

State dysfunction: The concept and its application to South Africa

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Promoter: Prof André Duvenhage

April 2015



DECLARATION

I declare that this thesis, entitled *State dysfunction: The concept and its application to South Africa*, and the work presented in it is my own and has been generated by me as the result of my own original research.

I confirm that:

1. This work was done wholly while in candidature for a research degree at the North-West University.
2. Where I have consulted the published work of others, this is always clearly attributed.
3. Where I have quoted from the work of others, the source is always given. With the exception of such quotations, this thesis is entirely my own work.

Wynand Neethling Greffrath

April 2015

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Summary

The phenomenon of state dysfunction has, over the last two decades, become a prominent empirical and scholarly concern internationally and, more recently, domestically. This study endeavours to extend and improve the understanding of dysfunctional states in the scientific domain – in the developing world in general, as well as the South African context in particular.

Given the dearth of conceptual literature in the field of dysfunctional states, the first part of this study concerns the pursuit of a novel conceptualisation of state dysfunction, premised upon the Weberian state as a comprehensive point of departure. Subsequently, meta-theoretical, theoretical, applicational and operational frameworks are developed through which this concept may be integrated by using a scientific method and ultimately studied empirically in pursuit of valid and reliable knowledge pertaining to the phenomenon.

The outcome of the above-mentioned process is a multi-criteria operational framework that enables evaluation and analysis with the purpose of determining the approximation to – and extent of – state dysfunction in a given empirical context. Accordingly, the second part of this study concerns the evaluation and analysis of the South African state. The outcome of this process is an account of South African state dysfunction that is at once comprehensive and thorough.

Key words: State dysfunction; State failure; Political decay; Weberian state; South African politics.

Opsomming

Die fenomeen van staatsverval (oftewel staatsdisfunktionaliteit) het oor die afgelope twee dekades 'n noemenswaardige empiriese en akademiese vraagstuk geword, in beide die internasionale en plaaslike kontekste. Hierdie studie het as doel die verruiming en verbetering van die verstaan van disfunksionele state in die domein van die wetenskap – met inbegrip van die ontwikkelende wêreld in die algemeen en die Suid-Afrikaanse konteks in besonder.

As gevolg van die konseptuele leemte in die wetenskaplike literatuur aangaande staatsverval, is die eerste deel van die studie gemoeid met 'n oorspronklike konseptualisering van die fenomeen, met as omvattende vertrekpunt die Weberiaanse staatsbegrip. Gevolglik word daar meta-teoretiese, teoretiese, toepassings- en operasionele raamwerke ontwikkel waarvolgens die konsep met die wetenskaplike metodiek geïntegreer kan word en, uiteindelik, empiries bestudeer kan word in die nastreef van geldige en betroubare kennis.

Die uitkoms van die bogenoemde proses is 'n multi-kriteria operasionele raamwerk wat die evaluasie en analise van staatsverval in 'n empiriese konteks bemagtig, ten einde die aard en omvang van die fenomeen te bepaal. Gevolglik, fokus die tweede deel van die studie op die analise en evaluering van die Suid-Afrikaanse staatskonteks, waarvan die uitslag omvattend en deeglike rekenskap gee van Suid-Afrikaanse staatsverval.

Sleutelwoorde: Staatsdisfunksie; Staatsverval; Politieke verval; Weberiaanse staat; Suid-Afrikaanse politiek

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List of Acronyms

ACLED	Armed Conflict and Location and Event Database
AGSA	Auditor General of South Africa
AMCU	Association of Mineworkers and Construction Union
ANC	African National Congress
ANCYL	African National Congress Youth League
AU	African Union
BRICS	Brazil, Russia, India, China, South Africa (group of states)
CIA	Central Intelligence Agency
COSATU	Congress of South African Trade Unions
CSVR	Centre for the Study of Violence and Reconciliation
DA	Democratic Alliance
DFA	Department of Foreign Affairs
DRC	Democratic Republic of the Congo
EFF	Economic Freedom Fighters
FEDUSA	Federation of Unions of South Africa
FMF	Free Market Foundation
FNLA	Frente Nacional de Libertação de Angola
FSI	Failed State Index
HDI	Human Development Index
HIV	Human Immunodeficiency Virus
HSF	Helen Suzman Foundation,
HSRC	Human Sciences Research Council
ICC	International Criminal Court
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDASA	Institute for Democracy in South Africa
IFAISA	Institute for Accountability in Southern Africa
IFP	Inkatha Freedom Party
IMF	International Monetary Fund
JSCI	Joint Standing Committee on Intelligence
LC3D	Landmine Contamination, Casualties and Clearance Database
LICUS	Low Income Countries Under Stress
MK	Umkhonto we Sizwe
MNC	Multinational corporations
MP	Member of Parliament

