Afr. j. polit. sci. (2004), Vol 9 No. 1

Explaining and Managing Ethnic Conflict in Africa: Towards a Cultural Theory of Democracy

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Abstract

Situating the salience of ethnic conflicts in the character of the state as a partisan and major source of ethnic conflict, this article argues that we may reasonably expect to lessen rather than deepen ethnic conflict by changing the character of the state, making access to it more inclusive of significant ethnic groups in the country.

Using Ethiopia and Nigeria as examples, the article shows how federal-type consociational power-sharing constitutional arrangements, which divide or fracture and structure the sovereignty of the state, such that significant ethnic groups have their own "sovereignty" within their natal or local spaces, while entrenching their participation within the national "sovereign" space, through provisions for mutual control of the state at that level, can be strategically utilised to achieve such an object.

Introduction

That ethnic conflict is now a pervasive and salient dimension of political and social conflict in several countries in the world seems obvious enough. For example, Gurr (1993) identifies about 80 raging ethnic conflicts, of which about 35 could be classified as or close to civil wars in different parts of the world. Furthermore, Gurr and Harff (1994: 4–7) illustrate the global salience of "politically active national peoples and ethnic minorities", and of "protracted communal conflicts", by showing their global distribution across various regions in the world.

In respect of "politically active national peoples" the distribution was: Africa (74), Asia (43), Latin America (29), Middle East (31), Soviet Bloc (32), Western Democracies (24). In respect of "protracted communal conflicts", the distribution was: Africa (12), Asia (16), Latin America (1), Middle East (11), Soviet Bloc (1), Western Democracies, (8).

The Uppsala Conflict Data Project (Eriksson, 2004: 45–52) reports that for the 13-year period, 1990–2002, there were 58 "major armed" conflicts in the world, of which, on close examination, ethnic related ones constituted a considerable

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number, with the following regional distribution: Africa (19), America (5), Asia (17), Europe (8) and Middle East (9).

What is problematic, or not so obvious, is what methodology and data sources to use in categorizing ethnic conflicts, as well as how to explain not just their roots and manifestations but their difference from other forms of conflict, their complex trajectories, and the various strategies adopted to manage them and attenuate their sometimes deadly and dysfunctional consequences for peace and development within, among, and between nations, and in domestic and international politics.

Shifts in Intellectual Focus and Perspectives on Ethnic Conflict

If scholarship, particularly in the social sciences, is in some arguably controversial sense dictated by the complex, sometimes contradictory unfolding of, and the need to understand social and political phenomena in their historical and cultural contexts, and to bring intellect to bear on the solution to problems, deriving from, or unleashed by them, this is clearly the case with respect to recent historiographical trends and shifts in the study of ethnic conflicts, which tend to suggest that, entrapped within their cultural specificities and milieux, scholars are captive to those specificities and to paradigms derived from them. For Jalali and Lipset (1992/93:585), "race and ethnicity provide the most striking example of a general failure among experts to anticipate social developments in varying types of societies".

However, the tension between the particular and the universal, which ethnic and other related communal or primordial identity-based conflicts give rise to, is replicated, in this way, at the level of scholarship. Indeed, there is some point in the admonition that we should look at "questions of ethnicity in a globalised way...away from a westocentric perspective, which can be found often not only in white liberal writings but also in the writings of blacks and postcolonials" (Yuval-Davis, 2001:11).

To cite one example, there have been noticeable strategic and paradigmatic shifts of focus by a number of mainstream western scholars, who had assumed in the 1960s, that the twin-related processes of economic and political development or modernisation would, in due course and inexorably, render ethnic conflict passé on a world scale, particularly in the developing countries which, as "follower-societies", were predictably bound to move along the path already charted by the industrialised West (Hutchinson and Smith, 1994; Jalali and Lipset, 1992/993; Newman, 1990/91).

As Hutchinson and Smith (1994:10) so well put it, "movements demanding ethnic autonomies...in Quebec, Scotland, Wales, Flanders, Brittany, Corsica, Euzkadi, Catalona, and other 'ethno-regions' in old established western states undermined many common assumptions about modernisation and democracy".

These "common assumptions" constituted in retrospect the hegemonizing ideology of *Developmentalism* in mainstream American and, indeed, in mainstream

western social science, masquerading as objective, universal or value-free social science, while also trying to localise the political salience of ethnicity, especially its assumed dysfunctionalities, in the form of political instability, to the politics of "new states" in Africa, Asia and Latin America (Apter, 1963, 1965; Geertz, 1973).

The renewed interest in ethnic conflict, however, stands at the intersection of various disciplines, such as anthropology, history, geography, law, philosophy, political science, psychology and sociology, to name a few and is reflected in various multidisciplinary approaches to unscrambling, understanding and coming to terms with it.

The approaches range from a revised modernisation approach to psycho-cultural, socio-biological and constructionist ones to philosophical ones, which, by opposing multiculturalism to the centralising and assimilationist assumptions of liberalism and Stalinist-type soviet marxism, point to new directions in the philosophical and public policy debates about *rights, citizenship, accountability, democratic governance and participation in the contemporary nation-state and the wider world system of nation-states* (Farrelly, 2004, chapter 6; Newman, 1990/91; Pieterse, 1997; Yeros, 1999; Yuval-Davis, 2001).

It is this last approach which I want to pursue in this paper.

Ethnic Conflict and State Formation

To understand the character and trajectories of ethnic conflict in Africa, we must situate it in the broader context of the democracy and development project on the continent. That project is primarily concerned and connected with the state-building or state-formation process, which characteristically involves or generates hegemonic-directed competition, cooperation and conflict, under conditions of scarcity, about who should control the state and direct its regulative, allocative and distributive functions, policies and programmes.

The inclusivist notion of common citizenship, based on individual rights, that has tended to underline this state-formation process, has been problematic in Africa not only because virtually all the countries on the continent are "ethnically split", to borrow Balandier's (1970:38) expression, but also because the political economy of colonial rule, and the state formation processes that went *pari passu* with it encouraged and deepened intense ethnic conflict on the continent (Ake, 1976:4–9; Nnoli, 1980).

