

# State Building and National Identity Reconstruction in the Horn of Africa

Edited by  
**Redie Bereketeab**



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*Editor*

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## ABBREVIATIONS

AMISOM	the African Union's peacekeeping mission in Somalia
AU	African Union
BNS	Blue Nile state
CAR	Central African Republic
CPA	Comprehensive Peace Agreement
DDR	demobilisation, disarmament and reintegration
DRC	Democratic Republic of the Congo
EDS	East Darfur state
EU	European Union
FGS	Federal Government of Somalia
GNU	government of national unity
GOS	Government of Sudan
GOSS	Government of South Sudan
GRSS	Government of the Republic of South Sudan
IDP	internally displaced person
IGAD	Intergovernmental Authority on Development
MDG	Millennium Development Goal
MP	member of parliament
NCP	National Congress Party
NIC	National Interim Constitution
NGO	non-governmental organisation
OAU	Organisation of African Unity
PBUH	peace be upon him
SDS	South Darfur state
SKS	South Kordofan state
SNM	Somali National Movement
SPLA	Sudan People's Liberation Army

SPLM	Sudan People's Liberation Movement
SSAF	South Sudan Armed Forces
SPM	Somali Patriotic Movement
SSDF	Somali Salvation Democratic Front
SSP	South Sudanese Pound
SYL	Somali Youth League
TA	traditional authority
TAP	two areas protocol
TFG	Transitional Federal Government (of Somalia)
TI	traditional institution
TNC	Transitional National Charter
UAE	United Arab Emirates
UAR	United Arab Republic
UDUB	United People's Democratic Party (Ururka Dimuqraadiga Ummada Bahowday)
UIC	Union of Islamic Courts
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
USC	United Somali Congress
WKS	West Kordofan state
WNS	White Nile state

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## PART I

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# Context and Concepts

In this part, state reconstruction, state building and national identity reconfiguration following secession and post-transition are explored. While state building relates to state construction *ab initio*, state reconstruction refers to the rearrangement of the state following state collapse and secession, as in Sudan and Somalia. National identity reconfiguration pertains to the political construction of an overarching supraethnic and supraclan identity following secession and state collapse.

# Introduction: Challenges of State Building, State Reconstruction and National Identity Reconfiguration

*Redie Bereketeab*

## INTRODUCTION

This book seeks to examine the process of state building and nation building in the Horn of Africa, and to contribute to the general debate in the continent of Africa. This chapter in particular discusses state building, state reconstruction and national identity reconfiguration in Sudan, South Sudan, Somalia and Somaliland. South Sudan was once part of Sudan, and Somaliland was once part of Somalia.

South Sudan is the latest state in the world to secede, following a popular plebiscite in January 2011. It was immediately recognised by the international community. By contrast, Somaliland declared its independence following the collapse of the Somali state in 1991, but it has yet to obtain international recognition for its sovereignty (Walls 2014). Both Somaliland and South Sudan were instantly plunged into the arduous pro-

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cess of state building. Somalia has embarked on the resuscitation of the state following the end of its long transitional period in August 2012. The state-building process there also involves determining its relationship with Somaliland. Meanwhile Sudan, following the secession of South Sudan, is also engaged in state reconstruction. The ruling party in South Sudan is determinedly pursuing a unitary state-building project along the lines of modernity, while Somaliland combines modern and traditional institutions and authorities. Somalia and Sudan are both pursuing a federal system.

Overall, three distinctive models of state building, federal, unitary, hybrid of modern and traditional, are taking place in the four countries. In addition, the cases represent the two theoretical distinctions between state building and state reconstruction. While state building pertains to the building of a new state, state reconstruction refers to the rearrangement of the state following a split or state collapse. In practice, however, the distinction is blurred.

Studies of state building and state reconstruction demonstrate that there is a direct link between the nature of the state and festering conflict. This requires us to examine rigorously the nature and modalities of state building and state reconstruction. We need to take stock of three modalities that characterise the general literature on the subject in order to come closer to a propitious model of state building and state reconstruction that brings peace, stability and development following secession and state collapse.

