The Implication of Governance for Conflict Prevention, Management and Resolution in the Horn of Africa

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Abstract

The central theme of this study was to examine the implication of governance for conflict prevention, management and resolution in the Horn of Africa. The Horn of Africa is characterized by both intra-state and inter-state conflicts. The causes of such conflicts are the function of internally driven, externally induced and geo-politically motivated. This study gives emphasis the link between the mode of governance in the states of the Horn of Africa and conflicts. In order to understand the interplay between governance and conflict in the study area, the study employed descriptive qualitative approach and mainly based on secondary sources. On the basis of this methodology, the finding of the study revealed that conflicts in the Horn of Africa have a direct linkage with the mode of governance lied in the exercise of the public authority.

Keywords: Governance, Conflict Prevention, Horn of Africa.

1.   Introduction

The Horn of Africa[1] characterized, among others, and has come to be identified with conflict inundation of both intra-cine and inter-state sorts. As to one author[2], this region of the African continent is the "arc of conflict" next to the Middle East with the complexity of issues involved and the behavioral metamorphosis of the conflicting actors. During the Cold War, the onus of ideological confrontation was borne in the form of warfare in Sudan, Ethiopia against the secessionist and with Somalia's irredentist aspiration, Djibouti until 1977 with Somalia and so on. The common pattern of alignment in these conflicts was the belligerents belong to dichotomously either of the two blocks.

Following the end of the Cold War, the hope was that it would be easier to deal effectively with conflicts of a varying nature and scope. Kidane recites the then expectation in dealing with the *core* or recognized as the inherent cause/s of the conflict in the region, "Twenty years ago, it was commonplace to hear experts talk about containing conflicts in the Horn of Africa, preventing their further escalation, and even, in the longer run, addressing their root causes."[3] Conflicts are still pervasive either in the protracted manner or in the form of protests. The Darfur conflict, the Sudan-South Sudan tense relations, Somalia, Ethio-Eritrea, Eritrea against Djibouti and Sudan, Somalia militants against Ethiopia, Kenya, Uganda are some of the well voiced conflicts apart from those repressive originated conflicts in Eritrea, Ethiopia, Kenya, Sudan and to some extent in Somalia. The causes of such conflicts are the function of internally driven, externally induced and geo-politically motivated. The nature of governance in the states reflects the inner fine core of the political system they peruse and the most important factor in dealing with conflicts. Even for those conflicts having global realm governments have the power to contain their ramification on the people since they have resources and seemingly unlimited power though its legitimacy could be contested. Poverty, illiteracy, society and a narrowed political space render absolute like government.

The purpose of the study, therefore,   is to expatiate the link between the mode of governance in the states of the Horn of Africa and conflicts. What form of governance is best suited to bulwark conflicts is the central question that has to be addressed before proceeding to the case at hand.

2.   Conflict and Governance: Conceptual Framework

2.1   Conflict

The term *conflict* is one of those terminologies in the study of social phenomenon and its conception is proffered against normative referents imbued with circumstances that indicate the contrary of what conflict holds. Among these referents, the term *peace* is widely applied. This supplies the conception of conflict to be made out in

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[1] Kidane puts that The Horn of Africa proper is a geographical concept referring to the countries of Djibouti, Eritrea, Ethiopia, and Somalia. The Greater Horn, on the other hand, is largely a political concept that incorporates Kenya, Sudan, and Uganda into the Horn region and encompasses all the countries of the Intergovernmental Authority for Development (IGAD). Kidane , Mengisteab 'Critical factors in the Horn of Africa's Raging Conflicts,' *Discussion Paper* 67. NorDisKa AFriKainsTiTuTeT, uPPsaLa , 2011, (UK: Lightening Source.)

[2] Bereket, Habteselassie (1980) *Conflict and Intervention in the Horn of Africa.* (London and New York: Monthly Review).

[3] Sharamo, Roba and (ed.) 'Regional Security in the post-Cold War Horn of Africa,' Institute for Security Studies,' *Monograph* 178, April 2011, xii-xv.

formulating a negative definition of conflict that is the opposite of peace. Hence, the lack of peace means perfunctorily the presence of conflict.[1] It is due to this reason most discussions in the area conflict management and resolution are predicated on peace building strategies and platforms as the deleterious to the conflictive interactions.

Some authors, however, approach what constitute conflict is by its own inner logic rather than by making a dual comparison with peace for the fact that peace itself needs its own definition. It seems for that purpose Johan Galtung[2] defines in attributive manner that conflict means the existence of contradiction of goal, interests and values. This definition suggests the clash of interests and claims engenders the state of conflict where one stands on the road of the others structurally in a systemic sort or direct violence that involves physical encounter. The possibility of arriving at mutually acceptable results for the disputants seems non-existent in the actual reality because their goals and interests are bound to be incompatible.[3]

With regard determining who involves in conflict, its omnipresence is proved true that from an individual to international organizations engages in conflict since they pursuit a certain set of interests and preferences. Esman underlines, "conflict may occur at any level of social interaction form localities and neighborhood to the central government."[4] In terms of classifying such occurrences of conflicts, Wallenstein[5] comes up with three categories of conflicts, namely: interstate, intrastate, and state formation conflicts. As the next discussion points out, the last conflict is characterized by a societal conflict where the state is not the major actor of the conflict as opposed to the first two. In the intrastate one, the state is in conflict with domestic forces who renounce the very integrity of the state or the legitimacy of the government in power. An inter-state is the widest in its scope of conflict in which two or more states are the participant. Similarly[6], others classify conflicts with a varying nomenclature of civil war and inter-communal for the intrastate and state formation conflicts, respectively.

