THE POLITICS OF STATE   COLLAPSE AND RECONSTITUTION IN SUB-SAHARA AFRICA: THE LIBERIAN NARRATIVE

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ABSTRACT

For some time now, states have been failing and collapsing in Africa to the chagrin of observers and analysts. While these processes are/were on, scholars from within and outside Africa have attempted to identify the forces that are spurring the processes. This article contributes to this discourse by exploring and narrating the Liberian experience. Drawing data mainly from secondary sources and leaning on social contract theoretical framework argues that state failure and collapse in Liberia and elsewhere in Africa are rooted in state illegitimacy. Put differently, a social   formation where the state and the 'citizens' work at cross purpose is predisposes to failure and collapse. The Liberian state under Tubman, Tolbert, Doe and Taylor never served the common good. It serves narrow racial, ethnic and class interests. Thus it became an arena of   internecine power struggle among the various antagonistic social forces ultimately   leading to political implosion. The article submits that what Liberia needed during her transition to democracy is state re-legitimation and re-constitution and not elite- driven state-building.

Key words: The State, Legitimacy, Re-Constitution, State Failure, Re-Legitimation

> *Whatever therefore is consequent to a time of war, where every man is enemy to everyman, the same is consequent to the time, wherein men live without other security, than was their strength, and their own invention shall furnish them with all. In such condition, there is no place for industry…… no account of time, no arts; no letters; no society; and   which is worst of all, continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish and short.-* Thomas Hobbes.

1. Introduction

The above passage by Thomas Hobbes, the pioneer of the social contract school, captures the condition of an anarchical society. As matter of fact, the political tracts of great political thinkers from Plato to the present have echoed the significance of a well ordered society (Hague and Harrop, 2007:10). Unfortunately, not all societies enjoy the luxury of statehood. To be sure, in today's world, many polities only exhibit statehood in names. Irrespective of the epithets given to them by scholars and commentators, they are all devoid of the Weberian garb (Jackson and Rosberg, 1982).

Although the phenomenon of state failure since advent of globalization has infested many societies in the world over, it appears to be more prevalent in Africa. In 2006, the Fund for Peace reports that, seven out of the ten countries which suffer chronic state failure are in Africa. No doubt, such damning report makes Africa an ideal laboratory for theory building in the study of state failure. In the words of Zartman (1995), '*such geographical concentration provides an opportunity not only to learn about Africa but to learn from Africa*'. In specific terms, if the map of Africa is shaded, only a small portion will indicate states that are working in the real sense of it. In other words, African geopolitical landscape is littered with countries that have either collapsed or drifting towards collapse.

Although, there have been plethora of works on the subject by African scholars and Africanists alike (MacGaffey, 1991; Paul, 1996; Reno, 1998; Ellis 1999; Collier et al. 2003; Rotberg, 2004); however majority of them are historically barren. Put another way, they tend neglect the historically forces that spur state failure and collapse rather they have tended to focus on the domestic: rentierism, prebendalism, and ethnicity. The significance of this study is therefore predicated on filling the gap in literature. The purpose of the study is to probe into the phenomenon of state failure/collapse in Africa using Liberian experience as an empirical narrative. Specifically, the study draws its data from secondary sources via desk research and it adopts the histo-descriptive approach.

In terms of organization, the work has been partitioned into four sections, starting with an introduction pointing to the paper's significance, purpose, methodology and organization of study. Following the first section is section two which lays the conceptual foundations for the

study. The third section presents the theoretical study for the paper. Section four is an illustration of how the problems of state collapse have manifested in sub-Sahara Africa with a focus on the politics of state collapse and reconstitution in Liberia. The choice of Liberia as a single case is justified on the ground that it was the first independent state in Africa, in addition to offering contextual description which is the first value of area comparative study (Lyphart, 1971). As Eckstein (1975) once remarks "single-country studies are the equivalent of clinical studies from medicine where the effects of certain treatments are examined intensively". Certainly, this part examines, intensively, the flow and ebb of events in Liberia prior to and after its collapse. The fifth section discusses the phases of state reconstitution in Liberia. Section six concludes the paper.