The four countries (Sudan, South Sudan, Somalia and Somaliland) not only face the challenges of state building and state reconstruction but must also reconstitute their national identities following secession and transition. Post-secession identity reconstitution in both Sudan and South Sudan needs to be geared to a new dispensation and requires a new approach. In the case of Somalia, the challenge is the resuscitation of a national identity in the post-transition period when the country is trying to compose the different units that will constitute the post-transition federal state. With reference to Somaliland, the concern is how national identity should be reconfigured vis-à-vis the rest of Somalia.

The secession of South Sudan did not result in homogenous societies in either Sudan or South Sudan. Both countries need to reconfigure their national identities according to these new realities. South Sudan remains a multiethnic, multireligious and multilingual society. The same is true of Sudan following the separation of South Sudan. This societal setting poses a challenge to national identity reconfiguration.

Somalia is widely perceived to be ethnically homogenous. However, it has gone through a very destructive process that reflects the contested nature of national identity in that tormented country. Beyond any doubt it demonstrates national identity as a political issue, transcending ethnic homogeneity and cultural stringency.

The literature on national identity recognises its multilayered nature. Perhaps the civic versus ethnic conception of identity is a good starting point. It assumes that ethnic identity may serve at the subnational and cultural community level, while the civic constellation may serve at the national level and provide a supraethnic political national identity (Bereketeab 2011b, 2014).

In a nutshell, post-secession state reconstruction demands that the issue of identity be adequately addressed. Sudan and South Sudan must define and reconfigure their national identities following their split. Somaliland is engaged in a perpetual endeavour to reconstruct its national identity in opposition to the rest of Somalia. Somalia must also reconfigure its national identity to accommodate its post-transition reality.

In its methodological dispensation, the anthology adopts a multidisciplinary and mixed approach. The rationale for this multiplicity stems from the fact that the cases studied display a multitude of differences in historical, social, cultural and political formation, but also from the disciplinary variation among the contributors. The body of material that constitutes the data for the volume also springs from various sources. First, primary and secondary data are employed. Second, public and private information, and literature review data, are systematically used. Third, fieldwork, participatory and ethnographic data-gathering methods have enriched the data source. Fourth, the contributors have also drawn on their personal experiences.

The contributors come from different academic backgrounds. They are also involved, to various degrees, in their respective country's politics, conflicts, peace negotiations, civil society activities, development projects, state building and so on. This active participation in the affairs of their respective nation enables them to possess deep and valuable insights and information about their country, which have been of great value and strength to the work. Some of the scholars are also activists who have privileged knowledge about the political situation in which they are involved in shaping and reshaping the future of their nation. All of these have been fruitful assets in writing the chapters in the sense that the contributors are highly knowledgeable about their subject.

## CONCEPTUALISING STATE BUILDING, STATE RECONSTRUCTION AND NATIONAL IDENTITY RECONFIGURATION

Here three concepts are in play: state building, state reconstruction and national identity reconfiguration. These are employed in this introductory chapter to denote three analytically distinct yet interlinked processes. For the purposes of this book, state building refers to building a state *ab initio*, while state reconstruction is understood as the act of rearranging an existing state following a split or collapse. It could also be said that the distinction draws on the tradition of state formation and state building, where the former concerns spontaneous, protracted and evolutionary development, while the latter concerns purposive, intentional planned construction. National identity reconfiguration, for the purpose of this anthology, is conceived as an endeavour to reset, rearrange and reposition national identity in the aftermath of a split or state collapse, and post-transition. Hence state building applies to Somaliland and South Sudan, and state reconstitution to the ailing states of Somalia and Sudan, while national identity reconfiguration addresses the challenge of reconstituting national identity in the overall process of nation building and nation formation. It should also be noted that while state building and state reconstruction denote setting national political institutions, national identity connotes feeling, sentiment, consciousness, cognition, belonging and commonality that generate the will to live together. In other words, while “state” denotes political organisation, “nation” denotes consciousness and sentiment (MacCrone 1998; James 1996). In this and the following two sections, I analyse state building and state reconstruction. The section that follows will then examine national identity reconfiguration.

Three basic conceptual genres loom large in the discourse on modern state building: institutionalisation, bureaucratisation and democratisation of the state. These three notions are the benchmark deployed to appraise modern states. A modern state, it is argued, should partly or wholly have these features.

