of their country. Imagine a hypothetical situation where inhabitants of each of the fifty states of the U.S. speak a language not understood by the other forty-nine. In times of campaigning for office, and in order to connect with electorates in forty-nine states, a presidential candidate would either be able to fluently speak forty-nine languages- which obviously is beyond our human limitations- or have forty-nine translators. Applying elementary psychology, once one speaks to a multitude of people through a translator, one cannot claim to represent the people he or she is talking too. This is exactly the dilemma of presidential representation in sub-Saharan Africa. Presidents in the region are referred to by their tribes- whose language they fluently speak and among which they underwent the process of socialization. Because of presidents, it is very common and acceptable to say, for example, ‘this is a Kikuyu government,’ ‘it is time for the Luo to rule this country,’ ‘the Banyangkole are ruling us,’ ‘the Dinka have eaten enough,’ and so on, and so forth.

Assured of unequivocal support from hundreds of thousands or millions from his/her ethnic group, presidents did not face substantial internal risk when they declared states of emergency and suspend constitutions and parliaments. They mastered the politics of divide and rule, as inherited from colonial administrations, once they were in power. It is the only way they managed to rule sub-Saharan African countries for
decades, in spite of being short of brute beasts in humanitarian terms and miserable failures in economic terms. As an old tested successful strategy, divide and rule allows presidents to craft ethnic alliances with relatively smaller ethnic groups—through political positions and developmental projects. Some ethnic groups in sub-Saharan Africa cannot have high expectations, since they have no access to the outside world or examples to measure up to. Twenty boreholes that provide clean drinking water can improve a leader’s standing among members of the receiving tribe with no need for an issue driven engagement with that community.

Yet, the credibility of presidential elections depends on informed and issue-driven electorates. In this case, the vast majority of sub-Saharan Africans are innocent rural folks who depend on subsistence agriculture, small business enterprises, or pastoralists. When they are empowered to vote in elections, they just have to see names and select that name which belongs to their tribe. According to Western categorization of voters, they are considered “uninformed voters.” But according to them, they are well informed about the families and tribes of the candidates involved and that is quite sufficient information for taking informed decisions. What election means to them is fundamentally different from what it means to those who conceived universal suffrage as an effective mechanism of forming social contracts. When more than fifty tribes are involved, each with a franchised constituency of hundreds of thousands of voters, winner takes all elections become an acrimonious exercise.

In recent years, outcomes of presidential elections have plunged countries that had been stable for many decades into tribal carnage. Ironically, the only reason that those countries had experienced enviable social harmony before voting was that they did
not have to conduct competitive presidential elections for decades. As a result of presidential elections, Kenya, Ivory Coast, Nigeria, Uganda, Sudan, South Sudan, etc. experienced interethnic conflicts and civil war. For some, civil war had been unthinkable because of long periods of social and economic stability in much of their post-independence history.

Is there an alternative to presidential democracy? Yes there is, parliamentary democracy is the only viable form of social contract that can enable an environment for nation-building in sub-Saharan Africa to start. The choice was clear for the region, but personal ambitions of post-independence presidents stood on the way. Ironically, even Anglophone sub-Saharan African states that were British colonies discarded parliamentary democracy only because it was/is associated with Britain and colonialism. The choice between separation and fusion of powers was never studied before a few individuals decided to separate executive powers in their own benefit and that of their ethnic groups/tribes, not in the interest of their nation-states. States like Sudan, Kenya, Uganda, and many more were granted independence under parliamentary systems that would manage their diversity, but because of blind opposition to whatever that was created by colonial powers, they decided to change their parliamentary system and adopt presidential systems. The decisions to make those radical shifts were made by individuals rather than through referenda or some kind of brainstorming among ethnic groups that made up those states. In Sudan, the reaction was a civil war that lasted for decades. Of course, the same reaction occurred in Uganda, Nigeria, and Kenya in different time periods. All ethnic groups in those countries fell into fierce competition to control the state through its narrow system of presidential democracy.
To minimize competition for power, the only solution is to make power itself a product of concession by all citizens to a body that will represent them. Parliaments are embodiments of peoples’ will and power, hence must exercise all power on behalf of the people without equal competition from any other institution of government. In sub-Saharan Africa, sovereign power should not only be theoretically, but exclusively in the legislature. Parliamentary democracy in a heterogeneous nation-state like India, which is closer to SSA in terms of ethnolinguistic fragmentation than other countries in the world, has managed to transform it into a largely politically viable country and the world’s largest democracy. With political stability, diversity in itself can be a positive force when applied to analyzing SSA, Elbadawi and Sambanis (2000, p.1) contend that:

“Africa’s ethnic diversity in fact helps; it does not impede the emergence of stable development as it necessitates inter-group bargaining processes. These processes can be peaceful if ethnic groups feel adequately represented by their national political institutions and if the economy provides opportunity for productive activity.”