2. Conceptual Clarifications

In order to set this study on sound theoretical footing, some variables are identified for conceptualisation. In fact, in literature on state crisis in the developing countries, some concepts and terms have become predominant and most analysts often encounter problems in delineating them. These are: state weakness, state failure, state fragility and state collapse (Osaghe, 2009). In this paper, attempts are made to conceptualize and contextualize them. But before this is done, it is germane to first define the state itself.

The state as a conceptual variable

It must be stressed that the best approach to delineate concepts associated with state crisis in Africa is to first define the state. To begin with, the state is an eclectic concept but despite its eclecticism, theorists of all shades, irrespective of the ideological leanings, have come to accept Article One of the Montevideo Convention of 1933 as *fait accompli* (Fried, 1972; McCauley, 2003). Interestingly, this international legal definition of statehood fittingly approximates the definition of the state offered by the German political sociologist, Max Weber. For the purpose of this paper, it is worthy to quote him: *'a state is that human community that successfully claims the monopoly of the legitimate use of physical fore within a given territory'* (Weber, 1979).

The Weberian definition fits into the frame of this study and it is thus adopted as the working definition. As it will soon be made clearer, this conception of the state has implication for state weakness, state failure and state collapse. For example, to what extents do the "states" in

sub-Sahara Africa police their territory? Do these states have monopoly over the instrument of force? In the proceeding paragraphs, attempts will be made to answer these questions but before then, it is germane to conceptualise state weakness, state failure and state collapse.

State Weakness, State Failure and State Collapse

Although, the three concepts are inter-related but analytically, they are distinct from one another. To be sure, the first is conceptually distinct from the second and the third. At the same time, the second and the third, in most literature, are often used interchangeably yet they are conceptually distinct (see Kieh, 2001; Widner, 1995). That is, they are not synonymous and thus not interchangeable (Gurr, 1995). Stemming from the foregoing, how do we delineate them for analytical purpose? The perspectives of Rotberg (op cit) and Holsti (1995) are relevant here.

Using the performance criterion, Rotberg succeeds in distinguishing the concepts. Specifically, he contends that the extent at which a state delivers a range of socio-political and economic goods invariably determines its rating. As he puts it "*the bundle of political goods, roughly rank ordered, establishes a set of criteria according to which modern states may be judged strong, weak or failed*". In essence, a weak state unlike a strong state shows a mixed performance profile probably fulfilling expectations in some areas and performing poorly in others. He contends perceptively that the more poorly a weak state performs criterion by criterion, the weaker it becomes and the more that weakness tends to edge towards failure.

Holsti (1995) extends the arguments further by identifying the characteristics of state failure as:

- there are one or more armed "mini" sovereigns within the state;
- An external power wields effective authority or influence within the territory of the state;
- Communities war against each other and the central authority does not have the capacity to end such war;
- A state is incapable of providing minimal security for the ordinary task of life.

The foregoing formulations indicate that state failure is a performance-based term and the above characteristics are indicators of state failure. Therefore, for the purpose of this paper, we ally with the definitional perspectives of Kieh (2000) that see state failure as the inability of a state and its custodians to adequately address the cultural, economic, political and social needs of its citizens.

On the other hand, state collapse in most literature is conceived as the complete disappearance of legitimate authority in a social formation. Zartman (op cit) conceives it as a situation where the structure, authority, (legitimate power), law, and political order have fallen apart and must be reconstituted in some form, old or new. As it will so be made clearer, this was the contexts that Liberia and Sierra-Leone were in 1989 and 1992 respectively before the intervention of the third party. In these two countries, central authorities collapsed completely that they needed to be reconstructed by external actors. It is instructive to note that while Liberia and Sierra-Leone might have been lucky in having the states restored back, Somalia has not. Since 1991, Somalis have been living without the luxury of central authority. It is a prototype collapsed state.