2.1.1 Internecine Conflict and its Dynamics

In dealing with the causes of inter-communal and intra-state conflicts, the relevant theories are the theory of relative deprivation and horizontal inequality.[7] The former is predicated on the feasibility of making comparison as to the distribution of wealth and assets between two ethnic groups**.** It is for the simple reason that comparing two ethnic groups is easier than three or above. This even leads Ostby[8] to make a contradictory relation between the growths of GDP and conflicts for the reason that the more GDP grows the more likely ethnic conflicts to erupt due to the inherent unevenness of growth.

The theory of horizontal inequality is wider than the theory of relative deprivation in its explanatory capacity. The conventional inequality between poor and rich could not be the triggering factor for ethnic conflict unless coincided with the ethnic identities of the poor and the rich themselves that function in a systemic manner based on the patron-client relation between elites and their co-ethnic, religious or linguistic groups.[9]. Hence**,** Inequalities that coincide with social cleavages may enhance both grievances, group cohesion among the relatively deprived, and which facilitates mobilization for conflict for the very reason that violence are group conflicts – not confrontations between individuals fighting randomly each other.[10]   This is further exacerbated

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[1] Horn of Africa Steering Committee. "Pathways to Peace in the Horn of Africa: What Role for the United States?" Wilson Center for International Scholarships, 2011.

[2] Galtung, Johan (1958). *Theories of conflict: Definitions, Dimensions, Negations and Formations. (*Colombia: Colombia University   Press),   p.   20-'21.   Accessed   at www.google.com.et/url?sa=t&rct=j&q=AFQjCNEUexS3w3jeksuie7LUtf0SPrBji.com

[3] See Ibid, First Chapter, "Definition of Conflict".

[4] Esman, Milton J. (2004) *An Introduction to Ethnic conflict* (Cambridge: Polity press), P.3

[5] King, Marye (ed.) (2005) A *Glossary of Terms and Concepts in Peace and Conflict Studies*, University for Peace: Africa Programme.

[6] Smith, Dan (2004) Trends and Causes of Armed Conflict. Berghof Research Center for Constructive Conflict Management Handbook. Available at: http://www.berghof-handbook.net (Accessed: 20 October 2013) and Rothman, Jay and Olson, Marie L. (2001) `From Interests to Identities: Towards a New Emphasis in Interactive Conflict.' Journal of Peace Research Resolution, 38(3), p. 289–305.

[7] *See* Ostby, Gudrun ' Polarization, Horizontal Inequality and Violent Civil conflict ', *Journal of Peace Research*, 2008, Vol.45, No.2, 143-162.

[8] IBID, P.156.

[9] Bratton, Michael and Nicolas Van de Walle (1997) *Democratic Experiments in Africa: Regime Transition in Comparative Perspective.* (Cambridge &New York: Cambridge University Press),

[10] Duclos, Jean-Yves; Joan Esteban & Debraj Ray 'Polarization: Concepts, Measurement, Estimation', *Econometrica* 72(6): 1737–1772, 2004, *See Gurr; Ted Robert, 2000. Peoples Versus States: Minorities at Risk in the New Century. (Washington, DC: United States Institute of Peace Press); Murshed, S. Mansoob & Scott Gates, 2005. 'Spatial-Horizontal Inequality and the Maoist Insurgency in Nepal', Review of Development Economics 9(1): 121–134; and Stewart, Frances, 2000. 'Crisis Prevention: Tackling Horizontal Inequalities', Oxford Development Studies 28(3): 245–262 all mentioned in* Ostby, Gudrun

by the competition over natural resources to support the subsistence livelihood especially in poorer areas of Africa and Asia, adding territorial claims and identity based mobilization for securing space in the political setting of the state.[1]

Finally, to make things clearer, the dynamics of internecine conflict has a chain of events that ends up socially destructive, politically unacceptable and morally indefensible. Begins from opposing or protesting the other side then attacking the main target group and, terminally, the warring inter-communal blocks. [2] Hector uses two indicators of internecine conflict in the form of anti-regime activities: protests and rebellion.[3] Protest includes lesser forms of anti-regime activities such as expression of verbal opposition, symbolic rebellion and demonstrations and escalating to rebellious activities of political banditry, terrorist campaigns, guerrilla activity and protracted civil war. Besides, of this, Brancati also uses two variables to measure the intensity of anti-regime rebellion and inter-communal conflict.[4] He further divides anti-regime rebellion and inter-communal conflicts in to seven and six levels respectively. From 1 to 6/7 the intensity of the conflict is becoming deeper and wider in scope to threaten the state's integrity.

2.2. Governance- Conflict Interplay

Governance refers to the totality of procedural, practical, institutional and citizenry rights in the exercise of political, economic, administrative and legal authority in the management of a country's public affairs at all levels. [5] From the viewpoint of conflict prevention, management and resolution, the implication of governances calls for as to how the public authority is helpful to do so. This is because governance is not an antidote to any kind of conflict wherever it may happen; rather it could engender new conflict formation or allow deteriorating the already temporal one. It follows that the impact that governance could have on conflict is the function of its *modus operandi* and viability with respect to the root of the existing conflicts.

The nature of conflicts determines the required governance set-up. Structural conflicts require the governance system to face with issues of uppermost significance in the society since conflicts arises there are the most damaging and difficult to reverse. Direct conflicts are more amenable to administrative decisions or measures than structural conflicts. For example, the lack of equality and equity is one of the foundation of structural conflicts[6] than physical violence among individuals which is less challenging for the state machinery.

So, what system of governance prevents or reduces both forms of conflicts? When a country adopts a democratic mode of managing its public affairs that is referred to as good governance. On the other hand, undemocratic management of public affairs is what many people usually equate with bad or poor governance.[7] Given its commitment to openness, fairness, equal opportunity and fair play, democratic governance is the best means of conflict prevention, management and resolution. [8] Thus, at this juncture, the main point is that of the mode of governance with democratic essences has the capacity in offsetting and addressing conflicts of different nature. These essences could be summarized in to thee in terms of conflict negation: constitutionalism, social integration, decentralization and local empowerment, and socio-economic developments.