In such a circumstance, where individuals define themselves and are defined in terms of the ethnic group to which they belong, the neutrality or autonomy of the fledgling state, the state-in-process-of-formation, with its commanding control of the economy and the vast resources, therefore at its disposal, from competing social forces and groups, like ethnic ones, cannot be taken for granted.

On the same ground, an inclusivist common citizenship cannot be taken for granted, in so far as it is linked to "belonging" to the state, for it begs the question of access to the state and the privileges deriving from it, raising the question

"to whom (to which ethnic group) does the state belong? Whose or which ethnic group or ethnoregional interest does it promote or obstruct, protect or frustrate?" On this score, Wimmer (1994:635) is right to observe, with respect to post-colonial societies, that "ethnic conflicts arise during the process of state formation, when a fight erupts over which people the state should belong to".

More often than not, and precisely because of its lack of autonomy or its limited autonomy from competing ethnic groups, the state becomes the core contested terrain, the deadly serious theatre of ethnic conflict over which ethnic group or coalition of ethnic groups should control it and its vast resources. The bureaucracy, what John Maynard Keynes once called "the engine of government". with its arsenal of patronage positions and public finances to disburse, and its superintendence of public educational institutions, which play a critical role in elite recruitment and reproduction for the bureaucracy and the political and business classes, are invariably prime targets in competitive ethnic relations for access to, and control of the state, becoming theatres of ethnic wars over control of state resources.

In this way, the state and its institutions are ethnicised and immersed in clientelist ethnic networks and in ethnic-based struggle to implant and entrench ethnic "gatekeepers" in critical positions in the bureaucracy and educational institutions, and in other public sector institutions and, even in, the private sector, which in many African countries, relies heavily on the public sector.

Contextualizing Ethnicity: the Antinomies of Other Identity Claims

However, interrogating ethnicity and citizenship within the state-formation process in this manner, and the level or intensity of the conflict it generates, requires various units and levels of structural and institutional analysis to disaggregate and contextualise ethnicity and the roots, genesis, dimensions, and patterns of particular ethnic conflicts. This should enable us determine the various factors that are involved in particular ethnic conflicts and how they intersect with or crosscut other kinds of conflict and social formations, like class and religious ones. One important implication of this perspective should be emphasised.

At the structural level, if ethnic conflict is not unrelated to, or is in fact embedded in domestic and global social relations of production, reflecting their contradictions, and crosscutting other solidarity ties and antagonisms, then we need to move away from regarding it as simply a cultural symbol. This requires our going beyond its ascriptivist-essentialist and primordial-cultural symbolism to locate its political or conflict-generating salience as a function of various fields and networks of social relations, which dynamically confront ethnic individuals on a daily basis, expanding, in some situations, and constricting, in other situations, their choice options. In response to these fields and networks of socials relations, ethnic individuals are strategically forced to assume multiple identities.

In short, focusing on the domestic and global social context within which to understand ethnicity and situate ethnic conflicts, we need to locate the salience of ethnicity as a manipulatable and mobilisable political resource in conflict situations, in the nexus connecting structure and process, and in the conundrum posed by the competing identity claims on individuals as they engage in the unavoidably competitive logic of social relations in the state-formation process.

Let me spell out some of the implications of this perspective. Firstly, accommodation as well as compromise or cooperation, in the form of coalition building across the ethnic divide, is compatible with the concept of an ethnic group and may, indeed, be a feature of ethnic conflict. For example, accommodation is sometimes a strategy in the arsenal of the leadership of ethnic groups, dictated by the rationality or logic of particular competitive or conflict situations in which they find themselves. On some critical occasions, this may impel ethnic leaders playing a brokerage or bridge-building role across the ethnic divide. It is the context, therefore, and the complex configuration of social forces and issues that arises from it that more or less determine the trajectories of ethnic conflict, indicating why it assumes deadly violent and armed dimensions or why it is contained and directed towards accommodation and cooperation.

Ethnic Conflict as a Spectrum

It is useful, from this perspective, to regard interethnic relations as a fluid, even malleable continuum or spectrum, with ethnic cooperation and accommodation at one end and violent or armed conflict at the other end, and the intensity of cooperation and conflict, and the various forms they assume, depending on how the ebb and flow of ethnic relations along the spectrum range closely to or away from either end, away from an imaginary centre of the spectrum, and what other social forces mediate this see-saw, or ebb and flow along the hypothetical spectrum.

A second implication of this perspective on the nexus between structure and process in explaining and understanding ethnic conflict, its roots and trajectories, is that we need to probe more deeply into the dynamics of the manipulation and mobilisation of ethnic identities for conflict purposes. What are the complementary or contradictory roles of ethnic leaders and their mass followership, in triggering ethnic conflict or influencing its course? Under what conditions do these roles appear, complement or contradict each other? What clientelist or patrimonial structures and system of reward and sanction link the ethnic leadership with their followership? What accounts for their durability or breakdown?

Moreover, perhaps because held captive by the allure of the "clever elite/dumb mass" thesis, which Hodgkin (1961) once coined to characterise a weakness in the study of African nationalism, we need to focus on mass role in triggering and directing ethnic or ethno-national conflicts in Africa, especially in the form of ethnically-based popular mass movements against central authorities, in the

hinterlands, far removed from national centres, in colonial and postcolonial Africa.

This focus can provide interesting illuminations of the intersection or disjunction of the trajectories of elite-driven and mass-driven manifestations of ethnic conflict, for example "...in those regions, notably East and Central Africa and the Congo, where the roots of the modern-educated elite and modern-style politics are shallowest" (Stokes, 1970:100).

A third implication of this contextual perspective, often ignored in the analysis of the dynamics of ethnic conflict, is that ethnic groups are oftentimes polarised among themselves, over, for example, strategies to pursue in competitive situations with other ethnic groups, over leadership succession, all leading to fractures and, in many cases, the emergence of sub-ethnic or even newly constructed ethnic groups within them. We, therefore, need to study intra-ethnic conflict, as a micro-level of analysis within the larger kaleidoscope of inter-ethnic relations and conflicts.

