

Nation and State Building in Africa: And the termites in the foundation

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Abstract: Nation and state building in the world took different forms, some were annexed by the military force, whereas others came together to form a state in a unitary system like in Canada, although Canada waged early wars between British and France; and also with the native people; they never sugjugated every part of Canada. With the abolition or diminishing of tribes in Europe, the Europeans countries have acculturated into a western pattern of the Society; although there is still ethnic polarization in the western world on a peripheral level. Canada, USA, German, France, Italy, Britain, and Scandanavians countries had waged civil wars before the States' formation. And one of the main reasons for political stability in these western countries is because they have formed a strong institution of government, democracy, good governance and the rule of law. According to (Cooter (2012) the foundation of the nation-state requires the rule of law and good governance and accountability. He used a metaphor of the termites on the foundation to refer to most of the African Countries that are ruled by dictators and lack a proper foundation a view concurred by Fukuyama (1998). Most African countries' nation and state formation were based on the tribal affiliation, and the politics of ethnic identity, patronage, corruption, nepotism, patrimonial and political polarization. How can the national inculcate the spirit of nationalism and patriotism, if most the presidents are promoting tribalism and nepotism in Africa?

Keywords: Nation and state building, ethnic identity, patronage, corruption, nepotism, patrimonial, political polarization.

1. ETYMOLOGY, AND THE DEFINITION OF POLITICAL STATE

The word Politike n Greek derived from Polis mean States or Association or community, which mean the Greek City States. Sophist the student of Socrates invented the concept of transformation of humankind from the savage state of nature to civil society. The concept of the nation-building is old and dated back to traditional communities and the states of nature. Plato in Socratic dialogue also invented the concept of the state through his theory of the ideal state which many scholars referred to as a mixed system of government encompassing monarchy, Aristocracy with the communism of wives and properties. Plato invented this system of a philosopher king, which is similar to the monarch and Aristocracy because Socrates was dissatisfied with Athenian democracy who accused him of treason for expression his fundamental rights on issues such as the states and religion. Socrates was accused of ruining the youth which, according to Athenian laws constitute the act of treason. The jury of 500 men then votes to sentence Socrates to death with the lethal injection. Plato thought that citizen needs education in order to vote. That was why Socrates referred to democracy as the rule of animals. According to him, 99 animals could shake their head to vote against one wise animal that is gifted with knowledge. Therefore, until philosophers become kings, they are not fit to rule. Whereas Plato believes in the communism of wives and properties such that, leaders should not encroach to the state properties and the properties of others. Similarly, Aristotle stated that, man is a social and political animal because he lives in a society. He also proposed for the first time for a constitutional government. He taught Alexander the great the son of the king of Macedonia who later ascended to the throne. According to Aristotle, the best regime makes a good citizen. And the class struggle is an apolitical struggle, not an economic struggle as suggested by Karl Mark. (Waterfield, R.1993). Aristotle was referred to as

the father of political science; who invented the civil society, as the political community or Political Association. Aristotle believes in a constitutional government, but his regime was neither democracy nor Oligarchy. Nevertheless, some critic believes that the Spartan constitution has all the elements of monarchy, Oligarchy, and democracy. According to him, Aristocracy an oligarchy are the best forms of government; whereas tyranny and totalitarians are a perverted form of the regime. He believed in a constitutional government and the rule of law. According to the author, it was Aristotle who discovered the American the constitutional democracy. According to Aristotle, Constitutional government is based on the rule of law is the best regime. Aristocracy is the form of government that is based on wisdom, whereas Oligarchy is the form of government that is based on wealth or (rich majority); and democracy is based on freedom (poor majority) (Baker 1993). Aristotle also thought that “law is a reason without desire, and it is set against human desire and passion”. But according to Plato, “those who conduct the affairs of the states should not be called governors, but rather the servant of the law. The law is the master of the ruler, and the rulers are servants of the law. Political power must be subjected to the power of the law” (Schabert, T.(2015, p.108). In addition to that, Rawls, J. (1971) contended that law is fairness because it’s the first virtues of social institutions. According to Rawl, a just society is where there is liberty and equal rights of all citizens are taken into consideration. Rawls criticizes the utilitarianism for upholding the majority rights over the minority. He purported that, the law should be universal, and one should act in such a way that, his action shall become a universal law, according to Kant’s maxim. To the contrary, Hobbes in his Leviathan advocated for the system of government that is a monarchy. He believes in the devine power of the king. He further believed that the social contract is the source of law. But according to Schabat (2015), the law is absolute and same as devine or God, and the Law is the king of the king, Law is sovereign, law is universal, unchangeable, external, whose command urges us to duty and his prohibition refrain us from evil; be the standard of just and unjust, (108).

