

State building, State Capacity and Non-State Conflicts in Sub-Saharan Africa

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Table of Contents

Introduction	1
State building, State Capacity and Conflict	3
Method and Measurement	5
Results	6
Case Studies on State Capacity and Non-state Conflicts	9
<i>Typologies of Inter-communal Conflicts</i>	9
<i>Conflicts Accentuated by State Elites</i>	11
<i>Conflicts Driven by Local Community Agenda</i>	13
State Capacity and Absence of Non-state Conflicts	15
Tanzania	15
Senegal.....	17
Niger	18
Conclusion	21
References	23

Introduction

The end of the Cold War ushered in the resurgence of internal conflicts across the Third World. These conflicts caused humanitarian disasters, and the breakdown of political authority, notably in Somalia, Rwanda, Liberia, Sierra Leone and the Democratic Republic of Congo. In response to these dynamics, peace building and state building has become the twin goal of Western intervention policies and United Nations programmes toward conflict prone countries. This shift in policy orientation is not limited to donors' security agencies. Their development agencies and International Institutions began to recognize that security and development are inextricably interconnected, and that they are required to devise programmes that enhance peace and development (Zeollick, 2008).

There is an ongoing debate regarding the feasibility, desirability, successes and failures of these programmes of state building and peace building both in academic and policy circles (see for example, Brownlee, 2005; Wienstein, 2005; Pugh, 2005; Newman, 2011; Paris, 1997, 2004, Fritz and Menocal, 2007; Chandler, 2006). Notwithstanding this debate, the agenda of state building and peace building continues, with its own ramifications for peace and development in the weaker states of the world.

One distinctive feature of these interventions is their top-down approach, and their overriding concern with state institutions to the detriment of local dynamics. The emphasis on restructuring the state is the result of two major factors. First, the agenda is driven by a concern for international security posed by conflicts and instability in Third World countries. Second, there is an assumption among international state builders embedded in their liberal institutionalist paradigm of engagement. This approach presumes that well functioning institutions generate economic and social processes that are supportive of peace (Newman, 2011). Accordingly, once an effective state embodying properly functioning institutions is in place, peace is expected to ensue. In effect, the institutions of a responsive, accountable and effective state would manage conflict.

The extent to which this holds true regarding non-state conflicts is not yet empirically substantiated. Thus, the effect of state capacity on the occurrences of non-state conflicts needs to be examined. Do state building interventions geared to create accountable, effective and

legitimate states contribute to reducing the occurrences of non-state conflicts? Do such measures need to be supplemented by other distinctive local level strategies? Existing literature on the topic fails to scrutinize this pertinent question in the quest for ensuring human security. Hence, this study is a modest, albeit important, attempt to fill this lacuna by investigating the association between the capacity of states and the prevalence of non-state conflicts. To this end, it employed mixed methodological approaches from Sub-Saharan Africa. A statistical analysis of the correlation between state capacity and non-state conflict is supplemented with an in depth qualitative scrutiny of the relationship between the variables in states that are chosen to this end. The review of extant literature is employed to analyze the case studies, whereas the correlation analysis is undertaken using SPSS software.

The term 'non-state conflict' is defined using the Uppsala Conflict Data Programme (Version 2.4-2012). It entails "the use of armed force between two organized armed groups, neither of which is the government of a state, which results in at least 25 battle-related deaths in a year." The armed group could be formally or informally organized, and the arms used could range from any manufactured weapon, sticks, and stone to water (ibid.). The dataset indicates that most of these conflicts in Africa are related to ethnicity, religion, clan, or even sub-clan that are often dubbed as sub-national conflicts.

The findings of this research reveal that certain aspects of state capacity are weakly, but in a statistically significant way, correlated with non-state conflicts. A further examination of cases of non-state conflicts indicates that the state is involved in these conflicts in various ways. However, state capacity is not the only factor that explains the absence of non-state conflicts. The absence of non-state conflict is a product of multifaceted factors including the level of resource scarcity, the strength of customary dispute resolution mechanisms, patterns of intercommunity interaction, nature of state policies and political actors' stake in conflict. This paper begins with an introductory section setting the background of the study. The second section focuses on discussing state building, state capacity and conflict followed by a description of the measures of state capacity employed in the study in the third section. After discussing the results of the quantitative work in the fourth section, some cases of non-state conflict and peace are examined in the next two sections. Finally, the paper concludes that the presence or absence of a non-state conflict is influenced by multifaceted factors that are not reducible to state weakness or strength. Hence, policy interventions designed to boost state capacity should not be assumed to have significant effect on the occurrence of non-state conflicts.

State building, State Capacity and Conflict

The state is an essentially contested concept. Marxist Scholars consider it as an institution that stands for the interest of the dominant class (Pierson, 1996). Others define it along the line of the classical social contract theorist of John Locke who viewed the state as a political society constructed through an implicit social contract to provide certain basic functions to its members by those who are entrusted with political authority (Einsiedel, 2005). The Weberian understanding perceives the state as an array of administrative, legal, bureaucratic and coercive institutions that monopolize the legitimate means of violence (Skocpol, 1985). Another commonly used definition views the state as an embodiment of people, territory, government and sovereignty. For the purpose of this paper, the term 'state' is understood as a set of institutions that perform certain basic functions essential for the existence of a properly functioning political community. Thus, it stands with those who employed a functional understanding of the state (Hay & Lister, 2006). The low level of institutionalization in many African states means that privately motivated actions and decisions of individuals holding various positions in the state could be expressed in its name. Hence, the definition employed here does not exclude the personnel working in the institutions of the state.