List of Acronyms

MPLA	Movimento Popular de Libertação de Angola
NATO	North Atlantic Treaty Organisation
NDR	National Democratic Revolution
NEC	National Executive Committee
NEPAD	New Partnership for African Development
NFP	National Freedom Party
NGO	Non-Governmental Organisations
NIA	National Intelligence Agency
NLM	National Liberation Movement
NNP	New National Party
NPA	National Prosecuting Authority
NTU	National Taxpayers' Union
NUM	National Union of Mineworkers
ODA	Official Development Assistance
PAC	Pan Africanist Congress
PITF	Political Instability Task Force
PLAN	People's Liberation Army of Namibia
PSC	Public Service Commission PSC
R2K	Right to Know (campaign)
RICA	Regulation of Interception of Communication Act
SACP	South African Communist Party
SADC	Southern African Development Community
SADF	South African Defence Force
SAHRC	South African Human Rights Commission
SAIIA	South African Institute for International Affairs
SAIRR	South African Institute for Race Relations
SANDF	South African National Defence Force
SAP	South African Police
SAPS	South African Police Services
SIU	Special Investigations Unit
SSA	State Security Agency
SWAPO	South West Africa People's Organization
TNS	Taylor Nelson Sofres (company)
TRC	Truth and Reconciliation Commission
U4 ACRC	U4 Anti-Corruption Resource Centre
UDF	United Democratic Front
UN	United Nations

List of Acronyms

UNAID	United Nations Programme on HIV and AIDS
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNITA	União Nacional para a Independência Total de Angola
UNITAF	Unified Task Force
UNODC	United Nations Office on Drugs and Crime
UNOSOM	United Nations Operation in Somalia (I&II)
USSR	Union of Soviet Socialist Republics
VNSA	Violent non-state actors
WEF	World Economic Forum
WGI	World Bank's Worldwide Governance Indicators

Chapter One: Introduction

1.1 Background and Orientation

The abolition of colonialism in sub-Saharan Africa began with Ghanaian independence in 1957. During the decade that followed, 31 African states achieved independence, either through armed struggle or non-violent political transition. Notwithstanding the obvious and pressing challenges which faced these newly independent states, a sense of optimism permeated African statehood in the 1950s and 1960s. The likes of Nkrumah, Nasser, Senghor, Houphouët-Boigny, Sékou Touré, Kenyatta, Nyerere, Kaunda and Banda all enjoyed prestige and honour, and were seen to personify the states they led (Meredith, 2006:162). Kwame Nkrumah, for one, saw himself as a messianic leader (in the most literal sense of the term) of the newly independent Ghana (Addo, 1997:116). Thus, there existed a determined conviction that Africa was on the cusp of solving its own problems, through its own means. However, the 'honeymoon' of African independence would prove to be brief (Meredith, 2006:141).

Gradually, the realities of an often inhospitable continent re-emerged that accentuated Africa's most fundamental challenges –of which many persist to this day. During the mid-20th century, Africa was the poorest, least developed region on the planet. Its climate is one of extremes, and catastrophic drought proved to be a periodic occurrence, causing significant human suffering and economic damage. Endemic diseases such as malaria, sleeping sickness, and bilharzia continue to claim their biggest toll on the continent. More than 70% of all AIDS-related fatalities occur in Africa (UNAIDS:2010). Due to late economic modernisation, Africa has a significant deficit of skilled manpower, and many national economies exhibit an unhealthy dependency upon single commodity exports such as minerals, crude oil, or cash crops. To a large extent, these challenging features of the African socio-economic terrain are beyond the control of its inhabitants. Africans cannot dictate the weather, nor the endowment of natural resources in a given territory.