According to Hobbs, the state of nature is at war with each other. It is a state of brute, nasty, solitary and savage; that is why man gives up their liberty and consent in a form of a social contract to the sovereign king in return for the preservation and protection of their lives and properties. This view is supported by Schabest, T. (2015) who thought that human being was not able to live in isolation, that is why they band together out of necessity, because of this law, and justice has become the ruler of the human being (p107). Hobbes further thought that the citizen should have to be submissive to their King, and his theory of nation building has no room for revolt. Hobbes was frightened by the execution of King Charles 1 in England, that was why he did not support the revolt. Although Hobbes was the first to herald the social contract theory, his theory was criticized by his predecessor J. Locks (Curley 1994). Lockes in his social contract theory of regime, believed in the representative government of the (Oligarchy) feudal lords or the bourgeoisie to change the government and the consent which is given in a form of a social contract should be withdrawn when the ruler became an absolute or when the ruler disobeyed the or violated the contract.

Rousseau in his social contract theory believes that the citizens should give up their will to the general will of the people, in return for the protection of their rights liberty and properties. He advocated for the constitutional government. He criticized his predecessor Locke for delegating the powers to the few, or to the parliament of the feudal lords. Furthermore, Locke also wanted the limit powers of the government and provide for the oversight of the parliament over the executive government. He also advocated for a constitutional government in his second treaty on government. His model of the parliamentary system of government is being practiced in the UK, India and other countries. Rousseau also advised the French president Napoleon Boniface and Poland president. He also wrote the Poland constitutions. He has influenced Tocquevilles democracy in America and was considered to be the founder of democracy in Europe and America. On the other hand, Rousseau advocated for a participatory government of all the citizens through a constitutional government. He thought that the people are the sovereign, but Hobbes wanted the king to be the sovereign. Both Hobbes, Locke's and Rousseau agreed on the state of nature as a state of solitary, anarchy, savage and brute, where every one is at war with each others. That was why there was the need for a government to provide the protection of people’s rights and their properties, because the states of nature does not provide the protection to the citizens. But Hobbes believed in a monarch whereas, Locke believes in the Oligarchy rule of the few business classes. But Rousseau believes in participatory democracy which allows broader participation of mass in a constitutional government, which is similar to the presidential system of government. Rousseau theory of the general will has been criticized as impracticable because it can only work in a small society. He was also criticized by Locke's and Hobbes, that, the legislation has to be written by few impartial justice and not by the general will. But Rousseau could not disagree more to let the representative deal with the legislation; But he also defends his theory by saying that, the sovereignty cannot be delegated to the few representatives but to the general will. Rousseau contended that, unless everybody is involved in the legislation, there is

no guarantee that, the general will be incorporated into the law. He thought that both the general will and the sovereignty cannot be delegated to someone else because giving someone the power to make laws on your behalf could result in tyranny. Finally, both Locke and Rousseau believe in freedom and the right to private properties without the interference of the state.

2. NATION STATES BUILDING

According to Cooter (2012), the termites in the foundation is a metaphor of poor foundation as opposed to a concrete foundation. The termites are the weak or poor institutions of the state that is responsible for the fall of the state. The termites in the foundation weaken the states and its economy. It is an analogy similar to most of the African countries' nation building base on weaker institutions, and South Sudan in particular, which lack the institutions of government and the rule of law. According to Leonardi, C.; Khan, A., (2010) While state-building efforts are rightly focused on building up structures from the ground they failed to address the primary need to ensure that such institutions are properly reformed to become independent and impartial institutions. Hunting further argued that political decay happened in most of the countries even after the establishment of the political order, because the leaders captured the government which weakens the state's institutions. In the Arab countries, the states are ruled by the kings, and Amirs, whereas in China, it was ruled by the king's families and dynasties, before the establishment of the central communist rule in China. Prof. Patrick Lumumba of Kenya who is the advocate of good governance in Africa called the "need for Africa to have a political hygiene" or good governance.

Further, (Schubert, T. 2015) on the second birth referred to the nation-building process, according to which, it is the foundation of the political beginning, which is different from the first human birth. The author further contended that the human being is the creator of the political creation. He laid the foundation for a political community and he also created a government, and freedom. Similarly, Bootros V. (2014), on the locust effect contended that, the cause of the destruction of Africa lives of billion poor people, for example, the Rwanda genocide, the Ethiopians war, Sudan war, and many others is similar to the destruction of the farms by locust. Further, corruption, bribery of judges and police in the justice system and tribalism and hiring of unqualified kinship is the cause of locust effect. The author further contended that, the law enforcement in the developing countries is dysfunctional, are broken. And most of the people live outside the law, and the justice system makes the poor poorer by protecting the elites and regimes from common people. Therefore, he thought that lawlessness is destroying Africa, and is the cause of poverty.