The concept and practice of state building evolved out of the recognition of the dangers of state failure or weakness. Understood as states that are unable or unwilling to provide political good to their citizens (Carment, 2003), state failure gained wider currency from the 1990s. These states are not able to provide a state's critical function of ensuring security, securing legitimacy and providing basic services (Mcloughlin, 2012; Roterberg, 2002). They are characterized by weak institutions, bad governance, legitimacy crisis, divided community, neo-patrimonialism, corruption and varieties of personalistic and clientalistic politics (Osaghae, 2007). They are also considered to be dangerous for their own people and the international community due to their proneness to conflict, instability, terrorism, drug smuggling, human trafficking, and dangerous diseases (Zoellick, 2008). Much has been written about the causes of, and solutions for, state failure. The causes offered include the inherently anti-state social, political, demographic and geographic conditions of some societies, colonial legacy, maladministration by local elites,

absence of tradition of statehood, and an inhibiting international environment (Clapham,2002;Van De Walle, 2004; Reno, 2000; Carment, 2003, Nuruzzaman, 2009). The remedies proposed include measures such as letting them fail, adjusting the norm of sovereignty, more aid, governance reform, and direct intervention in the name of the 'responsibility to protect' (Einsiedel, 2005; Herbest, 2004; Krasner, 2004). This shows the problematic nature of the solutions offered to deal with weak, failing and failed states.

The logical response for state failure and fragility is state building. It entails building the capacity and institutions of the state to make it effective in discharging its core functions. A number of interrelated measures are identified to this effect. The OECD-DAC (2008) advocates promoting democratic governance, economic liberalization or marketization, and increasing its functional capacity. The British Department for International Development (DFID, 2010) understood state building in terms of addressing the causes of fragility and conflict, supporting inclusive political settlement, enhancing the delivery of core state functions, and responding to public expectations. According to the Crisis Challenge Research (Putzel & John, 2012), state resilience is ensured through the monopoly of legitimate violence, the territorial embeddedness of state administration, state monopoly of taxation, and institutional hegemony. Call (2010) disentangled the practice of state building in terms of addressing the three major gaps of statehood: the security gap, capacity gap and legitimacy gap (Call, 2010). The Center for Global Development measured each gap in terms of battle deaths, childhood immunization, and voice and accountability respectively (Rice and Patrick, 2008).

The practice of state building is presumed to boost the capacity of states, which in turn is accepted to dampen the onset, reduce the duration, and facilitate the resolution of conflicts (Fearon & Laitin, 2003; Gleditsch & Ruggeri, 2010; de Soysa & Fjelde, 2010; Braithwaite, 2010). State capacity supposedly reduces conflict by influencing two of the most popularized categories of motives for conflict: opportunity/feasibility and grievances. The opportunity structure of violence is argued to be the primary driver of conflict, which means that the onset of conflict is determined by the feasibility of rebellion. Rebellion will not occur unless its opportunity cost outweighs the gain from peace (Collier, 2007). For other scholars, political, economic and cultural grievances are argued to be the primary driver of conflict (Heger & Selhyan 2007; Stewart and Brown, 2007; Gurr, 2007). Notwithstanding the debate, state capacity influences the two categories of causes of violence. On the one hand, it increases the repressive capacity of states, thereby increasing the cost of rebellion and reducing its feasibility. On the other hand, state capacity increases the power of states to address grievances that could potentially cause

conflicts. Though the findings mentioned above apply only for civil wars, a similar outcome is expected with non-state conflicts.

Method and Measurement

In this paper, state capacity is dissected into three dimensions along the line of Call (2010): monopoly of violence, institutional capacity to deliver core functions, and the legitimacy of state institutions. These elements are essential because a state that has monopolized the means of violence is able to manage non-state contradictions in non-violent ways. The prevalence of adequate justice delivery institutions buttresses this monopoly of the means of violence, and that the legitimacy of a state's institutions reinforces the process of non-violent management of conflicts. A state's capacity to deliver basic services could reduce scarcity driven tensions by devising coping mechanisms that assist communities to live side by side. State building geared to these aspects of state capacity is thus presumed to reduce the incidence of non-state conflicts. Hence, states that fared well in these dimensions will encounter fewer incidents of non-state conflicts.

Measures of state capacity (weakness/fragility) are undertaken by various organizations. However, most organizations started to measure state capacity only recently. This precludes an analysis of their relation with conflicts for an extended period. For instance, the WB's country institutional assessment has been made public since 2003; the fund for peace index started in 2005; and the Bertelsmann Stiftung (BTI) began since 2003. On the other hand, the Uppsala database on non-state conflict covers all incidents of conflict since 1990. Moreover, most of these proxies measured state capacity in terms of the outcome a capable state achieves, thereby conflating state capacity with other factors that could potentially contribute to the same outcome (Hanson & Sigman, 2011). Hence, this study adopts an attribute-based measurement that assesses state capacity through the attributes a capable state exhibits.