First, institutionalisation relates to effective enforcement of state authority over society through specially created political structures and organs. From this perspective, political institutionalisation is understood as the state-building process par excellence (Kamrava 2000; Poggi 1978). It is taken to mean the development of a functioning and enduring state and societal institutions that lead to coherence and harmony. It is also

perceived as the process of constructing and reinforcing sustainable institutions.

Broadly defined, institutionalisation entails the setting up of social, political and economic institutions, such as legislative, executive and judicial arms, as well as civil society associations. It also involves functional, accountable and transparent banking/auditing systems, which are transaction regimes that coalesce to metamorphose the state. In the African setting, however, different aspects of institutionalisation need to be taken on board. These are invariably identified as informal, traditional, indigenous and modern—colonially imposed and post-colonially imported. The informal institutions were once formal but were relegated to informality by colonialism (Englebert 2000; Mengisteab 2009), yet they still have significant leverage, at least in rural society.

The second notion, bureaucratisation, is associated with a process leading to a system of rule by administrative office. This Weberian view of state building focuses on the development of the civil service and the routinisation of administration, which give rise to neutrality and objectivity in relations between the administration and the citizen, as opposed to the patrimonial, personalised and clientelist exercise of office. Bureaucratisation involves the promotion of administrative professionalism and meritocracy (Evans 1989; Chabal and Daloz 1999). It also denotes development of the rule of law, and officials who follow long career paths within the bureaucracy, generally operating in accordance with rules and established norms. The presumption is that the modern state presupposes the emergence of a secularised, non-personalised, meritocratic system of governance. Modernity brought with it bureaucratic centralisation whereby a dominant elite, with concentrated power, controls, steers and exercises power. A normative perspective is that a modern state is predicated on legal-rational authority (Weber 1948), whereby individuals entrusted with public office discharge their roles and power according to a legally defined hierarchy of roles and authority directed towards publicly acknowledged objectives. Bureaucracy, it is argued, demands that these public office holders obey strict rules and treat the office as being in the public domain (Evans 1989).

The third notion, democratisation, refers to the construction of institutions of divided power. It concerns the process by which a democratic governance system is set in motion. Democratisation refers to a genuine spreading of power in society, leading to enhanced popular control over national choices. It facilitates basic freedoms, such as those of expression,

demonstration and association, it minimises arbitrary and dictatorial rule, and it holds the ruling elite accountable for its actions (Bratton and Van de Walle 1997; Kohli 2003). It also ensures power sharing among diverse elites to foster state building. Although, historically, they were not conflated, it has increasingly become apparent that modern state building and democratisation are intimately connected (Mengisteab and Daddieh 1999).

However, this conflation has a downside in the state-building process in fragile African societies. Democracy, in its liberal version, presumes enfranchising the general populace as individuals with the aim of influencing decision making. This also presupposes the integration of various ethnic and societal groups in ways that define their relationship with the state and how decision-making is carried out. Democratic negotiation and compromises between various groups impinge on issues such as centralisation/decentralisation of power, individual rights, minority relations, electoral systems and state intervention in the private and public realms. This may render state building in Africa precarious. In this sense, it is proposed that African societies pursue their own variant of democracy that is harnessed to the project of state building. The overarching liberal democratic dispensation may at times have a counterproductive effect on state building and state reconstruction, at least in the short term. Significantly, in an African pluralistic setting, representation and equitable participation in the state and in state affairs should, rather, make democracy meaningful.

African reality may therefore require that democracy be arranged in a way that the rights of nations are respected without intruding on the rights of individuals and groups. This would enhance state building and nation building. Admittedly, democratisation renders the state more transparent and helps make it more suitable for advancing social interests. This transformation, in turn, strengthens the state both by enhancing its legitimacy and by integrating different entities.

Democratisation understood as building functional and sustainable state institutions stands at the centre of the state-building process. However, institutions in post-colonial African societies are divided into two types. The modern institutions that were transplanted by colonialism and imported by the post-colonial state were elevated to formality, while traditional institutions were relegated to informality (Mengisteab 2009; Englebert 2000). This spawned two publics: the urban and the rural (Ekeh 1975). This condition engendered fragmentation of institutions and, inevitably, institutional clashes. Viable state building therefore

presupposes striking a balance between the two institutional heritages (Bereketeab 2011a).