I.   Constitutionalism

Constitutionalism refers to the system of governance that operates in the context of legally prescribed arrangements. The exercise of political power has to be casted in line with those constitutional principles for which even the public at large expected to duly observe. Theoretically, such wide-covering principles transpire the democratic expression of the will of the people and that is why the notion of constitutional supremacy has a direct relation with democracy. That is why it seems Micheal and Walle challenge the attitude that constitutionalism is less applicable in the African context as they put, "the effort of African citizens to hold their leaders accountable for providing for the common good are, at heart, a quest for democracy."[9]

' Polarization, Horizontal Inequality and Violent Civil conflict ', Journal of Peace Research, 2008, Vol.45, No.2, 143-162, p.144. cited in Ostby, Gudrun ' Polarization, Horizontal Inequality and Violent Civil conflict ', *Journal of Peace Research*, 2008, Vol.45, No.2, 143-162. P.156.

[1] Horowitz, Donald (1985). *Ethnic Groups in Conflict*. (Berkeley: University of California Press)

[2] Hector, Michael (2000) *Containing Nationalism*. (Oxford: Oxford university Press).

[3] Ibid, p.146

[4] Brancati, Daw (2006)' Decentralization: fueling or Dampening the Flame of Ethnic conflict and secession? *International organisation*. P. 665

[5] UNDP, Report on the Human Development of Kenya, 1994 cited in Mwagiru, Makumi (ed.) (2004) *African Regional Security in the Age of Globalization*. (Nairobi: Heinrich Böll Foundation). p.67.

[6] Coleman, Peter T (ed.) 'Conflict, Interdependence and Justice: The Intellectual legacy of Morton Deutsch,' in Daniel J. Christie (ed.) *Peace Psychology Book Series* (New York: Springer), 2011.

[7] Mwagiru, Makumi (ed.) (2004) *African Regional Security in the Age of Globalization*. (Nairobi: Heinrich Böll Foundation). p.68.

[8] Ibid, p. 7.

[9] Bratton, Michael and Nicolas Van de Walle (1997) *Democratic Experiments in Africa: Regime Transition in Comparative*

Moreover, constitutionalism strengthens democracy by keeping the discretion of government with in legal circumscription. At this point Kassahun[1] illuminates two basic notions where constitutionalism centered on: the limitation of the state versus society by way of respect for a set of human rights covering civic, political and economic liberties; and the implementation of separation of powers distributed between the organs of the state and the human actors in which authority is vested. The curbing of the monopoly of power in the hands of a few personalities could compromise the constitutional liberties and rights of citizens, which, in turn, engenders conflicts. The special relevance of the security sector to the rights implied in the possibility of abuse of power unless challenged before the court of laws that run under the principle of independent judiciary. Thus, constitutionalism as a basic principle of democratic governance requires the upholding of constitutional right of individuals or groups through a heightened sensitization of constitutional provisions in the interaction of the public with the government.

It is a truism that implementation rests not on the beauty of the constitutions written but on the commitment to give effect to the letter and spirit of the constitutions.[2] The need to exercise political and other powers in line with it is indispensable for fostering the value of having a constitution in terms of conflict management, most importantly in a post-conflicts state where the constitution serves as a peace-making tool. Which means, the armed forces, the police and the judiciary must be restructured to play effective roles in conflict management? The armed forces should be restricted to national defense and security issues, and not be used in the colonial fashion to repress the population.[3]

II.   Societal Integration

The second principle of governance that has a far-reaching impact on the prevention of conflicts is the necessity of   reducing inter-societal cleavages through nation building efforts. Nation building refers to the process of expanding and establishing state authority over an entire territory,[4] whose inhabitants are increasingly being integrated into an identity higher than those of their respective ethnic and regional identities may give. Expanding citizenship rights serves to promote and consolidate national integration by maximizing popular consent and participation, the legitimacy and accountability of rulers, and the responsiveness of the latter to the expressed interests and needs of the public. Respecting the rights of citizens has to supplement the efforts to accommodate diversities in ethnic, religion and culture as the center of social integration through nation building. The process of national construction must therefore be based on the commitment to unity in diversity. This implies not only the need to integrate all the common features of all cultures in order to forge a new historical identity, but also a scrupulous respect for the language, originality and specificity of each group. Such respect is essential to national unity, particularly in those countries where one or several major groups may assert their cultural or political dominance at the expense of minorities.[5] Nation building implies inclusiveness, and this requires the practice of democracy. Lovis supports the need of accommodating diversities that, "People should have loyalty to the ideas of both an overall citizenship and the narrower indigenship." [6]

The working capacity of an overarching political identity of citizenship to shift the relation among between/among cultural or social groups from competitive to cooperative is best anchored by the nature of the state, for which these ethnic groups have different perception of inclusiveness or exclusiveness.   "The maintenance of the idea of an overall citizenship is dependent on the existence of the state perceived to be neural."[7] Substantially speaking, if the state is believed to be allied with a certain group/s; unprivileged groups are not likely to trust the state and consecutively have weaker loyalty to it. The perception of the state neutrality would empower the state to take strong and legitimate position in the process of adjudicating the potential and alleged conflict among ethnic groups. "It is crucial that the state should promote an overall identity that can include the whole within its borders in indiscriminately." [8] The healthy and stability of a modern democracy

Perspective. (Cambridge &New York: Cambridge University Press), p.10.

[1] Kassahun, Birhanu "Constitutionalism and Human Security in the Horn of Africa: Examination of States of Affairs in Ethiopia,'" *Conference Proceedings of on Constitutionalism and Human Security in the Horn of Africa,* Inter-Africa Group, October 2007, p11.