Accordingly, the coercive capacity of the state is measured in terms of military spending as a percentage of GDP. The data is collected from the Stockholm International Peace Research Institute data set. The average of the year between 1996 and 2010 is considered for the three variables of state capacity, and non-state state conflict. The state's administrative capacity is measured by using the Worldwide Governance Indicator's (WGI) measures of government effectiveness. The WGI data is collected from a range of survey institutes, think-tanks, non-governmental organizations, international organizations and private sector firms. It measures governance performance of states in a range between -2.5 and 2.5, the two extremes

representing weak and strong performances respectively. In relation to governance effectiveness, it measures the quality of public service, the independence of the civil service, the quality of policy formulation and implementation, and the credibility of government commitment to such policies. These serve as a proxy for a state's capacity to undertake key functions. The legitimacy aspect is measured by using Worldwide Governance Indicator's data on voice and accountability, and rule of law. Voice and accountability focuses on the ability of citizens to vote for their government, and the degree of respect for freedom of expression, association and free media. The rule of law is measured using the quality of police, court, contract enforcement, and citizen's confidence in, and adherence to, the rules of the society. The incidence of non-state conflicts is measured by using the Uppsala database on non-state armed conflicts. The study has also examined other variables, mainly ethnic fractionalization and population number, and their correlation with the prevalence of non-state conflicts. While the data for ethnic fractionalization is acquired from Fearon's (2003) ethnic fractionalization index, the population number of the states is assembled from Google sources.

At the outset it should be noted that these may not capture the totality of the phenomena under study. Measures of legitimacy, for instance, may not capture the issue of legitimacy in its entirety due to the fact that legitimacy could be secured in various ways, such as through service delivery, democratic participation and guarantee of rights, or traditions of statehood. Similarly, the Military spending/GDP ratio may indicate the security need of the state rather than its coercive capacity.

Results

Since most of the variables are ordinal scale with significant outliers, in place of the Pearson coefficient correlation, a spearman rank correlation was employed. Accordingly, the incidence of non-state conflict has no correlation with the coercive capacity of the state, coerciveness measured in terms of military spending/GDP ratio ($r_s=0.084$, $p=0.577$).

Statistical works indicate that this could be due to one of the following factors. First, there may not be any systematic correlation between non-state conflicts and the level of security capacity of the state. According to this line of reasoning, the fact that the state has the most effective and capable security apparatus does not mean that it is willing to solve non-state conflicts. However, this could only hold true for governments that are so corrupt to survive on internal division.

Second, there could be a systematic relationship that is not linear. However, this is not plausible due to the fact that a scatter plot of the two variables does not indicate the prevalence of this

kind of relationship. Third, there might be a problem in the measurement of the variables. As noted above, the size of the security apparatus is not a guarantee of the effectiveness of the security apparatus in monopolizing the means of violence and hence mediating social conflict. In fact, the size of the coercive apparatus could signify the security need of the country rather than its capacity to manage conflicts. This logic cannot be excluded from the analysis.

Fourth, either or both of the variables may be too similar that this zeros the relationship. The data on conflict incident has cases ranging from 0 to 63 with the majority of the cases (60%) having zero values whereas the military expenditure data is fairly diverse. Adopting a longer time frame or a number of cases could possibly resolve this problem. However, the identification of correlation between conflict incident and other variables discussed below indicate that this is not a reason for the above result. Hence, it is difficult to conclude whether this is a product of measurement error or the actual lack of correlation. Previous studies on the subject in relation to civil war came up with inconclusive results (see Hendrix, 2010; Collier and Hoeffler, 2004).

The incidence of non-state conflicts and regime legitimacy are negatively correlated in a statistically significant way at 0.05 level of confidence ($R_s = -0.296$, $p = -0.024$). This confirms the theoretical postulate that the more the state is legitimate, the more the people will be reliant on the state to resolve domestic discontents. It also concurs with WB's (2011) contention that the degree of government legitimacy is an indicator of a country's vulnerability to conflicts, states with weak legitimacy being more vulnerable to violence. Hence, state building efforts directed at boosting the legitimacy of the state not only reduces state-society tension but also ease tension within the society at large. A legitimate state could be considered as a neutral arbiter and hence groups revert to the legal procedure for resolving their contradictions. However, this correlation is not a strong one, which could be the result of the limited number of cases.

The statistical correlation between government effectiveness and conflict incidence is weak, albeit statistically significant ($r = -0.250$, $p = -0.047$). Like legitimacy, government effectiveness is not strongly correlated with the prevalence of non-state conflicts. This could be because of two major reasons. First, state effectiveness could be territorially limited, and that a country scoring high on government effectiveness could actually have spatially differentiated results. This necessitates a sub-national mapping of government effectiveness, which is lacking so far. Second, effectiveness by itself does not imply the will to use that capability. A fairly effective state may not have the will to proactively intervene in potentially violence generating societal tensions.

Ethnic fractionalization is associated with the incidence of non-state conflicts in a statistically significant way ($r=0.433$, $p=0.03$). This correlation is stronger than what is observed for legitimacy and effectiveness. This concurs with Vanhanen's (1999) argument that some kind of ethnic conflict is inevitable in ethnically divided states. Even if he lumped both violent and non-violent conflict together, the finding here applies only to the violent ones that resulted in 25 or more deaths per year.