As a process, nation-building and political transition was peaceful in some sub-Saharan African states when tribal coalitions between large tribes could be reached. Ethnic diversity was not a negative influence on the process in the immediate period following independence. In fact, independence was achieved in many African states through coalitions of major ethnic groups that chose to fight together against colonial powers. However, such coalitions are just temporary sources of stability since they are/were driven by temporary goals such as achieving independence, but not anchored into a political system. When such ethnic political coalitions collapsed, stable countries are plunged into bitter civil wars. Post-election violence in countries that were politically stable for decades, such Kenya and Ivory Coast, can serve as examples.
Model one proves that parliamentary democracy is more capable of managing SSA’s political communities than presidential systems. Using the MD model, parliamentary democracy would be closer to Tx (25) than Tx (1), and in that sense, its probability of success is higher. Some may argue that in parliamentary democracy executive power resides in the hands of premiers who are also individuals. But the difference is quite substantial in so many aspects. While presidents may not seek creating coalitions after being elected, presumably by the people, premiers do always seek coalitions in order to maintain their positions. They and their winning parties will always aspire for arriving at Tx (25) since going far below will risk their losing power to other parties that seek that ideal social consensus. Considering that there are more than 40 linguistically distinct ethnic groups in almost all SSA states, political competition for state power within the context of parliamentary elections would be based on the ability of tribal-based political parties to forge alliances with other ethnic groups.

The modes of electing executives in parliamentary and presidential systems are different. So far, electoral campaigns in SSA have been nothing but a time to demonstrate tribal power and charge tribal animosities; a time when neighbors asserted their belonging to different ethnic groups and political aspiration. Again, Kenya 2007, Ivory Coast 2010, Zimbabwe 2008, and Congo DRC (2011) are the latest examples in which two candidates who were supported by their large tribes claimed to have won. In some cases, parallel swearing-in ceremonies were held in different regions that are tribal strongholds. Instead of blaming the system, some blame African statesmen for being unscrupulous, but Africa can only do best by doing away with a winner-takes-all presidential system and avoid direct presidential campaigns that cannot lead to true
representation of the will its diverse micro-nations. While we cannot do away with unscrupulous African politicians who are members of tribal state and stateless societies, there is no harm in doing away with failing system in which they currently compete for political power.

Transition from the current presidential system (one-man-power) to a parliamentary system (all-tribes-power) may not be difficult. Considering that all countries already have parliaments in which membership is through proportional representation, most tribes are already represented in parliaments. The next step would only be to practically confer all power on that representative body. Those smaller minorities that may not find themselves represented in parliament may be considered interest groups just like Archbishops of the Church of England in the House of Lords. Honorary presidency, like in India and Israel, can also be appointed by premiers and approved by two-thirds of parliamentary votes. Election of executive would be relatively transparent since it would be an intra-party process, hence reports of national level electoral rigging that plunged countries into civil wars would be eliminated. Logistical costs and difficulties of carrying out elections in countries with poor infrastructure would be substantially minimized, and government would be closer and more accountable.

Asserting that parliamentary democracy is more compatible with SSA’s peculiar sociopolitical makeup does not mean that it is exclusively the only system that can work. Countries like Ghana, Senegal, and Tanzania have had peaceful and periodic transition with presidential elections. If only other countries could have similar periodic transition of power between different presidents. If only presidents would not find it easy to change presidential term limits. If only SSA states could have fewer political parties. If only
affiliation to political parties were based on political programs, rather than on ethnic background. If only new electoral processes for electing presidents could be devised, SSA states would be able to be governed under presidential democracy. These conditions are not necessarily needed in a parliamentary system.

While some chiefs and kings may not have necessary skills to critically read and analyze draft legislations, their participation as a contribution to political stability cannot be overlooked when devising a SSA social contract. A few countries like South Africa, Zambia, Botswana, and Ghana have already developed national forums – referred to as House of Chiefs— in which chiefs and Kings of ethnic groups deliberate over social and security matters involving interethnic interaction in their countries. The idea of establishing the house of chiefs was popular in most SSA state during the euphoria that followed the immediate years after independence, but it slowly waned and was later abolished in most countries by authoritarian regimes that did not appreciate systems that are based on power sharing arrangements. The only pretext for abolishing many Houses of Chiefs was that they placed an economic burden on government budgets. But when one considers the amount of resources wasted by parliaments in the region, an annual meeting of chiefs for a few weeks every six months or so would have no bearing on government budgets whatsoever. And when we look at ‘the bigger picture’ we can appreciate the fact that it is better to have a hundred influential individuals meet twice or thrice a year, than having constant civil wars and massive human flight all over the region.
Chapter Seven

Conclusion

This thesis aimed at showing that sub-Saharan Africa is a subcontinent in search of a social contract. The main assumption in political science is that social contracts create states, rather than vise-versa. But states in sub-Saharan Africa are not products of social contracts. Having been crafted by European colonial powers, sociopolitical communities that predated colonialism were abruptly amalgamated into what became sovereign states. That very action of amalgamating sultanates, kingdoms, and stateless societies into a social entity assumed to be a nation-state only partially explains the historic aspects behind the reasons it has been difficult throughout the years to redirect individual loyalty of sub-Saharan Africans from their traditional rulers towards the nation-state and its institutions. But the foremost underlying impediment to national integration in SSA relates to the fact that efforts to maintain state control and consolidate governmental political power have not been undertaken within amicable social contract frameworks which entail consensus seeking. One reason for not consolidating political control through social contracts is that most countries in SSA have had authoritarian regimes whose very existence did more to create interethnic violence than prevent it.