The Ethnicity/Citizenship Conundrum

Because ethnicity as a form of identity needs to be disaggregated and contextualised in this manner, it is necessary also to problematise the notion of citizenship, so that its assumed undifferentiated nature in liberal democratic theory should not be taken for granted or assumed to be unproblematic, especially in "ethnically split", or deeply divided African societies.

Here again, the historical-social context is important in explaining the structural and institutional linkage between citizenship, the state and state-formation processes, and how it has shaped (inter- and intra-) ethnic relations and ethnic perceptions of the state. For example, colonial administration discriminated among citizens, creating a hierarchy of unequal citizenship, with white administrators and immigrants (businessmen, missionaries) from the metropolitan countries at the top of the hierarchy, followed in descending order by other white immigrants, Asians, Levantines (mainly Lebanese and Syrians), coloureds and blacks, who were further sub-divided or differentiated by the colonial administration into "advantaged" or "disadvantaged", "favoured" or "unfavoured" ethnic groups, based on the differential diffusion of westernisation, on "colonial evaluations of imputed group character," among them (Horowitz, 1985:160). These ethnic groups were, moreover, and as a matter of administrative convenience or arbitrariness, sometimes invented ("constructed" or "deconstructed") by colonial administrators, under the influence of "colonial stereotypes" of African ethnic groups, "tribes" (Atkinson, 1999:24).

This was an asymmetrically fractured or differentiated ethno-racialised citizenship hierarchy, which, for some citizens, facilitated access to, and for others constricted access to the state and its resources, in the public services, in commerce, trade and industry, in the judicial system and in the administration of justice, in

spite of the universalising ideology and pretensions of colonial rule.

Although African nationalism under colonial rule was an attempt to claim or reclaim citizenship rights, the claim was asserted as a collective national patrimony, under a "rainbow" coalition of the various ethnic groups and other social forces in each colony. But this did not settle the national question, for a number of reasons.

First, the asymmetrical ethno-racial stratified social structure of the colonial state, left its unwholesome, unhealed, simmering scars, recriminations, mutual antagonisms and fears, all of which served to undermine the long-run emergence of a sense of nationhood and common citizenship. For the effect of the ethno-racial stratification was to diminish "existing inter-cultural linkages" while strengthening, instead, "the sense of internal cohesion within the component polities and language groups" (Ajayi: 1984:4–5).

Specifically focusing on what he characterised as Nigeria's "Diversity and The Burden of History," Mustapha (2002:153–4), while contending that, "a central feature of Nigerian society is its fragmentation along ethno-regional lines," argues that:

> *in many ways the ethnicisation of power and politics is contrary to pre-colonial experience... The potential for discord apparent in the pre-colonial system was more than realized under colonialism which had the intended and unintended consequences of accentuating the divisions between different groups, and converting conflict from mere potential to a reality of everyday life. The long-run divisions along ethno-regional lines have not only been enduring, they have become systemic; the divisions have been reproduced in the state, giving a lie to the notion of a state standing above society.*

Secondly, the departure of the colonial powers, hasty in many places, left the ethnic question unresolved, although many ethnic groups, particularly minority ethnic groups, as was the case in Nigeria, expressed troubling concerns and legitimate fears about their collective ethnic group and collective citizenship rights in the postcolonial state.

Referring to the centrifugal forces so unleashed in the wake of the hasty departure of the colonial powers, as a result of the "mutual alienation" among the "coalition partners," in the rainbow coalition, Ake (2001:5) has observed quite rightly that:

> *as they pulled apart, they placed more value on capturing political power for themselves and grew increasingly fearful about what seemed to them to be the grave consequences of losing to their rivals in the competition for control of state power. Thus the premium on political power rose higher and higher and with it the intensity of political competition and its domination by efficiency norms.*

Little wonder that the departure of the colonial powers was in several African countries accompanied by the decimating and internecine armed conflict between

majority, or "favoured" ethnic groups who wanted to maintain control of the inherited state and "disadvantaged", usually but not always numerically minority ethnic groups, who wanted to capture or reconstitute the inherited state on more favourable terms, or, failing which, to secede from it. This much is clear from the postcolonial histories of Angola, Burundi, Chad, Democratic Republic of Congo, Djibouti, Nigeria, Senegal, Somalia, Sudan and Uganda.

Thirdly, the inherited psychology of ethnic domination, "mutual alienation," which the asymmetrical ethno-racial stratified hierarchy of citizenship rights gave rise to under colonial rule, remains a central aspect of ethnic conflict in the postcolonial African state.

This fear was reinforced, in many cases strengthened, by the further centralising dimensions which the state-formation processes assumed in the postcolonial state, in the form of the one-party ideology and the drift towards, and consolidation of authoritarian and personal rule, on the pretext that the state formation process required strong man rule, in order to eliminate ethno-parochial tendencies, which allegedly would only serve to divide, weaken and divert the state from the nation-building project.

However, as the following observation by Laakso and Olukoshi (Olukoshi and Laakso, 1996:15) only too well point out, the strong pull of ethnicity was evident as a significant legitimising political resource by civilian authoritarian and military regimes in Africa:

> *Many African one-party and military regimes, in spite of their supposed aversion to ethnicity...rested on distinctly ethnic political foundations and reproduced themselves on the basis of definable, and, in most cases, narrow ethnic alliances.*

There was and remains a residual fear that independence had merely served to replace one 'alien' rule with another one.

Ethnicity, Democracy and Development

For these reasons, there is an important sense in which the protracted intensity of some of the ethnic conflicts in Africa is closely related to opposition by marginalised ethnic groups against what Fanon (1968:183) once aptly described as an "ethnic dictatorship..." in other words, to historically-based demands for the opening up of the democratic space to ensure broader and more diverse participation and accountability in governance at the national level and at sub-national ones and to the re-examination of the inherited assumptions of the liberal state, particularly in respect of undifferentiated, individual or universal citizenship rights, which are often associated with it.