Similarly, population number and non-state conflicts are strongly correlated in a statistically significant way ($r=0.581$, $p=0.00$). It is interesting to observe that this correlation is very strong, and statistically the most significant of all the variables examined in this paper. Fearon & Laitin (2003) and Urdal (2006) also concur with the above result; the former do so even after controlling ethnic fractionalization. Large populations may signify large territory, which is difficult to control by the state, and a high level of ethno-linguistic diversity that renders conflict easy. However, ethno-linguistic diversity is argued to be statistically unrelated to civil war onset (Fearon & Laitin, 2003). This ruled out the idea that population number relationship with conflict could be through its effect on ethno-linguistic diversity. It could be the combined effect of an ethno-linguistically diverse and large number of people occupying different ecological niches that are administered through similar policies and institutions, which explains the strong correlation.

The analysis so far revealed that a state's functional effectiveness and its legitimacy in formulating and implementing policies are negatively correlated with non-state conflicts. An increase in the legitimacy and effectiveness of states is observed to go together with a slight decrease in the incidence of non-state conflicts. However, this correlation could not be taken to indicate causality, the assertion of which requires controlling other potentially relevant variables. Even when the correlation is used to infer causation given the theoretically compelling base of the relationship between state capacity and conflict, the contribution of the two aspects of state capacity is minimal in policy terms. Hence, policy interventions designed to increase state effectiveness and legitimacy should not be assumed to significantly reduce the incidences of non-state conflicts.

Case Studies on State Capacity and Non-state Conflicts

Selected states that experience non-state conflicts (Kenya, Uganda, Sudan and Ethiopia) and those that did not (Tanzania, Senegal and Niger) were analyzed to substantiate the results of the quantitative analysis. In the former category, causes of inter-communal conflicts were studied, on the basis of which the aspects and nature of state weakness are singled out. In the latter groups of states the factors explaining the absence of a non-state conflict and the role of state capacity thereof is explored. To this end, a detailed analysis of the extant literature is undertaken. The review indicates that though the state contributed to the occurrence of non-state conflicts in various ways, the effect of state (in)capacity on the prevalence or otherwise of non-state conflicts should not be overstated. There are a number of factors other than state (in)capacity that have bearing on non-state conflicts.

Typologies of Inter-communal Conflicts

Based on the nature and extent of state involvement in these conflicts, three major categories of conflicts are identified: conflicts driven by state policy, those accentuated by state elites, and conflict driven by local agenda only.

Conflicts Driven by Defective State Policies

State policies designed for administrative purpose, at times, generate or accentuate conflicts. A number of cases from the selected countries confirm this assertion. In Kenya, a land tenure system that failed to ensure land security is often cited as a factor for the various land related conflicts in the rift valley area (Wakhungu, Nyukuri & Huggins, 2008). The division and re-division of administrative boundaries has also caused conflicts in the pastoral areas. In the Mandera area of Kenya, the provincial administrators' decision to create locations and sub-locations triggered destructive competition between the Garre and Murrule in their respective elite's bid to dominate these institutions (UNDP, 2010). The allotment of administrative regions determines the areas within which the pastoralists move rendering such task intensely competitive. The devolution plan introduced in the new Kenyan constitution has also sparked

conflicts in these pastoralist areas long before becoming operational (IRIN, 25 November, 2011; AlertNet, February 8, 2012).

Policy driven conflicts are not unique to Kenya. In Ethiopia the ethnic based federal arrangement has legally limited the movement of pastoralists, and aggravated agro-pastoral conflicts (Boku & Gufu, 2009). It also heightened ethnic identity and mistrust, increased inter-group and inter-clan rivalry, caused conflict in border demarcation, and accentuated the existing inter-group conflicts (Asnake, 2009). Conflict over land and other resources are now waged under the collective guise, the logic of which is aptly stated by Abbink (2006, p.396) as follows:

As access to land and related resources such as water holes, forest areas and pasture is under pressure for virtually all groups, the advantage to be gained from declaring oneself a member of a group that has legal identity and can claim rights is obvious. This strategy is used to make individual claims under collective guise. Unlike what happened in the past, any dispute on land or land use between individuals or households now becomes a collective, community issue, and pits communities against each other: this is the logic that must inevitably be pursued, and in terms of which the rights can be obtained.

In Sudan, administrative division and re-division of the early 1990s led to endless tribal conflicts in the conflict ridden Darfur region (Young et al, 2005; Sørnbø, 2010). The government divided the region into tribal Dar (an arrangement that considers every tribe as a territorial unit) that were granted local councils and tribal administrations based on their political loyalty to the center, and Islamic commitment of the local chiefs (Manger, 2006). The result is that “every single tribe...should know every inch of its land or should acquire by all means new lands that could give its identity among other tribes” (Takana, 2008, p.10). Consequently, each tribe has engaged in at least one conflict with other tribes over territorial issues (ibid.).

Moreover, discriminatory state policies that favor some regions and marginalize others set the background for these inter-communal conflicts. The Eastern and South Eastern part of Ethiopia, the North Eastern and Western part of Kenya, the Northern part of Uganda and the Western, Eastern and Southern part of Sudan are all marginalized areas both politically and economically. These are the areas where the majority of the conflicts are taking place. State policies that fail to prioritize national integration and equitable economic growth contributed to inter-communal violence in these regions. The marginalization of the periphery at times is a

means to transfer wealth from the periphery to the center. In Sudan, for instance, the introduction of large-scale commercial farming necessitated the neglect of the peripheral areas so as to facilitate access to cheap labour (De waal, 2007). In Kenya, clientalistic politics reinforced regional disparity (Muhula, 2009). Those ethno-regions that were politically marginalized are also economically and socially deprived. The combination of political and socio-economic marginalization with unfavorable climatic conditions resulted in the total neglect of the North Eastern region. The effect is so visible that while 93 percent of Adult Women in North Eastern province are not educated, only 3 percent face this fate in Central province (KJAS, 2007). Similarly, while 74 percent of the people in the North Eastern province are poor, only 30 percent are in a similar economic condition in Central province. In Ethiopia, the peripheral regions were subject to the worst fixture of political exclusion, cultural domination and economic marginalization that created an unbridgeable gap in the center-periphery relations, as experienced up to the present day.