The one major contribution this thesis aspires to make is to trigger a debate in sub-Saharan African countries and beyond, with regard to compatibility of systems of
governance in the region. It (thesis) has provided an elaborate investigation of existing literature on state failure in SSA and drawn conclusions that are supported by not only current and credible statistics that illustrate the fragility of the vast majority of SSA countries; but are also supported by socio-structural facts. The fact that existing and diverse academic literature on the root causes of civil war and state failure in sub-Saharan Africa could be channeled into a singly underlying cause, absence of compatible social contracts, has not been widely articulated in academia. Most of current academic literature on SSA elaborates, *inter alia*, on mythical notions such as “the resource curse” from which SSA policies are informed and on which they have been based, without paying due attention to social contracts under which resources are managed. Hence, as a shift from current approaches to conflict resolution in the context of SSA, this thesis aims to redirect current literature and debate about civil war and state failure into the insular legal and political crust of social contract, within which stable political communities can either be peacefully formed or ‘cursed’.

**Main Findings**

My main hypothesis was that where the specialist in violence is authoritarian, inter-ethnic political competition will inevitably lead to civil war and state failure in sub-Saharan African states. Because authoritarian systems of government controlled most states in the region, SSA’s post-independence history has been littered with cases of civil wars and state failure. An analysis of tables that demonstrate instances of state failure and civil war showed that 56% of the countries experienced instances of civil war during their post-independence grappling with state control through centralized and authoritarian
mechanisms. Only one parliamentary system, Cape Verde, experienced a civil war. While parliamentary democracies are few, a country like Ethiopia decided to change from presidential to a parliamentary system after one of the longest ethnic civil wars in Africa (1974-1991) which occurred under the authoritarian regime of former president Mengistu Haile Mariam and resulted into secession of Eritrea in 1991. One does not know the specific reasons Ethiopia decided to transform the country to a parliamentary democracy. But, obviously, the multiethnic composition of Ethiopia was one of the most important considerations that drove that change in the country’s institutional safeguards of the social contract between its numerous linguistically distinct ethnic groups.

For sustainable peace to take root between SSA ethnic groups, two conditions must be satisfied. First, countries must recognize that social contracts must be between the ethnic groups that make up the region’s states. These groups are the ‘building blocks’ that make up the modern state and their acceptance of the idea that they must be governed under its territorial jurisdiction is pivotal for measuring the durability of any social contract. In this regards, an illustrative model of the modern SSA state was provided to demonstrate its shape and composition. The model also demonstrates that the ideal SSA social contract will bring every ethnic block onboard, while the least ideal would be authoritarian. Second, social contracts produce institutional governance arrangements on which they are founded. While most states in the region emerged from colonialism as parliamentary states, they decided (or forced by military coup d’états) to become republics under the presidential system. Here, I believe that SSA states are more suited to be governed under parliamentary democracy than by presidential systems. An essential reason for favoring parliamentary democracy is that it would allow for the pursuit of
greater political coalitions between the ethnic blocks that make up the state, while presidential systems creates greater consolidation of power by a few elite groups of politicians or military officers. And as a result, the former enables parliament, where ethnic blocks are represented, to be the focal of power sharing, and the later enables one person (civilian or military president) to exercise absolute power.

One believes that the economic causes of state failure espoused by many analysts are essentially mere descriptions of symptoms and not diagnoses of real causes of the failure to govern in SSA. While most have explained the inevitable cause and effect relationship between inequitable redistribution of state resources, they still resort to prescribing institutional transformation of governance as the solution. For example, Collier and Hoeffler (1998-2000), among others, contented that an economic global model can capture the root causes of civil wars in sub-Saharan Africa. Their argument denies that nation-states in SSA are structurally peculiar. Second, it confuses economics into already obvious sociopolitical problems that need to be prioritized. Similarly, the World Bank’s arguments that a confluence of internal and external “stresses” operate simultaneously to produce inter-group political violence and state failure misdiagnosed the fact that intergroup violence are purely a product of one of the two stresses, namely internal stresses, not both. In this respect, internal stresses are products of lack of adequate political participation rather than external intervention. Unscrupulous external state and non-state actors such as multinational corporations or small weapons manufacturers exploit state failure when it occurred; but are not causes of failure per se. Many other economic arguments more or less follow on the rarely useful notion of the opportunity cost of rebellion.
However, there are many analytical perspectives on the root causes of state failure in sub-Saharan Africa to which this thesis subscribes or builds from. These perspectives are mainly anchored in analyzing the sociopolitical composition of sub-Saharan Africa’s modern states. A starting point into any such analysis ought to acknowledge that, generally, there is no disagreement among sub-Saharan Africans on the organizational usefulness of the modern state structure and its future in the region. The modern state remains the only viable unit of social organization which is capable of undertaking formal political interaction within the international system. However, while recognizing its viability as a player in the global stage, internal political stability between citizens inside the state structure is a prerequisite for the nation-state’s ability to function. The dilemma facing attainment of internal stability in SSA states stems from a fact that both the state and ethnic groups contest control over the use of force by their subjects and territorial jurisdiction over tribal land. Fragmentation of loyalty created a security dilemma that can only be resolved through compatible social contracts and institutional governance arrangements. In this regard, given identical patterns of intra-state ethnic civil war, most SSA political analysts have prescribed solutions to current governance crises in the region in a manner that treat it as a single entity. For example, former UN Secretary General Kofi Anan’s (2004) assertion that “sources of conflict in Africa are linked by a number of common themes and experiences” supports this thesis’s approach to prescribing social contract framework as a solution to the region as a whole, rather than treating each country as unique.