This is not to say that ethnic conflicts, in their objectives or intended or unintended effects, may not undermine, derail or place stress on the democratisation project; or that the demand for the decompression, opening up or liberalisation of political spaces may not be rationalisations or subterfuges for other, less noble

objectives of the initiators of armed ethnic conflict, especially in richly resource endowed regions, which predispose to the externalisation of the conflict.

Rather, the point is that the objective conditions and their consequential contradictions in many African countries give rise to "contested incompatibilities," in the sense used by the Uppsala Conflict Data Project (Eriksson, 2002: 19, 55–6), and predispose to the mobilisation and manipulation of ethnicity in popular democratic struggles against personal, authoritarian or manifestly unpopular rule, especially in backward or underdeveloped, "internally colonised", or neglected ethno-regions of African countries.

As Nzongola-Ntalaja (1987:65) has argued, one consequence or manifestation of the prosecution of these "contested incompatibilities" has been that "in postcolonial Africa, ethnic nationalism with secessionist tendencies has risen in the form of irredentism, revanchism, or as a result of violent conflicts stemming from inter-ethnic competition for economic resources and political power". These "incompatibilities have also been "a constant factor of regional instability in the Horn of Africa", and in other regions of the continent, like West Africa and Southern Africa, where regional bodies have been brokering peaceful resolution of the conflicts in recent years.

Some of the following examples, given to illustrate this argument, draw on Nzongola-Ntalaja (1987: 65–80).

'The Somali Question', involving the demand of the ethnic Somalis in the Ogaden and parts of Ethiopia, in Djibouti and in the Northern Frontier of Kenya for unification with Somalia has been one of the major irredentist demands in postcolonial Africa, as was the demand, albeit on a less protracted scale, of the Ewe-speaking people of Togo for reunion with their ethnic kith and kin in Ghana.

The case of the ethnic Baganda in Uganda to recover lost territory and status was a revanchist attempt at developing a Baganda nation within Uganda, which fell foul of the central authority in Uganda. Some revanchist element is also reflected in the Casamance Rebellion, involving demand of the Ethnic Diola-based Casamance movement in southern Senegal, in the 1980s, under the leadership of the *Mouvement des Forces Democratiques de la Casamance* (MFDC) for independence from Senegal.

The separatist demand of the MFDC arose out of a sense of colonisation and marginalisation by the ethnic Wolof-dominated Senegalese state. It escalated into military confrontations, short of civil wars, at various times in the 1990s, reflecting "conflicts of interest centered on the benefits of local resources in turn materialised politically around the unresolved question of state legitimacy" (Douma, 2003:113). On the other hand, Biafra in Nigeria and the South Kasai in Zaire are examples of inter-ethnic conflicts, involving territorial, secessionist claims which degenerated into civil wars.

Chad, Ethiopia, Sudan, Niger and Nigeria provide examples of the demand of oppressed ethnic minorities for greater socioeconomic and infrastructural development and for home rule or self-government in their ethnic heartlands, and not

necessarily secession from the state. The word "minority" is used here in a sociological, and not necessarily numerical sense, to refer to situations of superordinate/subordinate power relationships as used by Georges Balandier (1970, quoted in Nzongola-Ntalaja, (1987:74), and Ralf Dahrendorf (1954).

In the case of Chad, the superordinate/subordinate relationship was on an ethno-regional north/south divide, as is the case in Sudan, separating black Africans from Arabs.

In the case of Ethiopia, the three major ethnic minority groups, Oromo, Somali and Tigrayan, asserted the right to self-determination against the dominant Amhara ethnic group, under the banner of the Oromo Liberation Front (OLF) and the Tigrayan Peoples Liberation Force (TPLF).

In Niger, the concentration of over 49% of all government investment between 1976 and 1990 in the capital and its adjoining region, Tillabery, inhabited by the dominant Djerma-Songhai, which has ruled the country during most of its postcolonial history, created a pattern of regional inequality, which has aggravated and fed ethno-linguistic rivalry (Douma, 2003:57).

In Nigeria, the demand of minority ethnic groups for self-determination and greater share of government investment and revenue, has, at various times, assumed violent and rebellious dimensions, as in the Tiv Riots in the 1960s and ethnic violent uprisings in the oil rich Niger Delta since the 1990s.

Ethnicity and the State: Some Theoretical and Policy Questions

The contradictions between the state and ethnicity illustrated in the various examples above are symptomatic of a deeper contradiction arising out of the inappropriateness of the Schumpeterian, simple majoritarian, winner-takes-all model of parliamentary government, which generally informed the transfer of power. With respect to British colonial rule in Africa, for example, the 'concept of preparation' (Schaffer, 1966:42–67), as a way of inducting a carefully selected and nurtured indigenous inheritance elite into the institutional and psychological intricacies of "good government," of "the British way of life", in the form of liberal parliamentarianism, was, in view of the authoritarian logic of colonial rule, a misleading and inappropriate one.

This apart, the inherited simple majoritarian model was, in a more fundamental sense, inappropriate to address the issue of historically deep-rooted mutual antagonisms between and among dominant/subordinate ethnic groups, in fluid and maturing conflict situations, which reached boiling points in several countries in the penultimate years of colonial rule, giving rise to the emergence and strengthening of ethnic-based political parties, more or less ensconced in, and deriving their electoral strength from their ethno-regional heartlands. Where, as in the Gold Coast (Bourret, 1960:187), "un-British" constitutional devices like federalism and entrenched bill of rights were proposed, as a condition for granting independence, in response to the ethno-regional problem, these were rejected

because of opposition from African nationalist leaders, who saw them as prescriptions for weak government and a further manifestation of the policy of divide and rule (Rothchild, 1966; Welch, 1969).