Fukuyama (2011) further argued that the Darwin theory of the survival of the fittest through the natural selection was proven when European colonized Africa and Asia. Therefore, the same theory is now being applied in Africa, where the majority tribe dominated and suppressed the minority (p.50). To elucidate further, the author used the phrase the tyranny of the cousins which remind me of the war between South and North. But when the South got its independent, their cousins from the Dinka tribe and Nuer usurped power over their cousin or rather South Sudanese brothers from other minorities tribes.

According Cooter, R.(2012) the studies conducted in 2009, found out that, New Zealand, Denmark, Singapore, Germany, Japan, Italy, USA, has a low rate of corruption as opposed to Somalia, Iran, Venezuela, Columbia, Russia, Indonesia, Mexico, India, and China have a higher rate of corruption (p.166). High level of corruption in the developing countries has been attributed to favoritism, bribery, corruption, tribalism, patrimonial and kinship. Furthermore, the hiring process is based on the kinship a case of South Sudan, where the president is favoring his kinship in key bureaucratic positions such as security, defense, diplomats and ministers. The process of the nation building in Africa and South Sudan, in particular, has not been transitioned well due to post-colonial rule in the continent. Most scholars blamed the colonial rule as a cause of the instability in Africa because when the European left there was a vacuum and due to the lack of civil servant trained to take over. When the African countries got their independence from the Europeans rulers, they were not ready and prepared to adopt the system of government appropriate for their conditions. There was competition for resources, and grazing for the cattle in the farmers of the agriculturists. A case of Janjaweed tribe in Northern Sudan that stirred up the conflict with Masalit of Darfur Darfur tribes in Western Sudan. Similarly, the Dinka pastoralists are grazing their cattle in Equatoria land and destroying their farms. According to the authors, these ethnic groups were living in an isolated tribal communities, ruled by the tribal chiefs and never thoughts of interacting with heterogeneous administration, that was why there was lots of civil war on the continent.

According to (M. Wolfgang, M. Brigitte, W. Weifen, 2012) Africa was administered on the ethnic and tribal line; and never thought of heterogeneous administration, that was why they use ethnicity as a tool for mobilization against other ethnic groups. But one of the underlines cause of conflict in Africa was due to social, economic, cultural and political conflict due to recolonization and post-colonial period militarisms, and the failure of state and nation building through the development of institutions and the rule of law. According to Dr. Godwins, conflicts in Africa were caused by economic failure and competitions for scarce resources resulting in the civil wars. According to Dr. Godwins, new states, and post colonials new state lack resources, and institutions of government to cope with the increasing demand of the people for goods and for services. A case of South Sudan, which depends on the oil revenues which does not trickle down to the ordinary people. The second factors were the lack of institutions of governments, the constitution, rule of law, justice and equality and freedom of speeches and expression which are all lacking in most of the developing countries in Africa. According to Dr. Godwins, the post-colonial states were administered by chiefs, and kings, with a limited decentralized system of government. According to the author, one ethnic group or tribe dominates all the government. Fukuyama on the state building used the same theories of Hobbs and Lock of the state of nature which is pristine, and chaotic and everyone is at war with each other; that was where there is a need for a government, who provide authority, rule of law and order as the head of the sovereign state; and protect the territorial integrity of the states. The states, according to him also provide security such as the police, army, justice and other institutions of governments. The people have to exit kinship in the states to form a political development for the tribe and kinship become obsolete.

The state formation according to the authors must avoid tribalism and patrimonialism because, in tribal communities, the kinship and chiefs rule the community. Nevertheless, studies have found that, most states formation process came in a form of war, or conquest of a tribal society by the powerful states authority or groups, and absorbed and assimilated or they emulate them. The author further contended that, the states are formed in various ways, such as war, social contract, population pressure. But Hobbes thought that the states are formed through social contract where individuals have to give up their right in return for the security of their lives, and the protection of their rights, properties, and also due to the fear of threat from the foreign aggression.

There are lots of evidence linking states building with civil wars in the history of the world in Europe, America, Canada and Africa. For example, South Sudan fought for more than fifty years since 1955 to claim for the independence of South Sudan from North Sudan after more than 3 millions people had died from two sides of the warring factions. South Africa and most African countries fought a war for independence from the British, Belgium and French rule in Africa. Canada and French fought for the control of Canada, and also fought the aboriginal people. German on the other hand also fought during the world wars with itself and against foreign aggression during Napoleon Banaface, and Hitler of Germany and Mussolini of Italy also fought the wars to form states.