[2] Tsegaye Regassa (2008) "The Making and Legitimacy of the Ethiopian constitution: Towards Bridging the Gap Between constitutional Design and constitutional practice," an article presented at a conference on *Constitutionalism And Human Security In The Horn Of African By Inter-Africa Group,* August, 2008, P.3

[3] Nzongola-Ntalaja, Georges   'The Challenges Of Governance in Africa,' The *2nd Africa Governance, Leadership and Management Convention* , Mombasa, Kenya, August 2-5, 2011, p.8.

[4] Bendix, Reinhard (1964). *Nation-Building and Citizenship.* (New York: Wiley and Sons), , p. 18.

[5] Nzongola-Ntalaja, Georges   'The Challenges Of Governance In Africa ,' *The 2nd Africa Governance, Leadership and Management Convention* , Mombasa, Kenya, August 2-5, 2011,p.6.

[6] Aalen Lovis(2002) 'Ethnic Federalism in a Dominant party state: The Ethiopian Experience 1991-2000,' (Bergenichr. Michelsea. *(IDSH),* P.245.

[7] Ibid, P. 246.

[8] MC Garry, John and Brenda O'Leary (2003) "Federation, conflict regulation, and National and Ethnic power-sharing,'

depends not only on the justice of its institutions but also on the qualities and attitude of its citizens.[1] This normative ways or dispositions are known as social capital of citizenship. For Galstone[2], it includes the following: general virtues (courage, law abidingness and loyalty), social virtues(in dependence and open-mindedness), economic virtues (work ethnics, capacity to delay self-gratification, adaptability to economic and technological change), and political virtues (capacity to discern and respect the rights of others, willingness to demand only what can be paid for, ability to evaluate the performance of those in office and willingness to engage in public discourse).

III.   Decentralization and Communal Empowerment

The contribution of decentralized governance in conflict management is significant when the source of the conflict has to do with claiming self-administration. Its relevance especially for multicultural states   emanates from the demand of the cultural groups to exercise political power that further strengthens their identities by providing the necessary institutional and financial resources.

In way that substantiate this proposition that decentralization has a positive impact in de-escalating the intensity of communal res conflict, Nzongola proffers the African experience. He argues, "since the state is a major source of material and social resources and a principal avenue for wealth accumulation, most of the conflicts in Africa revolve around the control of the state and the resources at its disposal.[3] Nevertheless, the it might be difficult to associate every cultural based conflict with economic demands alone.

The benefits derived form decentralization go beyond securing resource in ensuring local empowerment. The creation of different centers of public participation, in one hand, allows democratic governance to flourish, and enables to the effective implementation of public policies. The fulfillment of varying local preferences and interests enhances the effectiveness of governance in a achieving locally priorities. Hence, decentralization supplies the system of governance to go about contentious demands through bottom-up articulation of needs that would otherwise forms the base for the formation of conflict from below.

IV.   Socio-economic developments

The other equally important feature of good governance in order to reduce social conflict is the accessibility of socio-economic services and opportunities. This has a much telling conflict aggravating tendency in the developing states when the primary orientation of the governance system is the security of the state from within and without. The recently emerging definition of security as the concern for human security yields the state security to be supplementary in a situation of mass impoverishment in which the living standard of citizens may be as fatal as military aggression. The significance of human security even to the traditional state security mentioned by Mwagiru as follows:

> It [state security] ignores individual security or individual insecurity against all manner of
> threats and deprivations. While state security is important, it is also argued that state security
> is difficult to maintain in a situation where an individual or groups of individuals feel deprived
> of basic needs.[4]

Therefore, the militaristic conception of security without socio-economic progress creates is nothing more than tenuous peace that could be plagued by conflicts when individuals believe or know that undemocratic or poor governance is responsible for their unsecured livelihood. In this respect, meaningful provision of public service and infrastructural development are the critical issues most developing states faced with in preventing conflicts that frequently erupts.

3.   Governance and Conflict in the Horn of Africa

The causes of conflicts in the Horn of Africa are admixture of various factors than operates in a mutually reinforcing manner. One central characteristic of the Horn is that analysis can start with any conflict situation–whether it be Eritrea and Ethiopia, Somalia, Darfur or Northern Uganda–and map out a trail linking to other countries and their internal or bilateral conflicts.[5] The very reason for such complexity lies in the nature of the

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paper presented at the 2003 Annual Meeting of *American political science Associations* August, 2003;, P.14.
[1] See kymlicka,Will(1995) *Multicultural Citizenship.*(Oxford:Clarendon Press) , P. 285
[2] Galstone(1991),p.221-'4 cited in Kymlicka, will 'Emerging Western Model of Multinational Federalism: Are they relevant for Africa? I Turton, David (ed.) (2006) *Ethnic Federalism; The Ethiopian Experience in Comparative Perspective.* (Oxford: James currey Ltd), p.10
[3] Nzongola-Ntalaja, Georges   'The Challenges Of Governance in Africa,' The *2nd Africa Governance, Leadership and Management Convention*, Mombasa, Kenya, August 2-5, 2011, p.7.
[4]Mwagiru, Makumi (ed.) (2004) *African Regional Security in the Age of Globalization.* (Nairobi: Heinrich Böll Foundation), p.68.
[5] Cliffe, Lionel, Love, Roy and Tronvoll, Kjetil 'Conflict and Peace in the Horn of Africa', *Review of African Political Economy,* 36: 120.

societies found in the region across the states that share age-old circumstances from either inside or outside. The long-standing trend of forming alliances and counter- alliances among the states in a number of politically significant issues results from their mutual sensitivity and attachment as the current situation in Somalia proves the fact that almost all states of the region have seemingly equal stake.