Indeed, as perceptive an early observer of the descent into authoritarian rule, political decay and centralising tendencies in post-colonial Africa, as Fanon (1962:113–114), was strident in his condemnation of "autonomist tendencies", engendered by "tribalism", "regionalism", "separatism", and "federalism", in opposition to "centralisation and unity" (Jinadu, 1985:214–218).

This situation was, in many respects, responsible for the hardening of ethnic suspicions, the deepening of mutual antagonisms, and, with electoral politics reduced to a zero-sum game, making power-sharing a less attractive option for those ethnic groups, who were assured of electoral victory, on the basis of either their numerical superiority over other ethnic groups or their power of incumbency, which is used to manipulate the electoral machinery and process in their favour.

In several African countries, reduced to a perpetual electoral minority, treated by and large as second class citizens, underrepresented in central and local bureaucracies and in the public services generally, their heartlands neglected, denied of infrastructural development, and seeing no prospect through the ballot box for capturing state power, these other ethnic groups sought and used various voice and exit options, including extra-constitutional ones, to challenge the hegemonic ethnic group(s) or coalition in government.

Pointing to the irreconciliable antinomies between majority rights and minority rights in deeply divided societies under parliamentary systems, Duchacek (1977:23, quoted in Thomas-Wooley and Keller, 1994:413) observed that:

> *The problem for most ethnic minorities is that they are permanent minorities and the ruling group a permanent majority. In interethnic relations therefore, the convenient democratic game of numbers...does not work since the unalterable power symmetry between permanent majority and permanent minorities impedes the formation of a consensual community.*

This problem goes to the heart of liberal democratic theory, with its assumptions of possessive individualism in its application to "ethnically split" African societies. Is Westminster-type parliamentary democracy an appropriate or an applicable democratic model, in the African or similar contexts in various parts of the world, now undergoing or experiencing "the ethnic resurgence"?

This is a pertinent question to pose in view of the new interest in global democratic transitions, beginning with those in Southern Europe and extending to Latin America, Eastern Europe and Africa.

Propelled by the contemporary processes of globalisation and a resurgent, hegemonic conservative ideology, which represents a rejection of the dominant post-World War II 'butskellist' and Keynesian consensus of the welfare state as well as a reaction against the manifest contradictions of western capitalism and Soviet

Marxism, this new interest has also spawned new paradigmatic shifts and public policy concerns, reflected in the form of its theoretical expression in rational choice theory, with its emphasis on methodological individualism, so central to "the new institutionalism" (Apter, 1998), which have been applied to the study of these new transitions (Leys, 1996).

Although this new institutionalism, rightly sees the state in Africa, as the problem, locating the problem and processes of transitions in structural causes and in institutional weaknesses and failures, and viewing democratic transitions as design problems over which various endogenous and exogenous conjunctural social forces are in contention and requiring special artefactual political "invention" or "design" to solve, it has a serious flaw.

It has neither diagnosed correctly why the state is the problem, focusing, erroneously on the symptom, nor been able, as a result, to utilise the correct theoretical and policy framework to address the problem of the state as the central contested terrain of ethnic conflict for the reasons I have already given and elaborated. This is because the new institutionalism, the new orthodoxy in mainstream development studies, like the modernisation school, which it replaced, still views African societies as 'follower-societies', and the state-formation process in Africa as a replicative one, on the model of the new attempt in the West to restructure the state in a neo-liberal mould (Jinadu: 2000:9–11).

There is, therefore, some validity in Ake's (2001:125) characterisation of the cultural-ideological component of neo-liberalism, in its application to African democratic transitions, in the following words:

> *Scholars and agents of development tend to focus on ideologically derived answers to the problem of development that bear no relation to the nature of the problem. Their concern is not so much to solve a problem on its own terms as to realize an image of the world.*

Attributing the institutional failures and weaknesses of the African state, and the vicious cycle of recurring political instability and lack of accountability they engender, to market distortions and imperfections, in closed political systems, with their routinised denial or suppression of individual choices and options in the political market place, neo-liberal protagonists see the solution in the politics of individualism and self-interest, in other words, in political "exchanges among rational self-interested citizens" (March and Olsen, 1995:6).

At the level of economic and social policies, this market orthodoxy gave rise to unpopular structural adjustment policies, which ignited a tinderbox of popular unrest (Beckman, 1992; Gibbon, Bangura and Ofstad, 1992; Laakso and Olukoshi, 1996). What it also did, among others of its effects, for example, was to heighten ethnic antagonisms in situations where market assumptions of competition and possessive individualism did not exist. This was due to historic access obstacles to capital needed to purchase shares in privatised companies, experienced by a

number of ethnic group members, especially in countries where a number of other ethnic groups control state and private banks.

As Laakso and Olukoshi (1996: 21) have observed, structural adjustment programmes, resulting in "the severe contraction of the state's social expenditure":

> *heightened the process of uneven development, which corresponds, in a lot of cases, to clear regional and ethnic divisions, thereby heightening political tensions. Nowhere has this latter dimension been more evident than in the consequences which public enterprise privatization has had in some cases. An intensive competition for the assets that are to be privatized together with an unequal capacity to pay for shares often takes on clear regional and ethnic patterns, thus deepening the feeling of exclusion among some groups with adverse consequences for the task of nation-building (See also, Adekanye, 1995; and Osaghae, 1995).*

If economic liberalisation was problematic because of ethnically-based market distortions and imperfections, it was even more problematic in the political arena where neo-liberalism has tended to conflate the problem of democracy in Africa with transitions to liberal democracy in which rational voters expectedly participate as individuals, having shed their ethnic togas or identities. In this way, it fails to address the implications of the cultural problem of ethnic pluralism in deeply divided African societies for electoral competition based on the simple majoritarian principle in liberal democratic theory.

Ethnicity and Political Architecture

If the state is the central contested hegemonic terrain in Africa, where ethnic conflict takes place and assumes, sometimes, deadly dimensions, what modifications or alterations in the constitutional and political architecture of the state are more appropriate than ones based on neo-liberal, individualistic assumptions to structure and direct the conflict to manageable proportions?