Yet, there is another dimension to the nature of Africa's plight – the acts and omissions of its leaders (Calderisi, 2006:57). It was exactly this reality that prompted the Economist to label Africa as 'the hopeless continent', in a well-known (perhaps infamous) article (The Economist, 2000).¹ In assessing the culpability for Africa's situation, it asks:

¹ The Economist is cited here as a barometer of informed opinion internationally.

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Does Africa have some inherent character flaw that keeps it backward and incapable of development? Some think so. They believe Africa's wars, corruption and tribalism are 'just the way Africa is', and that African societies are unable to sustain viable states ... Africa's biggest problems stem from its present leaders.

This notion of indigenous accountability for Africa's troubles is by no means a recent development, and if the Economist is deemed to be harsh in its direct approach to appropriating blame for the continent's troubles, it can be seen as euphemistic compared to René Dumont's (1966) uncompromising summary of Africa's plight:²

In Africa, natural conditions, though clearly more difficult than in Europe and America, can certainly be conquered, particularly in the view of the enormous reserves of energy and minerals, and the advances possible with modern agricultural techniques. Men alone are responsible for the economic backwardness of Africa.

Indeed, it would appear that many of postcolonial Africa's most publicised ills have arisen as a result of purposeful and concerted human action (Agbo, 2010:39). Political corruption in the highest offices, kleptocracy, bribery, nepotism, jobbery and cronyism have all become terms frequently associated with African states as well as the individuals and groups that govern them. According to Transparency International's (2012) Corruption Perceptions Index (CPI), 90% of African states can be categorised as corrupt, with the worst performing state being Somalia.³ Armed conflicts have claimed the lives of millions of Africans. It is estimated that during the 100-day span of the Rwandan Genocide in 1994, 800 000 people were killed, of which the vast majority were ethnic Tutsis (Prunier, 1995:325).⁴ Since the advent of widespread independence, the continent has been characterised by civil and inter-state wars, as well as conflicts led by insurgents and warlords. The latter, in particular, are highly motivated to prolong war as it maintains their economic system which is mainly based on the extraction of natural resources such as diamonds (Cilliers & Dietrich, 2000:5).

It would therefore appear that Africa's challenges stem from the actions of its own people, on top of an often turbulent colonial history. Furthermore, this condition appears to be a reality on the continent as a whole, with peaceful and stable states being the exception, rather than the rule. The average Human Development Index (HDI) score for Africa is 0.463 – low compared to the global average of 0.682 (UN, 2011). According to the 2013 Failed States Index (FSI) published by the Fund for Peace, 15 of the 20 most high-risk states in the world are currently in Africa. Somalia is once again the worst performing state (a position it has

² Dumont's work *False Start in Africa* was originally published in French in 1962, when the atmosphere of post-independence optimism had not yet entirely dissipated. Dumont was a prominent French sociologist and politician, closely involved with Francophone Africa in the 20th century.

³ The CPI allocates a score of 0 – 100, with 0 being "highly corrupt" and 100 "very clean". Denmark, Finland, and New Zealand are the least corrupt states with scores of 90. Somalia is the most corrupt state with a score of 8.

⁴ This is the staggering total for the extermination of 7 out of 10 Tutsis in Rwanda, approximately a fifth of the country's population.

occupied since 2008), whilst Chad, Sudan, South Sudan, and the Democratic Republic of the Congo, occupy the next four positions. The three highest scoring states are Botswana, South Africa, and Ghana. But despite this relative achievement, the aforementioned trio still carries a 'warning' designation, citing issues such as mounting demographic pressures, vengeance seeking group-grievance, progressive deterioration of public services, and the rise of factionalised elites as significant threats to state stability (FSI, 2013). Not a single African state was categorised as 'stable'.