3. Theoretical Framework of Analysis

Social Contact Theory (SCT) is adopted as the theoretical umbrella for this paper. The theory contends that the relationship between the state and the citizens is a sort of social exchange where the latter offers unalloyed allegiance to the former for supplying social goods most especially security (Oomen, 1997:23). The development of the theory is linked to the contractarians of the early modern Europe *ala* Bodin, Hobbes, Locke and Rousseau. Without a central authority to enforce order, claimed Hobbes for example, society regresses to civil war. To avert this uncivil condition, a social contract was entered into by rational individuals seeking protection from each other's mischief. By granting a monopoly of the sword to a Leviathan, the state or king, the society is transformed from anarchy into order, securing not only peace but also the opportunity for human endeavours to flourish (see Hague and Harrop, 2007:5).

It is instructive to note that Hobbes probably neglected the real issue, consent, in his theory. In Locke's theory, state's power is limited not only by contract but by consent. Put differently, when the state or its agents fails to fulfill its own side of the contract, like

safeguarding life, property and liberty, it loses legitimacy in the eyes of the citizens, then resistance ensures (Nwabueze, 2003). According to Rosenau (2006:39-40), social contact theory consists of the recurrent orientations, practices and patterns through which citizens at the micro level are linked to their state at the macro level.

Put differently, it is the authority structures where the political state achieves and sustains the cooperation and compliance of their memberships. Instructively, it is underwritten by institutionalized authority structure. In the modern globalized era, it specifically defined in performance terms. In other words, the readiness of individuals within the state to comply with governing directives is much a function of their assessment of the performances of the state. Thus, the more the performance record is considered appropriate- in terms of satisfying needs, moving toward goals- the more are they are likely to cooperate and comply. The less they approve the performance record, the more are they likely to withhold their compliance or otherwise complicate the efforts of the states.

In all, the theory contends that a state-citizenship relation is oriented towards mutual exchange. As long as each party keeps to its contractual terms, harmony ensues, and if otherwise, a crisis beckons. Situated in the context of this paper, the theory is relevant to comprehending the crisis that led to the collapse of the Liberian state in 1990.

4. Pathway to State Collapse in Liberia

It is worthy to note that the experience of Liberia with regard to state formation was not totally different from those of other colonial possessions in Africa (Kieh, opcit). Founded as an alternative to abolition in early nineteenth-century America, Liberia was a possession of the American Colonization Society (ACS), a philanthropic organization that received military and financial support from the United States government. Indeed, the compact to establish order was created in 1820, even before the first group of emigrants set sail from the United States for West Africa. The "Elizabeth compact" and subsequent constitutions established the agents of the ACS as the unchallenged authority in Liberia and the board of managers of the ACS as the sources of law. At this juncture, it is instructive to note that for this group of emigrants from the United States, "exit" was the best escape from servitude and slavery (Clegg, 2004). However, given the nature of the times, emigrants' negotiations with the ACS

about the terms and conditions of governance could hardly yield immediate process of self – determination.

Over the early years, as settlement pattern within the coastal environment began to shape the entrepreneur opportunities for settlers, new relationship needed to be forged among the settlers themselves, with the ACS, with surrounding indigenous African communities and with the imperial powers. Having been socialized in the crudity of the prevailing American society that was hoisted on a system of slavery and racial discrimination, the freed slaves envisioned a Liberia in which they would be the "overlords" and their indigenous Kin would be the "slaves". As Brown (1981) points out "*The American-Liberians considered themselves as 'superior people', thus there was no sense of feeling of oneness with the Africa*". With the support of the colonial state, the settlers were able to establish dominance over the indigenous communities.

However, it was not too long when the character of the colonial state began to change. The fear of imperial encirclement forced the colonial state to adjust accordingly. At this critical historical junction remarks, Sawyer (opcit), the first option was to secure the United States government guarantee of its territorial integrity. The second option was to declare Liberia an independent state and thus seeks protection under international law. To cut the story short, the second option prevailed and precisely on July 26, 1847, independence was declared (Kieh, opcit). With the declaration of independence, Liberian leaders held a constitutional convention and debated the constitutional arrangement to be adopted. The proposal to form a unitary state put forward by leaders of ACS was hotly contested by representative from Bassa.