With negotiated or brokered democratic transitions that have taken place in Africa in the past 15 to 20 years, fresh opportunities have been thrown up, and particularly in Francophone African countries, where sovereign national conferences were convoked, to revisit inherited political and constitutional arrangements that followed the transfer of power, as a strategic design objective to strengthen and consolidate democracy in many African countries.

In many African countries, these transitions were manipulated, or brazenly and blatantly "stolen" by incumbents to remain in power, with the result, that "more often than not, people are voting without choosing" (Ake, 2001:137), in what Mkandawire (1995, quoted in Laakso and Olukoshi, 1996:27) describes as "choiceless democracies".

However, with notable exceptions in Ethiopia, Nigeria and South Africa, these brokered transitions have hardly addressed the fundamental issue of the management of ethnic conflict.

This leads to the question of the relationship between ethnicity and political architecture posed at the beginning of this section. What reasons are there to

believe that some other political and constitutional arrangements are more appropriate or better suited than those premised on neo-liberal individualistic assumptions to contain, structure and manage ethnic conflicts? Are there forms of government that accommodate ethnic diversity better than others? What strategic (confidence-building/confidence-reinforcing) institutional arrangements can best attenuate centrifugal ethnic competition?

To answer these questions, I begin by providing a theoretical framework for my answer, which combines elements of federalism (Livingston, 1967; Riker, 1957; Watts, 1999 and Wheare, 1963) and consociationalism (Lijphart, 1968; 1977).

First, there must be an acceptance of collective ethnic group rights as substantive rights, which require protection and must be entrenched in constitutional provisions.

Second, these ethnic group rights require entrenched power-sharing constitutional provisions, under some form of polycentric constitutional arrangements, like federal or similar devolutionist but not decentralist ones, which, emphasising 'diversity in unity,' create two juristic entities, two levels of government, within the country, with each having direct impact on the country's citizens, within its jurisdictional sphere.

The power-sharing arrangements, as will be elaborated below, must reflect ***ethnic****, as opposed to* ***geographical diversities****, and are premised on the explicit formulation of ethnic groups as rights bearing collective entities.*

For example, the U.S. federal system is based on geographical as opposed to ethno-cultural diversities, and affirmative action-type legislation has been typically justified, as a matter of *ad interim* public policy, not on the basis of constitutionally entrenched ethnic group rights, but on the need to redress historically based discrimination against blacks and members of other racial or ethnic minorities, in violation of their constitutionally guaranteed individual, and not group rights. This is, indeed, why the theoretical foundations of U.S. federalism on a framework of individual rights are inapplicable to managing ethnic conflicts in Africa, despite the conclusion of Thomas-Wooley and Keller (1994:427) that "...the American system may prove particularly well-suited to address the complex needs of heterogeneous societies in Africa".

These entrenched polycentric power-sharing arrangements, therefore, require, at a minimum the following:

(a) granting limited autonomy or self-government to 'significant' ethnic groups in their ethnic heartlands;
(b) constitutionally providing for their 'equitable' representation, under some agreed formula, in the executive, legislative and judicial branches of government at the centre;

(c) providing for a statutory/scheduled executive body, under the constitution, to monitor and apply sanctions for non-compliance with the power-sharing arrangements, especially in federal/central appointments in the executive and judicial branches;
(d) specially entrenched conditions, under which the constitution can be amended, for example for the creation of autonomous unit level government for other ethnic groups, or abrogated, or suspended; and;
(e) a constitutional arbiter to exercise judicial review, particularly to settle constitutional disputes arising from conflict over jurisdictional matters and fields of competence of each level of government.

The way I have formulated the framework for these polycentric arrangements makes no distinction between *majority* and *minority* ethnic groups, as *collective rights bearing groups*, as is done, for example by Kymlicka (1995), in his specific focus on national minorities, as rights bearing ethnic groups.

Culture, Autochthony and Political Architecture

Rather, it is based on a particular view, derived from the African experience, of how to structure the relationship between culture and rights, on the one hand, and political and socioeconomic development, on the other hand. Like Kymlicka's (1995), my formulation requires some form of *differentiated* or *fractured citizenship*. But in my own case, this fractured citizenship represents a form of *balance of terror,* to protect ethnic group rights *per se,* not of particular ethnic groups, under the polycentric arrangements I have sketched.

If ethnic groups are rights bearing, in the sense of their entitlement to home-rule under polycentric federalist or decentralist arrangements, then the differentiated citizenship rights deriving from the arrangements, relating for example to cabinet appointments, other top public political appointments, admission to public educational institutions, among others, must generally apply to all of them, not specifically to some disadvantaged ethnic groups among them, unless reasons of historically based disadvantage, for example in education, dictate otherwise as a measure of public policy.

Two further observations are relevant in the context of my argument linking the political framework or design sketched above to what I call "the African experience".

The first one is with respect to Amilcar Cabral's famous injunction about the need for the African political class to "return to the source", and Fanon's (1968: 99) injunction that, "the underdeveloped countries ought to do their utmost to find their own particular values and methods and a style which shall be peculiar to them". But they unambiguously situate their injunctions within the framework of a participatory democratic politics, which closes the gap between town and country through accountability mechanisms and polycentric political arrangements, which establish "...a large number of well-informed nuclei at the bottom" (Fanon, 1968:194).

What both Cabral and Fanon's position points to is the relevance of *tradition*, not *traditionalism* to modernity; in the sense that the state-formation processes in Africa, particularly the constitutional architecture, which frames the processes, must draw from African sources and tradition.

Of course, that tradition is itself a complex and contested one, and reconstructing a representative model of traditional African political systems, as Lloyd (1965:99–106) has pointed out, is problematic. But his "synthetically constructed" model of African kingdoms delineates three levels of political administration, the metropolitan area, the peripheral units and the sphere of influence, necessitating a distinction between the political structure at the centre and at the periphery, such that the villager is subject to two levels of administration (Lloyd, 1965:71).