Conflicts Accentuated by State Elites

Sometimes, conflicts are incited by government elites for their own private interests. Local level inter-communal conflicts are often incited by local level ethnic entrepreneurs who aim at controlling the local state institutions. In some parts of Kenya, conflicts among ethnic groups flared up during election times through the manipulation of local grievances, tensions and vulnerabilities. A study indicated that the Garre-Murulle conflict often ignites at the time of elections due to local elites' manipulation of parochial identity in their quest to access political power (UNDP, 2010). Likewise, the recent conflict between the Garre and the Borna was partly caused by the desire of local ethnic/clan elites to dominate the Marsabit County. In these pastoral areas, local politicians have used conflict as an instrument to uproot the political base of their opponents, to build their support base, and to collect money for election campaigns (Kratli & Swift, 1999; Pragma, 2012). The number of people killed and displaced in such incidences is very high as the aim is killing and displacing the target group (Pragma, 2012).

Similarly, the 1990s ethnic conflicts in the rift valley region of Kenya was the result of the political elites' desire to uproot members of non-Keljin ethnic groups who by default are supporters of the opposition (Osamba, 2001, Kanyinga, 2009). However, this does not mean that these conflicts are reducible to elite manipulation. They rather were embedded in the historical intermingling of groups dating back to colonial times that generated rifts between the settlers and indigenous groups. Strikingly, the same pattern was observed in the conflict

between Luhya and Sabaot in Mt Elgon area. The confluence of politician desire to uproot supporters of the opposition, and the indigenous elites demand for more opportunities and resources resulted in conflict in the area. The following quotation from one of the members of the Sabaot ethnic group, who were able to get their own new district after the conflict reflects the situation plainly:

At first when we were still in Bungoma District we were not employed as we could be turned down . . . Most of us could not be teachers if we were still operating under Bungoma District; because you were controlled from a very far place from which you could not get even a single benefit and yet you were considered part of it . . . We are very thankful now because we have a district . . . and we shall never be underdeveloped any more. (Lynch 2011, p. 400).

In the Ethiopian case too, the various inter-communal conflicts are accentuated or triggered by local elite's manipulation of ethnic identity. The Guji and Gedeo, for example, are closely related people in many ways with a significant bilingual population around the ethnic border. However, following the federal restructuring, the Gedeo elite dominated the local administration generating grievances on the part of the Guji elite. The latter called for a referendum to join a region populated by their kinsfolk. Contestation with the result of the referendum and the manner it was undertaken resulted in a call for further referendum that had caused further bloodshed (Assebe, 2007). In other cases, the competition among elites to control local institutions generated large-scale conflicts. In Ethiopia's Gambella Regional State, the rivalry between the Anuwak and the Neur elites to control the regional government institutions caused substantial inter-ethnic violence (Lubo, 2012, Abbink, 2011). Similarly, in the Benishangul Gumuze regional state, the competition between the Gumuze and the Berta elites to dominate the regional administration resulted in inter-ethnic clashes between the two groups (Asnake, 2009). Local elites could also trigger inter-ethnic or inter-clan conflict because of their repression of, and discrimination against, minority groups in their domain. The conflict between the Keffa majority and the Manja occupational minority group in Keffa Zone was caused by the formers institutional domination of, and discrimination against, the latter (Alemayehu, 2009).

Likewise, in the Darfur region of Sudan, the conflict among the various tribes and ethnic groups, was aggravated by local government officials' alliance with, and bias to, their own tribe or ethnic group (Sørnbø, 2010). Moreover, the recruitment of local ethnic and tribal militia has further

complicated the conflict in the region giving it a racial dimension for a conflict that initially was driven by local agenda (Reyna, 2010). The Sudanese government has been arming certain groups as a means for tribal control and support (Flint, 2010). However, these groups turned their weapon against rival groups within Darfur.

Conflicts Driven by Local Community Agenda

A number of conflicts in these countries were caused by stress related to scarcity of resources. These conflicts exhibit certain patterns throughout the region. Population pressures, environmental degradation, change in climatic conditions and cultural practices are the underpinning factors in the conflicts. They usually occur between pastoralists and settled agriculturalists, and among pastoralists themselves (Amutabi, 2010; Leff, 2009; UNDP Sudan, 2007). In the North Western and Eastern part of Kenya, the various pastoralists are in a perennial state of conflict among themselves and with pastoralists of Uganda, Ethiopia and Sudan. The conflicts between the Marakwet and the Pokot and the Pokot and the Karamajong, as well as among the various Somali clans, are a case in point. These conflicts are related to access to pasture and water (Leff, 2009). The conflict in the Karamoja area of Uganda is also driven by competition over pasture and water, which is reinforced by the practice of cattle raiding and counter-raiding. Though the practice of cattle raiding was used as a means of redistribution and maintenance of balance among pastoralists (Jabs, 2007; Krätli & Swift, 1999), it has recently acquired a commercial purpose. This has hugely increased the magnitude and destructiveness of the conflict as the motive is more than re-acquisition of one's lost cattle, and the agents of violence are militias with modern weapon. In Ethiopia, the conflict between the Afars and Somalis in the Shenile Zone, and the Afars and the Keryu Oromos in the Awash valley were also related to access to grazing land and water. Similarly, all of the 23 conflicts recorded in Kordofan region of Sudan in 2001 were resource based, and all were among settlers and pastoralists (UNDP Sudan, 2007). These local level resource based conflicts were at times interwoven with national and regional dynamics.