Unfortunately, in post-independence Africa, there has been no meaningful internal effort for qualitative transformation of the colonial state. The same structures of
the colonial system which were designed to rule SSA states through policies that divided ethnic groups have been retained by African elites. Therefore, all efforts at getting into the root causes of state failure and ethnic civil war must be anchored against a backdrop of structural incompatibility. To that effect, Herbst (1996) agreed that “structural factors at work” and “mounting evidence that the loss of sovereign control is becoming a pattern” of state failure in SSA.

Many international governmental and nongovernmental organizations have tried to help SSA out of the abyss into which the region was flung by colonial powers. It probably not an exaggeration to claim that the amount of aid and loans SSA countries received over the last six decades could have built the region’s economies to a level at which they would be able to compete in the global market place on equal footing with other parts of the developing world. The greatest sin committed against the people of Africa is that loan and aid were handed to authoritarian regimes that ruled by military force and did not represent the countries they governed. For example, the people of countries such as Congo (Kinshasa) are made to service foreign debts which were provided by international financial institutions to former dictator Mobutu Sese Seko (1965-1997). As conditions were imposed on these countries before receiving billions of U.S. dollars in loans, good governance was not part of those conditions. Those who received loans were no more than unscrupulous and corrupt politicians than good governors.

Considering failure on the part of the international community to diagnose the root causes of state failure, Spears (2010) supports the argument that SSA’s governance solutions must emerge from the
region itself. In other words, without setting their own houses in political order, countries will rise and fall like some of the region’s frustrated drunken citizens. Ethnic civil wars will always result from internal contestation by ethnic groups over political power. But it must be made clear that the fault is not in the ethnic groups per se, but in the modern state. Like Bates (2008) would argue, ethnic diversity by itself does not cause failure.
Failure to envisage and establish a system that would manage diversity leads to state failure. Here, Azam (2001) agrees with The MD model’s recommendation for what may be a federation of ethnic communities as he argues that “[t]he African state is thus constructed, or should be, as a means by which to federate the different ethnic groups via a coalition of their elites”. Such federation establishes an environment in which ethnic groups to come together and define their allegiance to the state in terms of citizenship. Only when a federation of ethnic groups is established that citizenship could emerge as the glue that binds these groups to the nation-state. Adjumobi (2001) subscribes to this viewpoint when he explains that the nation-state is a “plurality of nationalities” that can be bound together by citizenship. In other words, as acknowledged by Elbadawi and Sambanis (2000), “formalization of ethnic affiliation into the political process might enhance the efficiency and credibility of political governance institutions in Africa.”

**Limitations of Study**

The focus of this thesis has exclusively been on structural causes of state failure in sub-Saharan Africa from a social contract perspective. Because of its narrow focus, there was little research done on the psychological impact of deprivation on group behavior. There is a plethora of research on human behavior that could have further provided an
extra dimension to explaining why civil war occurred more in multiethnic states than in homogenous ones. In explaining group behavior in multiethnic states one could have drawn a comparative study between SSA and multiethnic states like the former Yugoslavia and the post-Soviet republics instead of an exclusive focus on SSA. Since ethnic conflict has been experienced in a few other regions, going beyond SSA would surely have helped in explaining the phenomenon from a much wider perspective. Nevertheless, the focus on SSA in exclusion of other regions is motivated by a fact that a comparative study may be done as a wider academic explanation of the role of ethnicity in state failure.

Another noticeable limitation in this thesis is its unequal attention to the causes of and solutions to state failure in SSA, with the former getting more explanation than the later. As it explained the root causes of state failure in SSA from a social contract perspective and provided a framework upon which an ideal social contract could be attained, there was a disproportionate attention to the institutional arrangements by which the social contract is to be safeguarded. While this thesis argues in favor of parliamentary democracy, some countries in SSA have functioned well under presidential systems. Ghana, Tanzania, and Senegal have had peaceful transitions under presidential system and maintained substantial levels of social equilibrium, although it is worth noting that South Africa is a parliamentary republic, where the president is leader of the largest party in parliament.