The existence of a high degree of decentralisation in a number of African traditional political systems led Eisenstadt (1959), among others, to distinguish between the centralised monarchy, for example, the Zulu, Ngoni, Swazi and Tswana, and the federative monarchy, for example, Bemba, Ashanti, Pondo and Khoisa. According to him, the difference between the two kinds of kingdoms lies in:

> *the degree to which (a) the major groups regulate their own affairs in various spheres, and (b) the extent to which the major political offices are vested in various ascriptive groups or, conversely, the extent to which the political sphere is organized on a level different from that of local kin and economic spheres (Eisenstadt, 1959:211).*

The "*federative monarchy*", with its emphasis on decentralisation and power-sharing mechanisms or institutions provides a model, from which current democratic transitions in Africa can draw.

My second observation is that using ethnic groups as the autonomous units for the constitution of the power-sharing political arrangements I have sketched, is arguably justifiable by a reading of *The African Charter on Human and Peoples' Rights* (n.d.)

Article 20 (1) of *The African Charter* recognises and provides that,

> *All peoples shall have the right to existence. They shall have the unquestionable and inalienable right to self-determination. They shall freely determine their political status and shall pursue their economic and social development according to the policy they have freely chosen.*

Article 22(1) stipulates that:

> *All peoples shall have the right to their economic, social and cultural development with due regard to their freedom and identity and in the equal enjoyment of the common heritage of mankind.*

In the following sections, I provide a brief account of two African countries, Nigeria and Ethiopia, to illustrate the power-sharing arrangements I outlined above.

Some Power-Sharing Examples: Nigeria

Historically, Nigerian power-sharing arrangements have been based on ethnic, as opposed to geographical, diversity. The roots of these arrangements lie deep in the administrative federalism, implied in the gradual division of the country into two administrative units, the Northern and Southern Protectorates, between 1900 and 1914, by the British colonial administration.

The dual administrative system created, over the years, and with the increasing intensity of nationalist agitation for independence, created its own dynamic logic, in the form of the regionalisation or ethnicisation of party politics, in the gradual emergence of the Nigerian federation through a series of constitutional developments between 1922 and 1960, and, to use Bates' (1983) expression, in another context, in the "differential diffusion of modernity", among the various ethnic groups, creating "advantaged" and "disadvantaged" ethnic groups, which saw in federalism the strategic advantage of preserving some form of home-rule, within their respective homelands in the Nigerian state, while remaining in the federation.

It was in the context of the dynamic logic of this administrative federalism that the emergent Nigerian political class, influenced by the Indian federal experiment, particularly the revision of its federal system along ethno-linguistic lines, under the States Reorganisation Act of 1956, adumbrated a theory of Nigerian federalism, based on home rule for significant ethno-linguistic groups in the country.

With the emergent federal system based on ethnic diversity, with its initial tripolar constituent units, East, North and West, reflecting the region in which each of the three major ethnic groups was the dominant ethnic group (namely the Igbo in the East, the Hausa/Fulani in the North, and the Yoruba in the West), it was only a matter of time before minority ethnic groups, smarting under domination, began to advocate for home-rule within the Nigerian federation.

This is not the place to go into the turbulent, violent centrifugal trajectories of the numerous political movements demanding the creation of more states by minority ethnic groups and by sub-ethnic groups of fragmented ones in the country. What needs pointing out here is that the basic ethnic power-sharing structure of the country's federalism provided and continues to provide a constitutional and political framework, within which ethnic groups have articulated their demands; so much so that the constituent units of the federation have increased from the initial three regions in 1960 to the present 36 states, and a federal capital city, making it the country with the third largest number of constituent units among contemporary federations, coming after the United States with 50 units, and the Russian Federation with 86.

Yet sometimes, as during the events that led to the country's civil war between 1967 and 1970 (Jinadu, 1994), and the current clamour for the restructuring or re-engineering of the federal system, to make it reflect "true federalism", various ethnic groups have raised compellingly understandable concerns about the price

of federalism, arising out of their calculation and perception that the costs to them of staying in the federation is prohibitively high, and outweigh the benefits of their continued stay within it.

The following are some central elements in the power-sharing arrangements in the Nigerian federal system.

(a) **Federal System of Government**: Under this arrangement, ethnic groups are given home-rule in their heartlands, under a polycentric system of government which shares sovereignty between two levels of government, the central/national/federal government, and the unit/state governments, through specified legislative lists (namely, a federal exclusive list, a joint federal/state concurrent list, with the residue left to the states), which enable each level of government to impact directly on the citizen. The system guarantees rule of law, judicial review, and a separation of powers between the branches of government.

(b) **The Federal Character Constitutional Clauses**: These constitutional clauses guarantee representation in specified public political positions, in public service appointments, in public institutions generally, and in the allocation of national projects at the national/federal level to each of the constituent unit/state government.

The *federal character clauses* of Section 14(3) of the **1979 Nigerian Constitution,** repeated with appropriate modifications in the sections dealing with the executive and legislative functions of the unit/state governments, stipulate that:

> *The composition of the Government of the federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to reflect the federal character of Nigeria and the need to promote national unity, and to command national loyalty, thereby ensuring that there shall be no predominance of persons from a few states or a few ethnic or other sectional groups in that government or any of its agencies.*

Under Section 157(5), Section 197(2) and Section 197, *the proportionality or quota principle*, inherent in the federal character clauses, was extended to appointments and promotions in the public services, the appointments of chairpersons and membership of the Boards of Directors of parastatals, appointments and promotions in the armed forces, the allocation of public revenue and distribution of public projects, the composition of a number of federal executive bodies and admission to federal secondary schools and federal universities.