The review so far indicates that the actions of states could cause or aggravate conflicts either through the policies they pursued or the opportunistic acts of its personnel. States are also implicated in these conflicts in their failure to manage them before they escalate into large-scale violence. The extent of destruction and deaths these conflicts inflicted, and the lateness of state interventions depicts the glaring weakness or unwillingness of these states. The 2012 conflict between the Pokomo and the Orma of Kenya alone has caused the death of 100 and the

displacement of 6000 (International Crisis Group, 2013). Between 1990 and 1997, 600,000 people were displaced by inter-communal violence, while the 2007-2008 election related incident has alone displaced 663, 921 people (ibid.). In Ethiopia it is argued that between 5000-6000 people have been killed as result of localized intergroup conflicts in the last twenty years (Abbink, 2011). In cases where the state intervened, the intervention was too late, and hence failed to prevent the violence. This is in large part because of two major factors. First, most of these communities are marginal with little chance of getting attention in national politics where key decisions are made. Second, the local security apparatus of the state sometimes align with one group or the other instead of acting as a neutral arbiter.

State Capacity and Absence of Non-state Conflicts

The absence of serious inter-communal violence (25 or more deaths per year) in Tanzania, Senegal and Niger is examined to evaluate the contributions of state capacity to this state of affairs. These countries were chosen for their varied socio-economic and governance performance, and a high level of ethnic fractionalization.

Tanzania

Tanzania is one of the most relatively stable countries in East Africa both nationally and at sub-national level. After being ruled by a single party for a long period of time, Tanzania began political liberalization in the early 1990s. Since then, the dominant party has been ruling the country by winning consecutive elections. Tanzania has better state capacity than Sub-Saharan Africa countries average in the period of this study (1996-2010). While its overall average legitimacy score is -0.37, its overall average government effectiveness score is -0.45. The average legitimacy and effectiveness score for Sub-Saharan Africa is -0.66 and -0.74 respectively. It has also fared better than its neighbors', mainly Kenya and Uganda. While Kenya scored -0.69 and -0.54 on legitimacy and government effectiveness, Uganda scored -0.59 and -0.47 along the same scale. Tanzania has zero non-state conflicts as per the Uppsala Dataset, whereas Kenya and Uganda had 35 and 22 incidents of non-state conflicts during the same period. Does the state's legitimacy and effectiveness explain the absence of non-state conflict in Tanzania? Or is it the absence of factors that caused conflicts elsewhere that explains this state of affairs? The major causes of non-state conflicts in the cases analyzed are local elites political manipulation, competition over scarce resource, culture of cattle rustling, and state policies that exacerbate regional inequality and marginalization.

Thus, the level of resource scarcity and competition, and its management by local and/or national elites of the country need to be scrutinized. Studies at the macro and micro level indicate different results in this regard. Green (2011) asserted that the primary explanatory variable for political stability of the Tanzanian state is the relatively equal dispersion of land and capital. As horizontal inequality among various groups is considered to be a major cause of

conflicts, its absence could explain the prevailing political stability in the country. The existence of abundant land, which is evenly distributed throughout mainland Tanzania, could reduce local level ethnic tensions. It also appears to deny local and national political entrepreneurs the local grievances to capitalize on.

However, the abundance of cultivable land does not entirely explain the absence of local level grievances. The legitimacy mustered by the state and the party is also essential. Whitehead (2012) indicated that the peasant population granted wider legitimacy to the Tanzanian state and the dominant Chama Cha Mapinduzi (CCM) party. A survey of peasant choice in rural Tanzania indicated that part of the reason for this wider legitimacy is the party's role in bringing independence, in ensuring peace, and in its rural bias during the time of the single party rule (O'Gorman, 2012). The Ujamma nation-building project also contributed to national unity and stability through its preoccupation with regional equality and unity (Whitehead, 2012). Unity was promoted by encouraging Kswahili language, discouraging tribalism and civic education programmes, whereas equality was promoted through equitable access to education and health services. Poorer regions were given priority in the processes of equalization (ibid). Hence, land abundance precludes the prevalence of resource related conflict, and the policy of equalization attenuated the politicization of ethnicity by the elites. In as far as most resource conflicts are shaped by "social identities, political interests, historical precedent, and the defense of broader principle" (Turner et al, 2011, p.185), the interface of government policies and land abundance across all groups appears to explain the absence of non-state conflicts.