This mutual entanglement   yields the conflicts in Somalia to be the other way around for the other states to tryout their foreign policies of one to the other. Ethiopian military intervention, conventionally speaking, in 2006 was not motivated to tackle only the worsening security in Somalia rather by the alleged imminence of politically contending forces in Somalia. That is why Weber expresses this either-or political alignment, "Regional interests -economic, political and ideological-are played out in Somalia, relatively unhindered by a functional Somalia state. The civil war in Somalia thus increases the existent polarization in the Horn of Africa." [1] The Eritrean wide covering support for the UIC[2] (Union of Islamic Courts found in 2004) has compelled Ethiopia to be as close as Somalia's warring parties have to the frontline. The same is true in the relation among Ethiopia, Sudan, Eritrea and Uganda almost for a half century.

Uganda also supported the SPLM (Sudanese People Liberation Movement) while so does Sudan Uganda's LRA and other Ugandan rebel groups. Sudan supported Eritrean separatist forces: the People's Liberation Front (EPLF) and the Eritrean Liberation Front (ELF) though interrupted from 1972-1983, and TPLF (Tigriyan People's Liberation Front) too. Ethiopian under Emperor Haile Selassie and Mengistu countered by aiding SPLM. Sudan supported the Islamists in the early 1990s, Eritrea Sudan's opposition groups, the National Democratic Alliance.[3] Eritrea currently is said to support various Ethiopian insurgency groups against the Ethiopian regime, while the Ethiopian regime retaliates by supporting Eritrean opposition groups, including the Eritrean Democratic Alliance and other smaller groups, such as the Red Sea Afar Democratic Organization (RSADO).[4]

Overall, the Horn of Africa is a conflict-ridden part of the African continent. The bedrocks of the conflicts are both of internal and external. The external factors, as discussed above, are more of presented itself in the form of mutual intervention and proxy conflicts. However, the focus of this work is based on the conviction that the intensity and ramifications of the conflicts in the Horn is highly determined by the character of the regimes on power. No matter how vehement is the external factor, including from the global one, the mode of domestic governance precedes in shaping the trend of conflicts. Governance as the totality of institutions, procedures and set of rights, obligations and authority has the central role in engendering, escalating, de-escalating, neutralizing, managing and resolving conflicts. As identified in the conceptual framework,   the system of governance that embody principles of constitutionalism, inclusive social integration and fulfilling socio-economic I demands of the public is by far less conflict provocative than undemocratic and economically unsupportive governance. Hence, it is imperative to look into the practice of these principles in the governance matrix of the Horn of Africa in order to identify their implications for conflict.

3.1 Constitutionalism

For constitutionalism implies the conditions under which the power of the government is circumscribed within the legal order, the violation of rights is less likely to occur and if violated the mechanism of protection is readily available to hold the government accountable. Besides, the practice of competitive political process is the basis for keep the limitation of power and discretion to intact.

I.   Human Rights

In this case, human right as a wider category of substantial rights its violation is usually sensitive compared to other rights. They are less compromising for political objectives and ideological orientations. To come to the issue at stake, in the Horn of Africa the lack of transparency in regimes and non-adherence to the rule of law undermine human and have made political control excessively important and the stakes dangerously high.[5]

According to Medhane[6],   the insufficient accountability of leaders, the military and security services,

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[1] Weber, Annette 'State Building in Somalia: Challenges in a Zone of Crisis,' in Eva-Maria Bruchhaus and Monika M.Sommer (ed.) *Hot Spot Horn of Africa Revisited: Approach to Make Sense of Conflict.* (Berlin: Lit Verlag), 2008, p.15.

[2] The Resolution of UNSC on Eritrea mentioned in Human Rights watch (2013) *World Report 2013 : Events of 2012.* P.112.

[3] Cliffe, Lionel, Love, Roy and Tronvoll, Kjetil 'Conflict and Peace in the Horn of Africa', *Review of African Political Economy,* 36: 120.

[4] Mengisteab, Kidane 'Critical factors in the Horn of Africa's Raging Conflicts,' *Discussion Paper* 67. (NorDisKa AFriKainsTiTuTeT, uPPSaLa), 2011, (UK: Lightening Source), p.14.

[5] Mesin, Berouk " The Horn of Africa security Complex," in Sharamo, Roba and (ed.) "Regional Security in the post-Cold War Horn of Africa Institute for Security Studies," Monograph 178, April 2011, p.12.

[6] Medhane, T. 'New Security Frontiers in the Horn of Africa,' Friedrich-Ebert-Stitung, *Dialogue on Globalization,* 2004, p.7. Cited in Mesin Berouk " The Horn of Africa security Complex," in Sharamo, Roba and (ed.) "Regional Security in the post-Cold War Horn of Africa Institute for Security Studies," *Monograph* 178, April 2011, p.12.

in recent times emerging from a liberation-front background; ensure the hold on power of these militarized regimes in the Horn of Africa. The situation in Eritrean and Eritrea as having the co-liberation fighter leaders supports this diachronic approach of Medhane for making sense the violation of human rights in these states. Serious Human rights abuses, forced labor , indefinite military services, death, torture, detention without trial, restriction of the freedom of expression and worship says Human Rights Watch are rampant in Eritrea. [1] The same goes true for Ethiopia and Sudan. The Darfur conflict has claimed hundreds of thousands of lives, suppression of protests, attacking the inhabitants bordering the South Sudan, Southern Kordofa and in Blue Nile violation of human rights are examples of the deteriorating situation in Sudan.[2] The Report[3] Concludes, "seven years after the ICC (International Criminal Court) issued warrant or summon to appear against six individuals, Sudan continued to refuse to cooperate with the ICC or to maintain prosecute the crimes in its court." Forced mass displacement, torture, extra-judicial execution, abuse in detention and restricted the freedom of expression were the major violation of human rights in Ethiopia as reported by the Human Rights Watch and Amnesty International.[4]   Vividly Amnesty International puts,