South Africa has traditionally been viewed as playing a dominant role in Africa, due to its relative size of its economy and level of development (Gelb, 2001:3), and in contrast with the tendency of state dysfunction on the rest of the continent is noted for its relatively functional polity (Hughes, 2006:155). However, many of the abovementioned issues identified by the Failed States Index (FSI) were also highlighted in a recent, and somewhat controversial, article by the Economist, entitled 'Cry, the beloved country' (Economist, 2012). The piece is an indictment of recent ANC rule, positing that South Africa is experiencing relative decline when compared to fast-growing economies such as Nigeria and Angola. The article furthermore casts a critical light upon failures in education and service delivery, corruption, factionalism, a general culture of violence in South Africa, and the political instability that results. The Office of the Presidency duly responded to the article (Maharaj, 2012), noting that: 'It is grossly incorrect to suggest that South Africa is on a downhill slide', citing numerous recent South African successes and achievements of government, although this provided little consolation for observers concerned by the *systemic* nature of South Africa's apparent regression. The article spawned considerable debate in the domestic and foreign media, with many commentators identifying with the portrait of South Africa presented in the piece.

The Economist's article is by no means the first to point out these challenges and the manner in which government has managed the state since 1994. South Africa has a strong tradition of robust political engagement, spearheaded by the media and civil society, that has been strengthened in the democratic era by the Constitution of the Republic of South Africa and the Bill of Rights (1996) (Jeffery, 2010:141). As a result, the actions and omissions of Government are often meticulously recorded and analysed by the mass media, as well as specialised non-governmental organisations and political commentators.⁵ Amongst those focusing on governance are the South African Institute for Race Relations (SAIRR), the

⁵ Because of the relentless scrutiny the government is continually exposed to by the media and civil society, a hostile relationship has developed between the two camps, as evidenced by the proposed media appeals tribunal (ANC, 2010).

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Helen Suzman Foundation, the Institute for Democracy in South Africa (IDASA), the FW de Klerk Foundation, the Free Market Foundation, and the Centre for Policy Studies at the University of the Witwatersrand.⁶ Similarly, the independent media⁷ and individual commentators⁸ maintain an active discourse on South African society.

The year 2012 saw a period during which the deficiencies of Government and patterns of political instability in South Africa came to the fore in dramatic fashion. Events that were portrayed as indictments of Government include the so-called Limpopo school textbook crisis, the Nkandla saga, the litigation surrounding the controversial struggle song 'Dubul'IBhuni', continued service delivery protests, instances of public violence, labour unrest in the mining sector culminating in the Marikana incident, factionalism and political violence, and the downgrading of South Africa's sovereign credit rating by Moody's, Standard & Poor, and Fitch. These events, both as isolated occurrences and as the culmination of persistent challenges, have prompted speculation regarding South Africa's regression toward state dysfunction, and the possibility of the country becoming a 'failed state' (Sunter, 2012; Patel, 2012; Hagedorn, 2012; Hoffman, 2012; Du Plessis, 2013; Boraine, 2014; Cronje, 2014).

The question therefore rises whether South Africa will follow a trajectory similar to other states on the African continent. Was the short-lived optimism and euphoria of the post-apartheid 'rainbow nation' merely a precursor to sustained regression and decay, as was the case with postcolonial Africa? Is South Africa on a path toward state dysfunction, and if so, what are the characteristics of a South African dysfunctional state? Is it possible for South Africa to stem its 'sad decline' (Economist, 2012) and become a redeeming state on the 'hopeless continent'? (Economist, 2000).

From this background and the actualisation of state dysfunction and the nature of its relation to South Africa, a problem statement for this study is formulated.

⁶ International think-tanks with ties to South African civil society include the Konrad Adenauer Foundation, Friedrich Naumann Foundation, and the Mo Ibrahim Foundation.

⁷ The print media is dominated by three large publishing groups, namely Avusa, Naspers, and Independent News & Media. The Mail & Guardian is a notable independent newspaper with a strong focus on government, politics, and civil society.

⁸ For example R.W. Johnson, Anthea Jeffery, Allister Sparks, Stephen Grootes, Moeletsi Mbeki, Roger Southall, and John Kane-Berman

1.2 Assumptions and points of departure

Having described the nature of state dysfunction, with particular reference to Africa, and its current tentative relation to the South African context, it is appropriate at this point to explicitly clarify three assumptions and points of departure that underlie the motivation of this study.