Section 153 of the **1999 Nigerian Constitution** established **the Federal Character Commission**, as a federal executive body, empowered in Section 8(1) of the Third Schedule of the constitution to oversee and monitor the implementation of the federal character clauses, as follows:

(a) work out an equitable formula subject to the approval of the National Assembly for the distribution of all cadres of posts in the public service of the Federation and of the States, the armed forces of the Federation, the Nigeria Police Force and other security agencies, government-owned companies and parastatals of the States;
(b) promote, monitor and enforce compliance with the principle of proportional sharing of all bureaucratic, economic, media and political posts at all levels of government;
(c) take such legal measures, including prosecution of the head or staff of any Ministry or government body or agency which fails to comply with any federal character principle or formula prescribed by the Commission; and, as provided for in Section 8(3) of the Schedule,
(d) Notwithstanding any provisions in any other law or enactment, the Commission shall ensure that every public company or corporation reflects the federal character in the appointment of its directors. and senior management staff.

Some Power-Sharing Arrangements: Ethiopia

In Ethiopia the state-formation process, under Amhara hegemony, began with the unification of the Abbysinian Empire. It assumed the form of a centralised bureaucratic empire, which saw the expansion of the emergent, Amhara-dominated Ethiopian state southwards to incorporate other ethnic groups, Oromo, Gurage, Wollamo and Kefa.

However, the incorporation process involved the subjugation of the incorporated ethnic groups, who came under Amhara domination, with their languages, identities and cultures suppressed, and forced to identify with the Amhara ethnic group (Kefale, 2003:258–259; Mengisteab, 2002:179–180; Clapham, 1994: 31).

But Amhara hegemony did not go unchallenged, as the history of violent uprisings and resistance against Amhara hegemony makes too clear: the Raya-Azebo revolt in 1928, the Woyane rebellion of Tigrai, in 1943, the Eritrean Revolt in 1962, the Bale revolt of 1964 and the 1968 uprising in Gojjam (Mengistreab, 2002: 180).

The federal accord between Ethiopia and Eritrea in 1952, brokered by the United Nations was ineffectual and no sooner had it been signed than it was suspended by Emperor Haile Selassie. This was the background to the Eritrean revolt which went on into the 1990s.

The military regime, the *Derg*, which came to power in 1974 after the overthrow of Emperor Haile Selassie, contrary to all expectations, continued the policy of Amhara domination, through military offensive against other ethnic groups, fuelling and further aggravating unrest and disquiet in the country.

It was in this context that a number of ethnic-based resistance movements engaged the regime in various ethno-regions of the country: the Eritrean Liberation Front (ELF), the Eritrean Peoples' Liberation Front (EPLF), the Tigray People's Liberation Front (TPLF), the Oromo Liberation Front (OLF), the Afar Liberation Front (ALF), and the Western Somali Liberation Front (WSLF).

Contrary to Lustick's (1979; 1980) formulation of the control model of the management of ethnic conflict, the resort to military solution of the ethnic problem in Ethiopia by the *Derg* was counterproductive and contributed largely to its overthrow in July 1991 by a coalition of ethnic movements, made up of the TPLF, the Ethiopian People's Democratic Movement (EPDM), which later became the Amhara National Democratic Movement (ANDM), and the Oromo People's Democratic Organization (OPDO), under the aegis of the Ethiopian People's Revolutionary Democratic Front (EPRDF).

The EPRDF formed a transitional government, after earlier conceding Eritrea's right to secede, and endorsing a transitional charter, which provided as follows:

> *The rights of nations, nationalities, people to self-determination is affirmed. To this end, each nation, nationality and people is guaranteed the right to:*
> *(a) preserve its identity and have it respected, promote its culture and history and use and develop its language;*
> *(b) administer its own affairs within its own defined territory and effectively participate in the central government on the basis of freedom and fair and proper representation;*
> *(c) exercise its right to self-determination of independence, when the concerned nation/nationality and people is convinced that the above rights are denied, abridged or abrogated.*

A new federal constitution for the country was ratified in December 1994, with the following federal and power-sharing arrangements:

(a) The election of a 550-member Council of People's Representatives, from all electoral districts on the basis of population;
(b) Special representation on the Council of People's Representatives for minority nations, with 20 seats reserved for them;
(c) Creation of 10 ethnic-based states, with provision for the creation of more states on the basis of ethnic group right;
(d) Creation of the Federal Council, made up of the constituent nations of the federation, with each nation represented by one member, and another member for each million of its population. The functions of the Federal Council are to: deliberate and decide on claims by nations for self-determination, arbitrate in disputes between states of the federation, and determine allocation of revenues derived from joint federal and state taxes and subsidies by the central government to the state.

Some Concluding Remarks

How well these power-sharing arrangements can accommodate and manage ethnic conflict in such a way as to attenuate or make less salient ethnic conflict is a difficult question to answer. It is in fact not my intention here to answer that question.

My concern rather is, given my situating the salience of ethnic conflict in the character of the state as a partisan in, and a major source of ethnic conflict to

hypothesise that, if this is indeed the case, we may reasonably expect to lessen rather than deepen ethnic conflict by changing the character of the state and making access to it more inclusive. It seems to me that one strategic way of achieving this objective is through the type of power-sharing arrangements I have tried to sketch.

These arrangements divide and structure the sovereignty of the state in such a way that significant ethnic groups have their own "sovereignty" within their local spaces, while entrenching their participation within the national sovereign space through provisions for mutual control of the state at that level. This shared participation within this national jurisdictional space or sphere seeks to prevent the domination of that particular space by an ethnic group or coalition or combination of ethnic groups.

I am aware that there are bound to be problems with the arrangements. For example, in the Nigerian case, there is a raging controversy over citizenship questions raised by the differentiated citizenship created by the federal character clauses (Jinadu, 2002; Momoh, 2001; Toure, 2003). In Ethiopia, there is talk of a new ethno-imperial domination by the Tigray ethnic group (Mengisteab, 2002:184).

If we shift our attention from national spaces to the global space, we find similar identity-based contention over spaces, over multiple sovereignties and over differentiated citizenships, which create mutual antagonisms, breed discriminatory policies, restrict access, and impair competition, which would irritate world federalists and functionalists.

All of this is to be expected. It poses the enduring problem of how to seek and build peace and development on a global scale.

One solution leads to a new set of problems, requiring and giving rise to new solutions, which in their turn create new problems. And so the drama of human existence continues in a dialectical way. What else can one say?

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