> The suppression of peaceful protest and the army, and its proxy militia, the Liyu police (special force), faced repeated allegations of human rights violations, including arbitrary detention, extrajudicial executions, and rape. Torture and other ill-treatment of detainees were widely reported. None of the allegations was investigated and access to the region [Somali region] remained severely restricted.[5]

The problem in Somali that is abating currently is the imposition of fundamentalist Islamic modes of behavior on the public indiscriminately, e.g. prohibiting Bollywood movies, public screenings of the World Cup matches, chewing Chat and wearing dresses rather than Hijabs.[6] In Djibouti, the emergence of new corners of oppositions beyond the traditional the Afar-Issa shows increasingly shows the cliff of human right which appeals to every individual regardless of ethnic identification. Individuals from the non-Issa clans of Somali like Issak, Gardabursi and Darod; Yemenites, and other have been showing their dissatisfaction with the current political system. This is due to its sole orientation and the limited sensitivity of the government to the relation between Afars and Isaas. In line with this, kadamy asserted that an intra-clan would be the problem in the future if the tension between afar and Issa coming flattening.[7] Here, the collapse of Somalia and the ensued instability is one of the factors for the influx of individuals with different background. The perception of mutual threat, with a wide range of unintended political consequences. On the one hand, external threats used to draw attention from real internal problems; and on the other hand, a politicized, compromised and restless military with its proneness to usurp state power and resources represents a grave danger to inherently fragile regimes as well as their political and security structures.[8]

II.   Attitude versus accountability: A unique example

Also, given the highly personalized milieu in which politics operates in the Horn of Africa, 'strong-man benevolent leader[s]'[9]. Various scientific and unscientific explanations about the causes of the war and the next by deadlock situation have been forwarded. For example, Bahru[10] attributed the causes of the war to the lack of democratic tradition in both countries. Bereket [11] has also identified many intertwined factors including: the clash of ambitions ("colliding egos") of the two leaderships; Ethiopian Tigrayans ambition to establishment of

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[1] Human Rights watch (2013) *World Report 2013 : Events of 2012*. P.108-112

[2] Ibid.

[3] Ibid, p.174.

[4] Amnestry International (2013) *Amnesty International Report 2013; the States of the world's human Rights*

[5] Ibid. p. 97.

[6] *See* Mengisteab, Kidane 'Critical factors in the Horn of Africa's Raging Conflicts,' *Discussion Paper* 67. NorDisKa AFriKainsTiTuTeT, uPPsaLa , 2011, (UK: Lightening Source)

[7] Kadamy, Mohamed 'Djibouti: Between War and Peace', *Review of African Political Economy*, Vol. 23, No. 70   (Dec., 1996), pp. 511-521, Taylor & Francis, Ltd. p. 518.

[8] Berouk, Mesin " The Horn of Africa security Complex," in Sharamo, Roba and (ed.) "Regional Security in the post-Cold War Horn of Africa Institute for Security Studies," *Monograph* 178, April 2011, p.14.

[9] Rupiya, M. Interrelated security challenges of Kenya and Uganda in eastern and Horn of Africa. Paper presented at the Conference on the Prevailing Interlocked Peace and Security Conundrum in the Horn of Africa, Addis Ababa, 2008. p.17. cited in Mesin Berouk " The Horn of Africa security Complex," in Sharamo, Roba and (ed.) "Regional Security in the post-Cold War Horn of Africa Institute for Security Studies," *Monograph* 178, April 2011, p.12.

[10] Bahru Zewde 'Eritrea and Ethiopia: In Quest of a Culture of Peace and Dialogue,' Lencho Lata(ed.) (2006) *The Search for Peace: The Conflict between Ethiopia and Eritrea. Proceedings of the scholarly conference on Ethiopia–Eritrea conflict,* Norwa, Oslo, 6-7 July 2006, pp. 15-23.

[11] Bereket Habtesilassie 'Dreams that Turned to Nightmares: the Ethio-Eritrean War of 1998-2000 and its Aftermath,' *The Conflict between Ethiopia and Eritrea. Proceedings of the scholarly conference on Ethiopia–Eritrea conflict,* Norwa, Oslo, 6-7 July 2006, pp. 15-23. p. 25-30.

the "Great Tigray" by observing Eritrea and obliterating its separate identity; Isaias Afeworki`s Napoleonic complex to dominate Ethiopia and the Horn of Africa; and power competition between the two leaders to subjugate each other for each other`s power impulse as causing factors of the war.

For Medahne[1] and Ruth[2], this highly personified relation between the two that is rather has fomented turmoil and animosity, which later calumniated with the forsaken war and ongoing tight tension between the two countries.

According to Other observers like Young[3], International Crisis Group African Report[4], Healy and Plaut [5] and Kidist[6] previous unholy alliance and trust less friendship of the protagonists (virtually TPLF/EPRDF and EPLF) during the guerrilla warfare are fuelling factors to the war and obstacles to a negotiated peace solution. This, finally, exhibits that the cause of the conflict is more or less related with the attitude of the political leadership in both countries as opposed to well-articulated claims. The fact is still one of the two parties does not believe the boarder is the real cause of the conflict after fighting the war that gravely costs many lives. If there had an internal mechanism of accountability well integrated with the decision making process of the two states, the conflict would not erupted "unexpectedly".

III.   Multi-Party system

The implication of party system for conflicts in the Horn Africa is very clear when competing parties participate in the election than boycott or repressed by the incumbent. The post-election violence such as the events of 2007-2008 in Kenya, Ethiopia (2005) account the degrees of relevance that competitive politic has to measure the satisfaction of the public on how the governance is undergoing.[7] The democratic essence of the political system that the Horn states has not yet tested in such a way that the leaders should confirm their legitimacy in the face of myriad crisis the citizens live in, let alone the common tendency of ethnification of political contentions.