The Research also found that, Prophet Mohamed found Saudi Arabia, and conquered other Arabs countries such as Syria, Egypt, Iraq, and established Arab and Islamic religion in the middle east and north Africa (Fukumaya 2011). Furthermore, other sources of conflict on the nation building is the competition for powers and meager resources leading to the civil wars. According to the author, tribal societies persist, and violent never stop with the creation of the states. In addition to that, International community, such as the UN, world bank, USA, and EU, have contributed a lot in state building in countries such East Timor, Kosovo, Afghanistan, Iraq, Somalia, Haiti, Sierra Leon, Liberia, and South Sudan, but nevertheless, little progress has been achieved due to the fact that democracy has not been successful in many Asian and African countries. For example, voting in the west is based on the ideology and policies whereas in the developing countries, is based on loyalty to ethnic groups in Africa; but in Malaysia, it is based on the loyalty to the big man. The China nation building was patronized by Aristocratic ruler, it was Monarchy, and the dynasty seized the throne and appointed his kinsmen to power. It was similar to the nation-building process in South Sudan which is patronized and lack the constitution. The Jeing Council of elders (tribal affiliated to the president) overrides the parliament in policy and decision making (Fukuyama 2014, P.291).

The origin of political order according to Fukuyama (2011) require a constitution, which provides check and balance and prevents impunity by the executive, legislative and the judiciary branches of government (p.8). He further contended that democracy is not yet universally practice nor accepted. President Vladimir Putin patronizes the institutions of government, with poor rule of law and lack accountability, and violated the fundamental freedom. China, on the other hand, has adopted authoritarian capitalism, and centralized system of the government, which in turn manipulated the media and election to return to power. China, Korea, Romania, South Africa, Ukraine, Sudan, South Sudan, etc. have

weak and corrupts institutions which lack the capacity to transition power peacefully to democracy. The American government tried to enforce democratic government in Somalia, Iraq, Afghanistan, Sudan, and South Sudan and other countries but has failed (p14). The metaphor of the termites on the foundation referred to most of the African Countries that have a weak institution, in the process of the nation and state-building; and are ruled by dictators. How can the national inculcate the spirit of nationalism and patriotism, if the presidents are promoting tribalism and nepotism in the country? In South Sudan all the heads of key sovereign institutions such as the executive, military and security position, including justice and finance, defense minister, the interior minister, chief of staff, police inspector, presidential guard, advisors, office managers, financial managers, spokesperson are from the president's tribe, rather than from the national of South Sudan? South Sudan Positions are filled by unqualified candidates from the ministers and ruling elite families before the jobs are advertised. The criteria for selection to hold public position is based on patronage and the principle of whom do you know rather than what you know. That is why there is rampant corruption with impunity, because of nepotism and tribalism where accountability is shielded, and cover up as a syndicate. The President of South Sudan has the absolute power of the king to appoint and dismiss elected Governors of the States, and the members of the national parliaments which is a mockery of democracy; as the rule of the people, by the people, for the people. The civil liberties and freedom of speech and expression are suppressed in South Sudan. There is no independent judiciary and no due process of the law. There is an arbitrary arrest, and the accused are held for months or years without trial and are either eliminated or released after years of torture and denying them justice and basic human rights such as water and food. James Gadet was kidnapped from abroad and tortured for years in jail but was released; Peter Abderhaman Sule, Elias Jada, Samuel Dong, Aggrey Idri were kidnapped from a neighboring foreign country, and killed. Many political prisoners are lingering in the national security jail such as Peter Bair Ajang and more for expressing his opinion about the peace process but were accused of treason. Most accused either died in jail due to mistreatment or die through starving in the jail. There is no respect for human right, instead, might is right in South Sudan. Most of the state's Governors especially the non-Dinkas who were dismissed by the presidents were arrested and end up in jail. Former Governor Joseph Bakasoro of Yambio, Elias of Wau and Lokonga of Yei were dismissed by the president arrested and jailed for years in the national security without trial.

REFERENCES

- [1] Fukuyama, F. (2011) The origins of political order: from pre-human times: The Nation/States formation.
- [2] Cooter, R.(2012) Solomon's Knot: How the law can end the poverty of nations
- [3] Schabert, T. (2015) The second birth: on the political beginnings of humankind
- [4] Rawls, J.(1971) A theory of justice
- [5] Haugen, G, (2014) The locust effect: why the end of poverty requires the end of violent
- [6] Nyaba, P. (2019) Skewed-Political Thought and the Failure of State Formation and the Nation Building in South Sudan: Provocateur, First edition v. 1, Issues 2.
- [7] Ward Baker, E.; Aristotle, Politics (1993) Oxford University
- [8] Waterfield, R.; Plato, Republic: (1993) Off Cord University press
- [9] Macpherson, C.; John Locke Second Treatise of Government (1980) Hackett Publishing Company, Inc. Indianapolis &. Cambridge
- [10] Betts, C.; Jean-Jacques Rousseau: The Social Contract (1993) Oxford University Press New York, USA.