Another notable limitation pertains to transition from presidential republican system into parliamentary democracies. Evidently, authoritarianism is inconsistent with and cannot operate under a parliamentary system. Since this thesis argued against
authoritarians and in favor of parliamentary democracy, it did not provide adequate explanation of patterns of transition that SSA states could follow. Given the fact that most countries in the region are presidential republic, transition would require radical restructuring of governance institutions, electoral procedures as-well-as constitutional arrangements. Involvement of the people through mechanisms such as referenda is also pivotal such that the new system is owned by those it would govern.

Further Research

One certainly hopes to see more research done on merits and demerits of parliamentary and presidential systems of government as they apply to governing the SSA modern state structure. And since there are mutations of both systems such as in the case of parliamentary republic or federal republic where presidential power is fairly checked, a thorough analysis could be undertaken of what those mutations are and how they could help SSA states in their search for durable social contracts that would be compatible with the regions structural peculiarities.

The link between Pan-Africanism and continental peace is a rich area of study that is at the center of human security discussions about the future of SSA. It currently provides the only established field of study where vast cohesive literature on Africa’s social, economic, and political security can be found. It is the only conceptual arena where the diverse tribal/ethnic groups in Africa have perceived a common destiny. There are commendable efforts to fight non-democratic transitions within nation-states by the African Union and regional socio-economic and political blocks such as the East African Community (EAC), ECOWAS (Economic Community of West African States) and its
military wing ECOMOG (Economic Community of West African States Monitoring Groups), SADC (South African Development Community), and other pan-African bodies. Military interventions such as those undertaken by SADC (led by South African troops) in Lesotho (1998) to quell a suspected military coup d’état, ECOMOG’s intervention in Sierra Leon in the same year (1998), and IGAD’s (Inter-Governmental Authority on Draught)- which is an East African based intergovernmental entity- substantial influence in ending Sudan’s civil war (1983-2005) are testaments to an emerging new sub-Saharan African security order in which ‘higher level’ considerations of peace in the continent has been accorded due attention. Shifting our analytical lenses to establishing new macro and micro levels (i.e. regional and continental levels) will surely enrich a wider research on the interaction between the state and those entities.

Finally, going back to the state level analysis that is central to this thesis, since it has been demonstrated that the military as an institution has played a central role in disrupting SSA’s pursuit of good governance, civil-military relations is another relevant issue area which warrant further research. While SSA states may find compatible institutional governance arrangements in terms of parliamentary or presidential systems, having a civilian controlled military is central to the safety of any established social contract. For the most part, having a civilian control military and defusing an ever present potential tension between the military and civilian ‘worlds’ has been achieved in the Western world through institutionalization of the concept itself. It is not a coincidence that highly professional officers in countries like the U.S. could not take over power through a coup d’état under the pretext of objecting to the decisions of a civilian government or such other pretexts as those in sub-Saharan Africans are accustomed to
doing over the years. How can the military in SSA detach itself from running states? How can it and maintain a professional focus on being one element of deterring external interruption of social contracts and the pursuit of happiness within the boundaries of the modern nation-state? What civil-military arrangements are there within presidential and parliamentary systems? What mutations of civil-military relations, if any, are needed? Surely, civil-military relations is an essential institutional element of social contracts that could be thoroughly analyzed in a wider research on governance in sub-Saharan Africa.
NOTES

1- See Appendix for an outline of tribes/ethnic groups in each SSA state.

2- The World Bank and IMF (Known as the Breton Woods Institutions) give loans to SSA states on conditionalities (e.g. currency devaluation, removing government subsidies, improving public accountability, etc.) outlined under an economic scheme known as the Structural Adjustments Programs or SAPs.

3- Limited pluralism is found in authoritarian regimes “in which a large part of the society is excluded from organized participation in influencing major decisions on the basis of an ascriptive characteristic like race or ethnicity while other citizens enjoy the political freedoms of democracy, except insofar as advocating the inclusion into the body politic of the excluded segment of society (p.278).

4- Samuel P. Huntington (1996) contends that the fault lines in the ‘new world order’ will be neither ideological nor economic but between different civilizations.

5- The twelve indicators are: Mounting Demographic Pressures; Massive Movements of Refugees or Internally Displaced Persons; Vengeance-Seeking Group Grievance; Chronic and Sustained Human Flight; Uneven Economic Development; Poverty, Sharp or Severe Economic Decline; Legitimacy of the State; Progressive Deterioration of Public Services; Violation of Human Rights and Rule of Law; Security Apparatus; Rise of Factionalized Elites; and Intervention of External Intervention” (www.fundforpeace.org).

6- With an unknown number but nevertheless very diverse and geographically defined populations (estimated to be in excess of 1500 linguistically distinct groups), sub-Saharan Africa’s ELF is twice that of Asia and slightly greater than Asia and the western world combined (Fearon 2003, p.17).