At this historical period, there were conflict between the federalist and the anti-federalist forces but in the ensuring conflict the anti-federalist forces won and thus Liberia emerged a unitary state. The federalist elements among the indigenous communities rejected outright the new sovereign state. However, despite the rejection, the new ruling group (the light-skinned African Americans sought to consolidate their reign. The first major challenge faced by them was how to affectively occupy and control the claimed territory.

By this period, two options were opened to them. The first was to subordinate the indigenous people to their hegemony; the second option was to integrate them by extending citizenship

rights to them. It is instructive to note here that the two options were unpalatable and thus a new approach was invented, the establishment of relationship of tutelage with the surrounding communities with the view to gradually incorporating individual from those communities into the Liberian body politics, as such individual would have been seen to have acquired the qualities to be considered "civilized".

Accordingly, the immediate post independence period witnessed the continuation of conflicts between the settler government and the indigenes, and the dark-skinned and light-skinned African-Americans. It was under this arrangement that the Liberian people were governed until the end of the Second World War when situation changed drastically. The availability to the government of new revenues derived from property rights in the natural resources and not through the interior bureaucracy strengthened the power of the central authority especially those of the president. With increased revenues, the president now had the capability to establish a patronage network that extend into the hinterland (Liebenow, 1969)

By the mid-1950s, Williams V.S Tubman, a former Senator and Associate Justice of the supreme court of Liberia, had transformed the office of the president into a personal domain. He doled out public monies to buy loyalty, established an elaborate and greatly feared security network, crushed those members of the opposition whose loyalty he could not buy and rammed through legislature a constitutional amendment removing presidential term limits. He died after twenty-seven years in office (Sawyer, 1995).

With the exit of Tubman in 1971 and his replacement with William Tolbert, a new hope was thought to have beckoned. The new president cognizant of the fact that Liberians were repression wearied; and that unless some steps were taken in liberalising the polity, there could be serious consequence, undertook to liberalise the political space. In response, a reform movement with several constituencies; the intelligentsia, students, workers e.t.c emerged and began to agitate for changes in the political structure. At first, Tolbert regime tolerated them but with time, he had to limit political participation. This he did by combining repression with liberalization. Interestingly, as the regime intensified its repression, the reform movement remained undaunted in its efforts to liberalise the polity.

Precisely on April 14, 1979, the regime and the reform movement had their first confrontation. In its reaction to the crises, Tolbert regime unleashed maximum force; score of demonstrators were killed by security forces. Interestingly, the Armed Forces of Liberia

refused to carry out the regimes "shoot and kill demonstrators order". In the ensuing imbroglio, the military took advantages of the legitimate grievances of the subaltern classes against the ruling class, by launching .a bloody coup d'etat on April 12, 1980 (Kieh, opcit). After settling in as military leader and purging the military of his opponents, Samuel Doe began to lay the foundation for a new patrimonial order, this time with a predominantly indigenous constituency resting on Krahn ethnic foundations.

In order to legitimize his reign, he promulgated decrees stifling freedom of the press and of association and issued orders banning individuals from participation in public affairs. Consequently, students, religious leaders and others, who spoke truth to power, were murdered, imprisoned or forced to flee the country. However despite his Machiavellian tactics, he was forced to respond to growing demands for reform by local and external forces. Resultantly, he established a national constitution commission whose mandate was to redraw a new constitution for the Liberian state. Doe in his characteristic style was able to manipulate the process, engineer a revision of the draft constitution to suit his purpose and transformed himself into a constitutionally elected president in 1985.

It is instructive to note here that the civilianization of military rule did not change Doe's penchant for repression. For example, under Executive Order 2, it was illegal for students to organize political activities on their campuses. This clearly violates the freedom of association provision of the constitution of Liberia, which he had sworn to enforce, defend and protect. On the economic front, things were not better. By the late 1980s, the rate of unemployment jumped to 58.2% (Tipoteh, 1985).