Ethiopia, Eritrea, and South Sudan, though prematurely, are under the rule of political parties emerged from defeating the ancient *regime*. National Congress Party, People's Front for Democratic and Justice and Ethiopian peoples' Revolutionary Democratic Front in Sudan, Eritrea and Ethiopia, respectively. After the election of May 15 2005 when EPRDF was trembled, elections have become only a symbolic vote to 're-confirm' its power of the EPRDF what is called electoral authoritarianism[8]. In Eritrea, The continuation of conflict with Ethiopia over the border demarcation justifies the prolongation of a severely authoritarian government, where political debate and dissent is heavily suppressed and, indeed, 'criminalized' that Reid characterized as 'the politics of silence'.[9]

With regard to Djibouti, the public protests the government has faced with the decision of president Guelleh to amend the Constitution in April 2010 for extending the presidential tenure from six years to five years and the term form two to three. The approval of this amendment enabled Guelleh to be elected without competitors for the third time in 2011 as expected from the total boycott of oppositions. This was done in the time of Arab Uprising that invited the people of Djibouti, regardless of ethnic background, to take to the street in disenchanting the government for its undemocratic nature and the rising of the living cost. This has to be seen from the perspective of possibly reviving ethnic based conflicts that had been thought receding, given the intensity of the government's response to the protest. It seems for this reason kadamy argues that ethnic balance can be restored in the contest of democracy. [10]

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[1] Medhane, Tadesse (2004) *Turning Conflicts to Cooperation: Towards Energy-Led Integration in the Horn of Africa.* Addis Ababa: Friedrich –Ebert-Stiftung.

[2] Ruth, Iyob 'The Ethiopian–Eritrean Conflict: Diasporic vs. Hegemonic States in the Horn of Africa, 1991-2000.' The Journal of Modern African Studies, 38(4), 2000, p. 659-682.

[3] Young, John (1996) 'The Tigray and the Eritrean People''s Liberation Fronts: a History of Tensions and Pragmatism.' *The Journal of Modern African Studies,* 34(1), p, 105-120.

[4] International Crisis Group (2003) Ethiopia and Eritrea: War or Peace? ICG Africa Report, ICG Africa Report N°68. Nairobi/Brussels: International Crisis Group.

[5] Healy, Sally and Plaut, Martin 'Ethiopia and Eritrea: Allergic to Persuasion.' Chatman House: Africa Programme, *AFP* BP 07/01, 2007

[6] Kidist, Mulugeta 'The Ethiopian-Eritrean War of 1998–2000: An analysis of its causes, course, impacts and prospects,' Roba Sharamo and Berouk Mesfin (ed.) *In the Regional Security in the post-Cold War Horn of Africa*, *Monograph* 178, April 2011, p. 31-64.

[7] Nzongola-Ntalaja, Georges   'The Challenges Of Governance In Africa ,' *The 2nd Africa Governance, Leadership and Management Convention* , Mombasa, Kenya, August 2-5, 2011,p.4.

[8] Cliffe, Lionel, Love, Roy and Tronvoll, Kjetil 'Conflict and Peace in the Horn of Africa', *Review of African Political Economy,* 36: 120, p.155.

[9] Mentioned in Cliffe, Lionel, Love, Roy and Tronvoll, Kjetil 'Conflict and Peace in the Horn of Africa', *Review of African Political Economy,* 36: 120, p.159.

[10] Kadamy, Mohamed 'Djibouti: Between War and Peace', *Review of African Political Economy*, Vol. 23, No. 70   (Dec.,

3.2.   Societal Integration

As seen in the theoretical discussion, the implication of socially integration brings with it the system if interaction followed in the society. It has two dimensions especially for such diversified population as the Horn of Africa where more than one cultural or ethnic group lives in each state. The first is the capability of the state to effectively administrated its territory and thereby constituting itself as one political entity. Secondly, the need for building closeness among social groups. The stat of the first dimension in the horn of Africa is more or less similar that some tractor of territory lived by the pastoralist communities in Ethiopia, Eritrea, South Sudan, Djibouti and Kenya is out of the state machinery's reach. The worst example is Somalia that the territorial control collapsed simultaneously with the failure of the state.   The roles of the state in these areas of the periphery have to be known in order to gain their confidence and to have them collaborate with the state in the efforts to sustain the territorial integrity. Nevertheless, the aim of social integration requires to build culturally accommodative political setting.

Kenya about 45 *ethnic* groups, Ethiopia around 80, Eritrea 8, Djibouti 2 broader groups (Afar and the Darood Somali clan) and 4 main clans and numerous sub-clans in Somalia[1] . Here, to make Somalis case clear, Cliffe and *et al* warn that misreading of Somalia as a post-conflict scenario, external actors have invariably intervened via cooperation with the TFG (Transitional Federal Government) , thus identifying themselves with its partisan composition, and in effect inflaming the situation.[2]   This shows that even the Transitional Government could not be free from ethno-cultural capture what Weber repeats, "deepened by the mistrust of clans and sub-clans against each other, the possibility to achieve stability and security through the support of one clan against the others cannot turn into a national security strategy for Somalia." [3]

The main point that has to be underscored here is how well the states of the Horn of Africa have address cultural or ethnic based claims and mobilizations. As history informs, the major war in the horn are identifiable with ethno-nationalism and struggles to achieve political independence as the one variety of the right of self-determination. The Eritrea after its federalization with Ethiopia in 1952 had wagged with Ethiopia until it finally seceded in 1991. The South Sudan beginning from 1956. With the exception of cessation of war, 1972-1983, had fought to achieve its 2011 independence. The Afar movement in Djibouti, Eastern Sudan, Darfur, Kenya ethnic based political configurations and post-election violence, the armed and legal ethnic movements in Ethiopia. All these deserve political solution to strengthen national unity, common commitment and responsibility to set off the witnessed conflicts.