7- Historic animosity relates to instances when South Sudan was invaded for slaves by a coalition of Turkish and Egyptian forces (1821-1885), and Northern forces (1885-1898).

8- Southern rebel forces that called themselves Anyanya (meaning Kobra’s venom in a local language) started demanding Northern troops to move back north.

9- Sighting widespread fraud, the Head of EU Observer team, Alexander Lambsdorff, U.S. State Department, AU observer Mission, and other election observers declined to extend recognition to Kibaki as the new elected head of state of Kenya.

10- The two members of parliament killed by the Kenyan police in what was believed to be premeditated political assassination are: Mugabe Were (shot on January 29, 2008) and David Kimutai (shot on 31 January 2008).
11- The Ocampo six are: Uhuru Kenyatta (currently Deputy Prime Minister), William Ruto (Education Minister), Francis Muthaora (Cabinet Secretary), Henry Kosgey (Industrialization Minister), Muhammad Hussein Ali (Police Commissioner), and Joshua Arap Sang (radio executive).

12- The Arusha declaration was a policy framework of nation-building written by Tanzania’s (then Tanganyika) first president and founding father Julius Nyerere and adopted by his political party.

13- Baganda is plural for Muganda (an individual tribesman or tribeswoman)

14- Buganda Kingdom’s website: (http://www.buganda.or.ug/index.php/buganda-heritage/cultural-administration).

15- Ref. Boer Zulu War of 1838 and Anglo-Zulu War of 1879

16- The IFP is currently the fourth largest political party in the South African parliament

17- The Sudd region in Junglei State of South Sudan is one of the five largest swamps in the world (http://www.environmentalgraffiti.com/lakes-and-rivers/news-five-most-massive-swamps-earth).

18- Faction, according to Madison denotes “a number of citizens...majority or a majority of the whole, who are united and actuated by some common impulse.” Federalist No10.
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Buganda Kingdom: http://www.buganda.or.ug.


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Fund For Peace (FfP)- Conflict Assessment Tool (CAT): Failed States Index (www.fundforpeace.org).