During the same period, real wages declined by almost 50% (Tipotech, ibid). Socially, in 1985, the literacy rate was 35%. Between 1985 and 1987, only 39% of the total population had access to health services, while 55% had access to safe drinking water. In 1987, life expectancy was 55 years. During the same period, Liberia's overall human development index was 0.333 (UNDP: 1990). As it could have been predicted, persistent internal resistance combined with the withdrawal of US support following a dramatic change in international order led to the weakening of the regime (Kieh, opcit). Realizing that the Doe regime had lost legitimacy, the Charles Taylor-led National Patriotic Front of Liberia (NPFL) determined that it had found an appropriate trigger for removing the Doe regime.

Accordingly, on December 24, 1989, the NPP operating from neighbouring Coted'Ivorie launched an insurgency against the Doe regime. Expectedly, Doe responded with maximum force and the resultant armed conflict paralysed the state and brought about state collapse. In fact, Sawyer (2005) described the trajectory of the collapse of the Liberian state thus:

> *For more than a century and a half (1821 – 1990), institutions of government in Liberia, built upon a theory of unitary sovereignty have been shaped by responses to changing historical experience. Constitutional choice made over this period yielded a short-lived "federal-like" experiment in 1839. an emergent central state from 1847 to the early 1960s; a consolidated centralized state with increasing presidential powers, from the early 1900s to the Second World War, and presidential autocracy (in the post-World War era, 1945 – 1979) that was transformed into a brutal dictatorship in 1980 and* <u>*collapse in violence*</u> *in 1989 – 1990.* (emphasis added*).*

With the collapse of the central state in Liberia, it became imperative to reconstitute it. Here, it is instructive to note that the Liberia case, unlike those of Chad and Uganda, where an armed faction captured state power and consequently reconstituted order, was markedly different (Ngethe, 1995). In the Liberian case, none of the armed factions was able to capture state power and thus order could not be reconstituted. The tasks now fell on the shoulders of external actors (ECOWAS, OAU, UN, Britain, France and the United States (Harzell, 1999; Walter, 1999).

5. The Two faces (Phases) of State Reconstitution in Liberia

Following the collapse of the Liberian state in 1990, attempts were thus made to reconstitute the state but it should be noted that two phases (faces) of reconstitution were discernible. The first was underwritten by the external actors between 1990 and 1997 while the second was undertaken by Charles Taylor between 1997 and 2003.

The first phase: The involvement of the external Actors.

In 1990s, proposals made by Liberian religious leaders were adopted by ECOWAS as the core of a peace plan for ending the conflict in Liberia. The plan streamlined the processes to be followed before a new state is reconstituted. In a nutshell, it called for the formation of an

interim government composed of all armed groups, political parties and leaders of civil society and headed by a civilian who will be ineligible to contest elections; disarmament and demobilization of all groups and holding of elections. The plan was accepted by the civil society actors and all the armed groups except Taylor's NPFL. Over three years, at least seven peace conferences were held and as many agreements and modifications agreements were signed in efforts to pacify the recalcitrant NPFL. The group would sign on to all subsequent agreements and promptly renege on them (Lowenkopt, 1995).

In 1993, the United Nations intervened as a partner of ECOWAS in the search for peace and put forward a new peace proposal (Cotonou agreement) calling for an interm government dominated by representatives of armed groups, disarming of armed groups and the holding of elections. However, the arrangement failed to ensure peace as the leaders of the dominat group, Taylor, sought special advantages. Subsequently, in 1996, after a month-long violent outbreak and plunder of Liberia by armed groups, a new peace agreement was signed by the leaders of the groups under threat of prosecution for war crimes of those who might breach it. With this acclaimed feat, hope was high that normalcy has finally returned to Liberia but it should be noted that the disarmament and demobilization programmes of 1996 was partially successful (Sawyer and Wesseh 2000).

Under this condition, elections were held. Charles Taylor won and was subsequently sworn as the president of Liberia. Did he win fairly? Was Taylor indeed the choice of the people? Did he address the core national issues? As it will soon be clearer, Taylor had his own conception of the Liberian project which was not totally different from those of Tubman, Tolbert and Doe. Before we examine these issues in full in the proceeding paragraphs, it is instructive to note that the model of reconstitution was not process- driven and thus did not address the key national questions that bother on how to decentralize the Liberian polity.