3.3.   Socio-economic Development

State security as it is traditionally conceived, militaristic sovereignty has not helped many of the states in the Horn very much. The failure by the state security forces   in Ethiopia and Sudan to ensure the security of the state in the wake of peoples' movements tells more on this issue. People's revolutionary movements have overthrown many armies of the counties of the IGAD (Inter-Governmental Authority on Development) region.[4] Thus in its broader sense, security must include in addition to state security, individual security from want, poverty, disease, ignorance, enjoyment of human rights and freedom. In short, security must also address social, economic, legal and political concerns, and the rights and living conditions of the individual.

In Somalia, the strategies used so far are dominated by the security first approach and tend to follow a top down rather than a bottom-up direction.[5]   The welfare of the Somalia population determines the success of the consolidation of the new governance. The state is unable to provide adequate health and education services or to remedy mass unemployment, which partly results from unsustainably high population growth.[6] The dependency of both the Sudan and south Sudan on the oil prevents them from achieving the peace dividend. The contention and conflicts in the oil rich areas still become the main crack of the post-secession period for the two countries.

The bottleneck for the effective provision of public amenities and infrastructure corruption. In the Horn

1996), pp. 511-521, Taylor & Francis, Ltd. p. 517.

[1] Mwagiru, Makumi (ed.) (2004) *African Regional Security in the Age of Globalization*. (Nairobi: Heinrich Böll Foundation). p.72.

[2] Cliffe, Lionel, Love, Roy and Tronvoll, Kjetil 'Conflict and Peace in the Horn of Africa', *Review of African Political Economy,* 36: 120, p.162.

[3] Weber, Annette 'State Building in Somalia: Challenges in a Zone of Crisis,' in Eva-Maria Bruchhaus and Monika M.Sommer (ed.) *Hot Spot Horn of Africa Revisited: Approach to Make Sense of Conflict*. (Berlin: Lit Verlag), 2008, p.20

[4] Mwagiru, Makumi (ed.) (2004) *African Regional Security in the Age of Globalization*. (Nairobi: Heinrich Böll Foundation), p.69.

[5] Weber, Annette 'State Building in Somalia: Challenges in a Zone of Crisis,' in Eva-Maria Bruchhaus and Monika M.Sommer (ed.) *Hot Spot Horn of Africa Revisited: Approach to Make Sense of Conflict.* (Berlin: Lit Verlag), 2008, p.23.

[6] Berouk, Mesin " The Horn of Africa security Complex," in Sharamo, Roba and (ed.) "Regional Security in the post-Cold War Horn of Africa Institute for Security Studies," Monograph 178, April 2011, p.12-'3.

of Africa, the nature of state power is a key source of conflict political victory assumes a winner-takes-all form with respect to wealth and resources as well as the prestige and prerogatives of office.[1] Furthermore, excessive militarization eventually entails an increased burden, especially in present times of dwindling resources and economic crises. As the Eritrean self-evident, though undisclosed situation shows excessive military spending is essentially wasteful, resulting in social projects in education or health remaining stagnant or even non-existent. Competitions and the attendant conflicts on f natural resource especially in the pastoral low land areas of the region due to environmental degradation and population pressure needs to receive attention in the provision of social services and infrastructure.

4.   Concluding Remark

The nature of conflicts dictates the necessary set of governance principles. The conflicts in the Horn of Africa have a direct linkage with the mode of governance lied in the exercise of the public authority.   The practice constitutionalism in curbing the violation of human rights is less entrenched that the constitutional and human rights of citizens in the region have gone ineffective. As indicted in a number of international reports and the public protest itself, the flourishing of democratic governance that advances the interest of the people even for the socio-economic development is highly compromised. The stifling of democratic forces and civil societies drag behind the democratization process in the region, which in turn, makes disagreements intense because democracy believed to open up the dialogue in an acceptable procedures. Thus, democratic governance as a tool of conflict prevention and management is the less tried approach in the Horn of Africa compared with the well-trodden tactics of suppressing conflicts.

The other insight gained form the discussion is the character of states in the region deserves a system of inclusive and participatory nation building where the governance system is expected be the symbol of inclusiveness. A system of governance captured by specific agenda and cultural backgrounds is less likely to succeed the project of nation building in which every social group perceives its relevance for the state. Problems that have to do with asserting identity in the image of the state are abundant in the Horn of Africa and some even went to declare their political independence. As a remark, decentralization and diversity accommodation, either in the form of autonomy centered or integrative approach is also, like constitutionalism, not embraced in the genuine sense of the term. Exceptions in this case may be that of Ethiopian federal dispensation following the collapse of the military regime in 1991 and that of the new constitutions of Kenya and Southern Sudan (2011).

The impact of governance in enhancing the living standards of citizens has a cogent linkage with conflict formation especially in the diverse society where individual economic circumstances would coincide with social identity. In this regard, the situation of the pastoralist communities in the Horn of Africa is almost similar. This is further exacerbated by the environmental degradation and the attendant diminishing of the natural resource on which these communities depend on. Corruption in some states like Ethiopia and Southern Sudan has the devastating effect in expanding the rift of inequality among citizens that is more susceptible to be seen through the eye of ethnicity. Hence, the improving the socio-economic situations has to be considered as a mechanism of getting the people to be conflict avoiding.

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[1] Weber, Annette 'State Building in Somalia: Challenges in a Zone of Crisis,' in Eva-Maria Bruchhaus and Monika M.Sommer (ed.) *Hot Spot Horn of Africa Revisited: Approach to Make Sense of Conflict.* (Berlin: Lit Verlag), 2008, p.25.

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