However, there are micro-conflicts in the country that are not captured by the data set. Kajembe et al's (2003) study of inter-community relations in Usangu plain indicated that pastoralists-farmers conflicts are reportedly common in the area. These conflicts often arise because of crop damage, competition over water, obstruction of livestock routes, and inter-village competition for cultivation. Similarly, Homewood, Coast & Thompson's (2004) documented the exclusion of the local population of Masaai in Tanzania through the encroachment of international investment, and reservation and conservation zones that often results in a violent repression of discontents. Alao (2007) also indicated the prevalence of ethnic conflict over land related issues between the Haya and the Sukuma in the Kagera region of Tanzania. However, these conflicts are below the level required to be a non-state conflict according to the Uppsala database on non-state armed conflicts. In lieu of these, the absence of major inter-communal conflicts in Tanzania could be explained by the ease of accessing resources, mainly land, the effectiveness and legitimacy of the state in controlling the resource allocation process.

Senegal

Senegal is one of the best-performing African countries with stable democracy. It has been politically stable throughout its post-independence history in a region characterized by coups, counter-coups and a general state of violence. It also has a good record in the measures of state effectiveness and legitimacy. While its average legitimacy score is -11, its government effectiveness score is -0.23 in the 1996-2010 period. This is superior to Sub-Saharan Africa average score as well as its neighbors' score.

Senegal has generally been stable at the local and national level except for the insurgency in the Casamance region. In that region, there is an ongoing, low intensity insurgency with a separatist agenda. Does the capacity of the state explain the absence of non-state conflicts in that country? State policy that marginalizes some regions is one of the causes of conflict in marginalized areas as it is observed in Kenya, Uganda, Ethiopia and Sudan. Similar trends of regional marginalization are prevalent in Senegal notwithstanding the absence of violent conflict in the neglected areas. The Casamance conflict occurred in a region that is not neglected by the overall Senegal standard (Humphreys & Mohamed, 2005). The Senegalese state pursued a generally urban biased policy as with many other African countries, and this led to the neglect of rural areas. However, little inter-communal conflict is observed in the rural areas. As various cases of conflict management efforts in the country appear to indicate, this cannot be explained by the legitimacy the state enjoys, its effectiveness in implementing policies, and its capacity to handle cases in a court to ensure the rule of law. The state's effectiveness in rural areas is limited due to lack of adequate human capital, centralization, poor and deteriorating infrastructure (BTI, 2012). The rural areas have minimal access to services because of its neglect, and the low priority accorded to health and education (Ibid.). The decentralized institutions are ineffective in exercising power vested on them because of human and financial resource constraints.

The task of conflict resolution is handled by traditional mechanisms of conflict resolution because of the cost and complicated procedures involved in the court system (BTI, 2012). The following cases presented by O'Bannon (2006) also signify the extent to which local administrations fail to handle conflicts between local communities. In 1998, herders planned to have a pond in an elevated area far from the cropping field to avoid crop destruction and the resultant conflict. To this end, the herders requested financial assistance from the rural council. The council indicated that it had no sufficient finance to cover the cost, as a result of which they

went to a higher level of authority, the sub-prefect, to no avail. Similarly, in the village of Niandoul, conflicts over a water well used to occur frequently. There was only one well in the area which was used by both the villagers and the pastoralists. The latter's cattle disruption of the well, and disagreement over the volume of water each group should take used to generate disputes between the two groups. Having failed to secure the assistance of the local authority in accommodating the needs of the two groups, the villagers approached an internationally financed local microcredit agency to cover part of the cost of the new well proposed to serve the villagers only. The African development foundation, an international organization, paid part of the cost for this new well. These two cases indicate the inability of local governance structures to effectively mediate conflicts. Hence, the reason for the peaceful nature of inter-communal relations has to be sought elsewhere, other than the effective and legitimate nature of the state.

Different factors appear to contribute to this state of affairs. First, the rural population of the country is sparsely populated. Almost half of the population of the country lives in urban areas. The sparse nature of the population distribution could contribute for lessening resource related stresses, and hence dampen violent confrontations among communities. Second, population migration to urban areas could further reduce these stresses. Third, urban migration and migration to abroad (mainly France) helped the local community in getting remittances from family members. This reduces extreme forms of deprivation that could lead to conflict. Finally, the various ethnic groups in the country are closely related to one another, and have a long history of peaceful coexistence dating back to the 12th century Malian empires and its successors (BTI, 2008). Thus, there appears to be a tradition of conflict resolution by the local communities themselves. Gueye`s (1994) study indicated that pastoralists and settled farmers solve their disagreements peacefully through the instrumentalities of customary dispute resolution mechanisms. At times, they even form alliances against the intrusion of powerful commercial farmers.

Niger

Niger is an underperformer in some aspects of state capacity. Its legitimacy score is -0.64, slightly better than Sub-Saharan Average of -0.66, while its effectiveness score is -0.86, lower than Sub-Saharan average of -0.74. Niger, like the other cases, is an ethnically fractionalized country with an ethnic fractionalization score of 0.651. Niger has been characterized by dictatorial rules and political instability in its post independence political history. Nationally, the Toubau and Tuareg ethnic groups wage separatist insurgencies because of perceived marginalization and lack of proper representation in the institutions of the central government

(BTI, Niger, 2003). Measuring non-state armed conflicts as per the Uppsala definition, Niger is a peaceful country by and large. Hence, it is an important case for interrogating the role of state capacity in the absence of non-state conflicts.