In addition to modern institutions and structures, we therefore need to take other dimensions into consideration when we talk of state building in African settings. One of these pertains to the role of traditional informal institutions, authorities, mechanisms and practices in state building. The significance of these traditional institutions is two-fold: (1) they cater to the overwhelmingly rural population and (2) they have proved to be resilient. All efforts by modernist state builders have been unable to completely dislodge them. These institutions set limits to liberal-democratic state building. However, they also serve to enfranchise and empower the rural population, thereby affording the state wider legitimacy. Another dimension to be taken into consideration in state building is the legacy of prolonged liberation struggle. In this case, the agents of state building are often the liberators, who derive their legitimacy from the fact that they brought independence. Thus the state-building process may assume different form and content. Two issues that need to be taken on board are the transition from liberation movement to civil governance and the transformation of the liberation political culture.

National liberation movements as bearers of state building derive their legitimacy from their revolutionary credentials (Johnson 1999). Revolutionary legitimacy is by its very nature unstable and fluid, and in time it needs to be routinised and institutionalised. The difficulty that national liberation movements-cum-state builders encounter is the transition to a regularised political culture and civic governmentality that heeds the extant societal context. It is this difficulty of transition that makes state building in post-liberation settings so challenging.

### STATE BUILDING: SOMALILAND AND SOUTH SUDAN

The phenomenon of post-secession state building is rare in Africa. From a strictly legal and theoretical perspective, few cases qualify as secession: indeed, it is only South Sudan that might fit such a definition of secession. In the case of Somaliland, secession seems not to fit because the territory was a colonial artefact. The principle of decolonisation conferred on it the right to construct its own statehood (Bereketeab 2014). Decolonisation resulted in the emergence of the sovereign state of Somaliland on 26 June 1960. After a mere four days of independence, it dissolved its statehood and voluntarily joined hands with Italian Somaliland to found the Somali

Republic on 1 July 1960 (Walls 2014). Here it could, of course, be argued that Somaliland exhausted the right to self-determination by voluntarily abrogating it.

Some 30 years later, in 1991, Somaliland declared its independence following the collapse of the Somali state. This declaration was perceived by nationals as retrieving what they had voluntarily given up, rather than as secession (Bradbury 2008; Walls 2014). Indeed, many inhabitants of Somaliland claimed that they joined the union on the assumption that the five territories inhabited by ethnic Somalis (Italian Somaliland, British Somaliland Protectorate, French Somaliland, Ogaden and the North Eastern Province of Kenya) would constitute the new Somali union. When this pan-Somali project failed, the union between Somalia and Somaliland also failed (Duale 2014).

The Somali National Movement (SNM), which participated in the overthrow of the Siad Barre regime, assumed power over the self-declared independent state. Somaliland thus embarked on the arduous process of state building anew. The SNM promised two years of transition that would be followed by an election. In 1993 it was compelled to hand over power to civilians, thereby paving the way for the installation of a civilian government. So far Somaliland has held four successful democratic elections (1993, 2000, 2003, 2010), strengthening the state-building process. It is a *de facto* state awaiting *de jure* statehood (Ahmed 2014).

Somaliland has two legislative chambers: the House of Representatives and the House of Elders (or *Guurti*). The latter thus became part of the formal political system. The *Guurti*'s original task was mediation and conciliation of conflicts. Thus Somaliland has combined traditional indigenous and modern institutions and authorities in its state-building process. In the *Guurti*, traditional elders selected by their clan exercise authority in their respective spheres of influence. Modern institutions are evidenced by the elected national legislative assembly. Many observers have commended Somaliland for combining modern and traditional (Walls 2014; Bradbury 2008). This conflation is believed to have contributed to the relative peace and stability in the country over the last 25 years.

More than 50 years of struggle for the right of self-determination culminated in the emergence of the Republic of South Sudan in July 2011. Unlike Somaliland, South Sudan was not a colonial artefact, and its quest for self-determination fully meets the definition of secession. It was part of the Anglo-Egyptian Condominium, although the territory was not adequately integrated (Johnson 2003). Indeed, under the British system

of indirect rule, South Sudan was ruled separately, an experience that possibly sowed the seeds of its separate territorial identity. The quest for self-determination was based on this identity.