### Appendix

**Major Ethnic Groups in SSA States**

<table>
<thead>
<tr>
<th>Country</th>
<th>Major Tribes/ Ethnic Groups</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angola</td>
<td>Ovimbundu37%, Kimbundu 25%, Bakongo 13%, Mestico (mixed European and native African) 2%,</td>
</tr>
<tr>
<td></td>
<td>European 1%, other 22%</td>
</tr>
<tr>
<td>Benin</td>
<td>Fon 39.2%, Adja 15.2%, Yoruba 12.3%, Bariba 9.2%, Peulh 7%, Ottamari 6.1%,</td>
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<tr>
<td></td>
<td>Yoa-Lokpa 4%, Dendi 2.5%, other 1.6% (includes Europeans), unspecified 2.9%</td>
</tr>
<tr>
<td>Botswana</td>
<td>Tswana (or Setswana) 79%, Kalanga 11%, Basarwa 3%, other, including Kgalagadi and white 7%</td>
</tr>
<tr>
<td>Burkina Faso</td>
<td>Mossi over 40%, other approximately 60% (includes Gurunsi, Senufo, Lobi, Bobo, Mande, and</td>
</tr>
<tr>
<td></td>
<td>Fulani)</td>
</tr>
<tr>
<td>Burundi</td>
<td>Hutu (Bantu) 85%, Tutsi (Hamitic) 14%, Twa (Pygmy) 1%, Europeans 3,000, South Asians 2,000</td>
</tr>
<tr>
<td>Cameroon</td>
<td>Cameroon Highlanders 31%, Equatorial Bantu 19%, Kirdi 11%, Fulani 10%, North-west Bantu</td>
</tr>
<tr>
<td></td>
<td>8%, Eastern Nigritic 7%, other African 13%, non-African less than 1%</td>
</tr>
<tr>
<td>Cape Verde</td>
<td>Creole (mulatto) 71%, African 28%, European 1%</td>
</tr>
<tr>
<td>Central Africa Republic</td>
<td>Baya 33%, Banda 27%, Mandjia 13%, Sara 10%, Mboum 7%, M'Baka 4%, Yakoma 4%, other 2%</td>
</tr>
<tr>
<td>Comoros</td>
<td>Antalote, Cafre, Makoa, Oimatsaha, Sakalava</td>
</tr>
<tr>
<td>Chad</td>
<td>Sara 27.7%, Arab 12.3%, Mayo-Kebbi 11.5%, Kanem-Bornou 9%, Ouaddai 8.7%,</td>
</tr>
<tr>
<td></td>
<td>Hadjara 6.7%, Tandjile 6.5%, Goran 6.3%, Fitri-Batha 4.7%, other 6.4%, unknown 0.3%</td>
</tr>
<tr>
<td></td>
<td>(1993 census)</td>
</tr>
<tr>
<td>Congo (Kinshasa)</td>
<td>over 200 African ethnic groups of which the majority are Bantu; the four largest tribes</td>
</tr>
<tr>
<td></td>
<td>- Mongo, Luba, Kongo (all Bantu), and the Mangbetu-Azande (Hamitic) make up about 45% of</td>
</tr>
<tr>
<td></td>
<td>the population.</td>
</tr>
<tr>
<td>Congo (Brazzaville)</td>
<td>Kongo 48%, Sangha 20%, M'Bochi 12%, Teke 17%, Europeans and other 3%</td>
</tr>
<tr>
<td>Country</td>
<td>Major Tribes/ Ethnic Groups</td>
</tr>
<tr>
<td>-------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Cote D’Ivoire (Ivory</td>
<td>Akan 42.1%, Voltaiques or Gur 17.6%,Northern Mandes 16.5%, Krous 11%, Southern Mandes 10%, other 2.8% (includes 130,000 Lebanese and 14,000 French).</td>
</tr>
<tr>
<td>Coast)</td>
<td></td>
</tr>
<tr>
<td>Djibouti</td>
<td>Somali 60%, Afar 35%, other 5% (includes French, Arab, Ethiopian, and Italian).</td>
</tr>
<tr>
<td>Equatorial Guinea</td>
<td>Fang 85.7%, Bubi 6.5%, Mdowe 3.6%, Annobon 1.6%, Bujeba 1.1%, other 1.4% (1994 census).</td>
</tr>
<tr>
<td>Eritrea</td>
<td>Tigrinya 55%, Tigre 30%, Saho 4%, Kunama 2%, Rashaida 2%, Bilén 2%, other (Afar, Beni Amir, Nera) 5% (2010 est.).</td>
</tr>
<tr>
<td>Ethiopia</td>
<td>Oromo 34.5%, Amara 26.9%, Somalie 6.2%, Tigraway 6.1%, Sidama 4%, Guragie 2.5%, Welaita 2.3%, Hadiya 1.7%, Affar 1.7%, Gamó 1.5%, Gedeo 1.3%, other 11.3% (2007 Census).</td>
</tr>
<tr>
<td>Gabon</td>
<td>Bantu tribes, including four major tribal groupings (Fang, Bapounou, Nzebi, Obamba), other Africans and Europeans, 154,000, including 10,700 French and 11,000 persons of dual nationality.</td>
</tr>
<tr>
<td>Gambia</td>
<td>African 99% (Mandinka 42%, Fula 18%, Wolof 16%, Jola 10%, Serahuli 9%, other 4%), non-African 1% (2003 Census).</td>
</tr>
<tr>
<td>Ghana</td>
<td>Akan 45.3%, Mole-Dagbon 15.2%, Ewe 11.7%, Ga-Dangme 7.3%, Guan 4%, Gurma 3.6%, Grusi 2.6%, Mande Busanga 1%, other tribes 1.4%, other 7.8% (2000 census).</td>
</tr>
<tr>
<td>Guinea</td>
<td>Peuhl 40%, Malinke 30%, Soussou 20%, smaller groups 10%.</td>
</tr>
<tr>
<td>Guinea Bissau</td>
<td>African 99% (includes Balanta 30%, Fula 20%, Manjaca 14%, Mandinga 13%, Papel 17%), European and mulatto less than 1%.</td>
</tr>
<tr>
<td>Kenya</td>
<td>Kikuyu 22%, Luhyia 14%, Luo 13%, Kalenjin 12%, Kamba 11%, Kisii 6%, Meru 6%, other African 15%, non-African (Asian, European, and Arab) 1%.</td>
</tr>
<tr>
<td>Lesotho</td>
<td>Sotho 99.7%, Europeans, Asians, and other 0.3%.</td>
</tr>
<tr>
<td>Madagascar</td>