The second Phase: State Non-Reconstitution under Taylor
On assuming power under an externally brokered transition, Charles Taylor rather than embarking on genuine national reconciliation and restoration of order chose the course of recrimination and exclusion. Having been invested with the instrument of state power, Taylor now saw the opportunity to further enriching himself and his cronies. By mid 1999, based on available evidence, the steps taken by Taylor were so minuscule. For example, the continued

centralization of power in the presidency made mockery of human right governance (Kieh, opcit). As table 1 below shows, the regime had poor human right records.

Table 1 Liberia: The State of Human Right, 1997- 1999

Year	Political rights	Civil Liberties	Human Rights Index	Status
1997	7	6	6.5	Not Free
1998	4	5	4.5	Partially Free
1999	4	5	4.5	Partially Free

Source: Freedom House, 1997- 1999

Aside from the failure to protect human rights and fundamental freedom, the regime as part of his agenda to "Tubmanize" the polity also castrated the other two organs of government. As long as Taylor reigned, the judiciary remained the parastatal of the presidency. For example, in July 1999, President Taylor ordered the Supreme Court to halt the implementation of its ruling against TRADEVCO Bank pending what he termed "Executive review". In the Taylor's scheme of things, the legislature was not spared. In fact, on many occasions, President Taylor threatened to dismiss members of the National Legislature from his ruling party if they oppose any of his legislative initiatives.

Ultimately, Taylor failed in re-establishing state control over the body politic and this created opportunities for constant harassment of people in the hinterland (Tokpa, opcit). To cut the story short, the inability on the part of Taylor's regime to effectively reconstitute order in Liberia spurred a new round of fighting spearheaded by the new entrants, LURD and MODEL. By early 2001, the forces of LURD seemed to have grown so strong that they came to pose a significant threat to Taylor's regime despite his best efforts. Advancing, by mid 2003, it and MODEL moved closer to Monrovia attempting to put the city under siege.

At this stage, Liberian civil society organizations and the diasporas Liberians mounted major advocacy efforts for the intervention of the interventional stabilization force and the initiation of peace process. Precisely, on August 2003, Taylor, under pressure, was forced into exile in Nigeria and thus pacing the way for the Accra peace conference. Consequently, the peace

agreement reached in Accra among the armed groups, political parties and civil society organizations called for the establishment of international stabilization force to disarm and demobilize all armed groups, the formation of a power-sharing transition government and the holding of elections.

The preceding narratives indicate that Charles Taylor rather than settings in motion the process of re-ordering and reconstitution chose the path of non-reconstitution thereby launching the Liberian nation on the path of violence and predation (Reno, 2000, Rotberg, opcit). The last point raise a fundamental question: if Taylor institutionalized non-reconstitution in Liberia, how should a state be reconstituted?

6.   Concluding Remarks

The paper has attempted to examine the politics of state collapse and reconstitution in Africa and it has shown through the experience of Liberia (1990-2003) that the state reconstitution process is often fraught with problems of monumental proportions. This is because the process rather than being process-anchored was elite-driven and like the past efforts at re-examining the basis of the Liberian state, it failed. The external actors that intervened to restore order and normalcy in effort to quickly restore stability failed to comprehend the enormity of the contradictions in Liberia. Also the supposedly beneficiary of the flawed process, Charles Taylor, had his own conception of a new Liberian state – a warlord state that acts as conduit pipe for international criminal activities.

The paper concludes that best the option that ought to have been institutionalized based on the Liberia experience, during the period of reconstitution, was the process-led framework in which the Liberian people, rather the "cartel of armed elites", would determine their constitutional choice. Even, the reconstitutionalization that led to the birth of multi-party democracy in 2006 was still not process-led. Though, after almost ten years of democracy, nothing on ground suggest that the state is in danger. The paper still recommends that the normative bounds of the country still needs to be reworked.

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