The negotiated settlement of the secession involved the ruling National Congress Party (NCP) and the rebel Sudan People's Liberation Movement (SPLM), whose involvement conferred legitimacy on the movement's later role as state power bearer in South Sudan. The SPLM was the uncontested torch bearer of state building on the grounds that it led the final phase of the struggle (Rolandsen 2005). State building in South Sudan faces a number of challenges, however. One relates to establishing functional and viable state institutions. Unlike the SNM in Somaliland, the SPLM chose to pursue a different model of state building, predicated on two models. The first is a modernisation-informed centralist model, and the second ensures the dominance of the liberators. Former traditional institutions are at a formal level given at best a negligible role in state building, whereas in the transition to a civic state the transformation of the national liberation political culture is deferred.

Both models have crucial implications for the state-building project. It cannot be emphasised enough that modern and traditional institutions need to underpin the institutional dimension of state building if South Sudan is to be spared post-liberation crisis. In this regard, the additional challenge that the SPLM faces pertains to the transition from liberation movement and liberation political culture to civilian government and civic culture. Moreover, civil and civic state building will require a shift from SPLM/Dinka ethnic domination and embracing an inclusive, pluralist and equitable societal constellation.

## STATE RECONSTRUCTION: SOMALIA AND SUDAN

The common hallmark of Somalia and Sudan is that they both experienced a split. While in the case of Sudan part of it was immediately recognised as a sovereign state, thereby foreclosing continuing disputes, Somalia is still grappling with the unfinished matter of the self-declared independent ex-territory of Somaliland. Both countries are also involved in the process of state reconstruction following these splits.

With the election of a president on 10 September 2012, the transition period in Somalia came to an end and the post-transition period officially commenced (Hammond 2013; Skeppström and Nordlund 2014). The transitional institutions (like the legislature) were made permanent, but



the constitution is still transitional. However, post-transition state reconstruction faces formidable challenges. It involves a federal dispensation that includes the Federal Government of Somalia (FGS), a transitional federal constitution and federal institutions. The FGS is now recognised by the United Nations (UN), the African Union (AU), European Union (EU) and the United States (USA) as the legitimate representative of the Somali people. This recognition rests on the territory that existed before the collapse of the Somali Republic in 1991, which complicates Somaliland's quest for recognition. The federal dispensation is much debated among Somalis because it is steadily assuming a clan form. Critics assert that federalism was imposed on the Somali people (Skeppström and Nordlund 2014: 25; Hammond 2013). Two challenges are highlighted: (1) what will the component units of the federation be and (2) will a federal dispensation be compatible with the Somali reality? Discord on these issues is negatively influencing the post-transition state-reconstitution process.

The proposed components of the emergent Somali Federal State are (1) Jubaland; (2) Southwest Somalia: Bay, Bakool and Lower Shebelle; (3) Hiran and Middle Shebelle; (4) GalMudug (Galgaduud and Mudug); and (5) Puntland. The status of Somaliland has yet to be resolved amicably. Hence a bilateral dialogue between Mogadishu and Hargeisa (the capitals of Somalia and Somaliland, respectively) has begun on the issue of state reconstruction but seems not to have led to serious negotiation. State reconstruction in Somalia is marred by conflict and contradiction because it involves heavy handed intervention by neighbouring states. Although Al-Shabaab has been driven out of the main urban centres and may be in retreat, it still controls large parts of the rural areas. It also carries out deadly attacks in the towns that it was forced to abandon, particularly Mogadishu. It seems therefore that the solution to the Somali predicament is political rather than military. All of these circumstances have highlighted the fragility of the post-transition state-reconstruction process (Menkhaus 2014). Consensus on state reconstruction among Somalis is distinguished by its absence. The federal structure faces strong opposition from those who fear that federalism will lead to balkanisation. These are primarily people from Mogadishu and its vicinity. Puntland and the emerging autonomous state of Jubaland are pushing for a highly decentralised federal structure that gives real powers to regional states. Critics fear that such federalism is entrenching clan rule and thereby undermining nation building. There is also a clear indication that clan and subclan demands for