<td>Malayo-Indonesian (Merina and related Betsileo), Cotiers (mixed African, Malayo-Indonesian, and Arab ancestry-Betsimisaraka, Tsimihety, Antaisaka, Sakalava), French, Indian, Creole, Comoran.</td>
</tr>
<tr>
<td>Country</td>
<td>Major Tribe/Ethnic Group</td>
</tr>
<tr>
<td>------------------</td>
<td>------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Malawi</td>
<td>Chewa 32.6%, Lomwe 17.6%, Yao 13.5%, Ngoni 11.5%, Tumbuka 8.8%, Nyanja 5.8%, Sena 3.6%, Tonga 2.1%, Ngonde 1%, other 3.5% (2008 census).</td>
</tr>
<tr>
<td>Mali</td>
<td>Mande 50% (Bambara, Malinke, Soninke), Peul 17%, Voltaic 12%, Songhai 6%, Tuareg and Moor 10%, other 5%</td>
</tr>
<tr>
<td>Mauritius</td>
<td>Indo-Mauritian 68%, Creole 27%, Sino-Mauritian 3%, Franco-Mauritanian 2%</td>
</tr>
<tr>
<td>Mauritania</td>
<td>Mixed Moor/black 40%, Moor 30%, black 30%</td>
</tr>
<tr>
<td>Mozambique</td>
<td>African 99.66% (Makhuwa, Tsonga, Lomwe, Sena, and others), Europeans 0.06%, Euro-Africans 0.2%, Indians 0.08%</td>
</tr>
<tr>
<td>Namibia</td>
<td>Black 87.5%, white 6%, mixed 6.5% note: about 50% of the population belong to the Ovambo tribe and 9% to the Kavangos tribe; other ethnic groups include Herero 7%, Damara 7%, Nama 5%, Caprivan 4%, Bushmen 3%, Baster 2%, Tswana 0.5%</td>
</tr>
<tr>
<td>Niger</td>
<td>Haoussa 55.4%, Djerma Sonrai 21%, Tuareg 9.3%, Peuhl 18.5%, Kanouni Manga 4.7%, other 1.2% (2001 census).</td>
</tr>
<tr>
<td>Nigeria</td>
<td>More than 250 ethnic groups; the following are the most populous and politically influential: Hausa and Fulani 29%, Yoruba 21%, Igbo (Ibo) 18%, Ijaw 10%, Kanuri 4%, Ibibio 3.5%, Tiv 2.5%</td>
</tr>
<tr>
<td>Rwanda</td>
<td>Hutu (Bantu) 84%, Tutsi (Hamicit) 15%, Twa (Pygmy) 1%</td>
</tr>
<tr>
<td>Sao Tome and Principe</td>
<td>Mestico, Angolares (descendants of Angolan slaves), Forros (descendants of freed slaves), Servicais (contract laborers from Angola, Mozambique, and Cape Verde), Tongas (children of servicais born on the islands), Europeans (primarily Portuguese).</td>
</tr>
<tr>
<td>Sierra Leon</td>
<td>Temne 35%, Mende 31%, Limba 8%, Kono 5%, Krio 2% (descendants of freed Jamaican slaves who were settled in the Freetown area in the late-18th century; also known as Krio), Mandingo 2%, Loko 2%, other 15% (includes refugees from Liberia's recent civil war, and small numbers of Europeans, Lebanese, Pakistanis, and Indians).</td>
</tr>
<tr>
<td>Country</td>
<td>Major Tribes/ Ethnic Groups</td>
</tr>
<tr>
<td>--------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Seychelles</td>
<td>Mixed French, African, Indian, Chinese, and Arab.</td>
</tr>
<tr>
<td>Senegal</td>
<td>Wolof 43.3%, Pular 23.8%, Serer 14.7%, Jola 3.7%, Mandinka 3%, Soninke 1.1%, European and Lebanese 1%, other 9.4%.</td>
</tr>
<tr>
<td>Somalia</td>
<td>Somali 85%, Bantu and other non-Somali 15% (including 30,000 Arabs).</td>
</tr>
<tr>
<td>South Africa</td>
<td>Black African [different linguistic groups] 79%, White 9.6%, Colored 8.9%, Indian/Asian 2.5% (2001 census).</td>
</tr>
<tr>
<td>South Sudan</td>
<td>Dinka (largest), Nuer (second largest), Kakwa, Bari, Azande, Shilluk, Kuku, Luo, Murle, Mundari, Didinga, Balanda, Madi, Mundu, Kuku, Murle, Ndogo, Balanda, Anyuak, Acholi, Taposa.</td>
</tr>
<tr>
<td>Sudan</td>
<td>Arab, Fur, Masalit, Zaghawa, Halfaween, Beja, Nuba, Fallata; Funj, Hadandawa.</td>
</tr>
<tr>
<td>Swaziland</td>
<td>African 97%, European 3%.</td>
</tr>
<tr>
<td>Tanzania</td>
<td>mainland - African 99% (of which 95% are Bantu consisting of more than 130 tribes), other 1% (consisting of Asian, European, and Arab); Zanzibar - Arab, African, mixed Arab and African.</td>
</tr>
<tr>
<td>Togo</td>
<td>African (37 tribes; largest and most important are Ewe, Mina, and Kabre) 99%, European and Syrian-Lebanese less than 1%.</td>
</tr>
<tr>
<td>Uganda</td>
<td>Baganda 16.9%, Banyakole 9.5%, Basoga 8.4%, Bakiga 6.9%, Iteso 6.4%, Langi 6.1%, Acholi 4.7%, Bagisu 4.6%, Lugbara 4.2%, Bunyoro 2.7%.</td>
</tr>
<tr>
<td></td>
<td>other 29.6% (2002 census)</td>
</tr>
<tr>
<td>Zambia</td>
<td>African 99.5% (includes Bemba, Tonga, Chewa, Lozi, Nsenga, Tumbuka, Ngoni, Lala, Kaonde, Lunda, and other African groups), other 0.5% (includes Europeans, Asians, and Americans) (2000 Census).</td>
</tr>
<tr>
<td>Zimbabwe</td>
<td>African 98% (Shona 82%, Ndebele 14%, other 2%), mixed and Asian 1%, white less than 1%</td>
</tr>
</tbody>
</table>