A glance at the level of the government effectiveness indicates that state effectiveness cannot explain the absence of non-state conflict. As the BTI (2012) study indicated the state has limited monopoly of the use of force. Its administrative reach is also limited to urban areas that literally outsourced the administration of the rural population to local chiefs (*ibid.*). Even in urban areas, the police lacked many of the requisites for providing effective security. The administrative system is incompetent and corruption-ridden. Outside the capital, there is little legal mechanism of adjudicating disputes because of the lack of sufficient lawyers. There are only 101 registered lawyers, and all of them work in the capital (*ibid.*). Poverty is rampant with more than 80% of the population living below WB's 2 dollar per day and there is very little service provision to the rural population.

Thus, non-state conflicts do not necessarily occur in under-performing states even in the face of increasing scarcity of water resources and resultant competition. The IRIN (September, 2006), citing the French National Centre for Scientific Research, indicated that rainfall in Niger has declined as much as 30 to 50 percent. This has changed the previously arable land into a barren, thereby resulting in overutilization of the areas conducive for farming. Consequently, 45% of Niger's land is in the range of either severely degraded or very severely degraded (Vanderlin, 2000). Hence, abundance of land and water could not either explain the absence of non-state conflicts in the country, which partly is the case for Tanzania. At the same time, it implies that either there is a localized conflict that does not amount to 25 or more deaths per year, or resource competition does not necessarily lead to conflict.

Micro studies indicate the prevalence of localized conflicts. There are an increasing number of local level conflicts, which are almost all settled by customary mechanisms of conflict resolution (Snorek, 2011; Vanderlin, 2000). In this sense, one can argue that the strength of local institutions keeps these conflicts from escalating to the level of destruction experienced in other African states. However, closer scrutiny reveals that there is more to it than just institutional strength. Turen et al's (2011) comparative study of four villages in Niger indicates that in areas where there is a convergence of livelihood, as the pastoralist increasingly adopted agropastoralism, there develops a mechanism of contract herding. By this arrangement, farmers let herders look after their livestock so as to concentrate on their on-farm activities. Since the

herders are from another group, the process generated frequent contact, trust, interdependence, and common interest among the farmers and pastoralists. In communities where there is no such arrangement more incidents of conflicts are reported by the residents. Thus, we witness on the one hand increasing numbers of localized disputes and competition over resources, and on the other hand a situation where these conflicts do not escalate to a destructive level. The point is that competition over scarce resources in weak states does not necessarily lead to the prevalence of non-state conflicts.

Conclusion

This study has examined the relationship between state capacity and non-state conflicts. To this end, the study employed mixed methodological approaches. The findings of the quantitative work revealed that the effectiveness and legitimacy aspects of state capacity are negatively correlated with the prevalence of non-state conflicts, albeit a weak correlation. A further examination of states with and without non-state conflicts indicate that these states caused or accentuated non-state conflicts in the misguided policy they pursued, in the opportunistic and biased acts of its personnel, and in their failure to manage non-state conflicts driven by local agenda. Thus, these states are either part of the cause of the conflict or fail to be part of the solution and hence have failed to ensure peace. Most of the states that faced non-state conflicts are relatively weak in their capacity as compared with those that did not experience non-state conflict.

Two major factors are involved in cases where there are no major conflicts. First, the state has not been involved in political manipulations of groups in a manner that ignite conflicts, which is the case in most of the countries that are affected by conflict. Thus, one of the ways states can contribute to the reduction of non-state conflicts is by disengaging from aggravating the already existing tension in their policy interventions. The fact that weak states could also refrain from political manipulation of conflicts necessitates a further study on why and in what conditions the elites of weak states refrain from this. Second, in such states national contradictions are not interwoven with local problems, as has happened in Darfur. The more a local non-state conflict is interwoven with national contradictions, the more the numbers of actors of conflict, the wider the issues and scale of the conflict, and the more difficult its resolution. Hence, we observe low intensity conflicts in Niger and Tanzania that does not escalate to the level considered as a conflict by the Uppsala data set on non-state conflicts due to the fact that these local conflicts are not embedded in conflicts at other levels. State capacity contributes to dampen non-state conflicts through its effect on these two factors. A capable state refrains from interfering in societal affairs in a manner that incite conflicts. It could also ease the depth of national level contradictions thereby attenuating their effects on, and connections with, local level tensions.

However, both the qualitative and quantitative analyses indicate that the effects of state capacity on non-state conflicts should not be overstated. Conflict is a multi-dimensional phenomenon caused by factors related to the level of resource scarcity, the strength of customary dispute resolution mechanisms, patterns of intercommunity interaction, nature of state policies and political actors' stake in conflict. It is the absence of these conflict-generating factors or the existence of resilient mechanisms of non-state conflict resolution that explains the prevalence or absence of non-state conflicts. Two countries provide a clear indication of this point. Though Uganda is relatively better than Niger in state capacity, it faced a number of non-state conflicts (22 in total) as compared with Niger that had not had a non-state conflict in the study period. As noted earlier, the non-state conflicts in Uganda are driven by local agenda, whereas the existence of the same conflict causing factors in Niger are diffused through patterns of intercommunity interactions mediated by contract herding. This indicates that a relatively strong state and a weak state both failed to intervene to manage conflicts. However, a different set of factors other than state capacity caused significant divergence in the incidence of non-state conflict between the two countries. The modest correlation identified in the quantitative work also affirms the same point. Thus, the solutions offered by the prevailing approach of international state building need to be supplemented by other distinctive local level strategies.

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