First, engaging rigorously with political themes regarding Africa is often obstructed by pre-scientific (often ideological) factors. Scholars who engage critically with African realities are often automatically branded as 'Afro-pessimists', despite the integrity of their research (De B'éri & Louw, 2011:335). This study seeks to systematically and scientifically investigate the phenomenon of state dysfunction, and the relation of this phenomenon to the South African context. The methods through which this investigation is pursued are discussed fully in the next chapter, which explicitly account for meta-scientific and theoretical points of departure. Thus, every effort is made to produce a credible study based on clearly defined methods and procedures, motivated by the pursuit of valid and reliable knowledge. The insights that are produced and the conclusions that are reached are therefore the outcome of a rational and systematic investigation, and are not from an ideology or from preconceived outcomes.

Second, the motivation for commencing an evaluation of South Africa as a dysfunctional state may itself be interpreted as *a priori* and controversial – and thus lacking in academic merit. This study rejects such an argument, based on the assumption that the purpose of science, in any form, is to produce knowledge that is valid and reliable (Duvenhage, 1993:20). Such knowledge allows for a better understanding of the particular phenomena being studied, as well as the world in general. Thus, the anecdotal and unsystematic (unscientific) accounts of a phenomenon, which is garnering increasing attention in popular discourse, are the motivation for this study's evaluation of South Africa as a dysfunctional state, the dysfunctional effects of which have become discernable from casual observation. Because no systematic investigation has been conducted into the correlation between state dysfunction and the South African political context, there exists a lacuna in scientific knowledge, which this study aims to fill. In this regard, Chalmers' (1999:10) account of Darwin's exploits in the nineteenth century bears relevance:

*It is undoubtedly the case that when Darwin underwent his famous voyage on the Beagle he encountered many novel species of plant and animal, and so was subject to a range of novel perceptual experiences. However, he would have made no significant contribution to science had he left it at that. **It was only when he had formulated statements describing the***

*novelties and made them available to other scientists that he made a significant contribution to biology.*⁹

It is, to a certain extent, the obligation of a scientist to systematise 'novelties' of perceivable phenomena with the purpose of integrating them into the body of scientific knowledge. This facilitates further academic engagement, since other scientists are able to access these phenomena through the new research. Thus, this study maintains that the chosen topic of investigation *is relevant* purely because it is a novel, but perceivable phenomenon that invites further exploration and verification.

Third, since no systematic or theoretically grounded investigation has been conducted with the aim of evaluating South Africa's prospects of state dysfunction, there is a dearth of academic literature on the subject. As a result, this study constructs a conceptual and theoretical framework with which to engage the research problem, adapted from the outcome of a dissertation entitled **A conceptualisation of the dysfunctional state** (Greffrath, 2012). This framework is used to interpret qualitative and quantitative sources that deal with the phenomenon. Many of these sources are anecdotal/popular accounts in the form of media reports, as well as quantitative data from non-governmental organisations and the South African government. Although these sources themselves are not academic, they are *interpreted, integrated, and systematised through the application of a theoretical framework*. In this manner, they merge to constitute valid and reliable knowledge about state dysfunction in the South African context.

Fourth, the discourse surrounding the strength vs. weakness or functionality vs. dysfunctionality of the South African state is automatically legitimised when interpreted as part of the post-apartheid political dispensation. Since 1994, the ideology of the ruling ANC has emphasised the imperative of *transformation* as the modus of change through which South African society may be rehabilitated from the impact of apartheid. As Nelson Mandela stated in his 1998 State of the Nation address, 'Transformation is this government's reason for existence' (Mandela, 1998). Indeed, as Houston and Muthien (2000:39) duly point out, the word 'transformation' is found in virtually all ANC documents, speeches and policies, as well as those of government (conversely, the term does not appear once in the Constitution). Since, as Duvenhage (2007:385) notes, transformation combines the rapidity of revolution with the non-violence of evolutionary change, it is evident that transformative change is something that requires 'extraordinary effort and insight' (Human, 1998:23). Such a change requires a sustained and concerted effort by a capable and highly-functional state, since no

⁹ Own emphasis.

other institution possesses the organisation, resources and authority to thus transform society. It is from this perspective that Human (1998:42) explains that 'The state in South Africa has to play a role over and above the usual 'normal' role of the state'. Thus, assessing the functionality, or otherwise, of the South African state is imminently relevant and in the interests of all citizens, given the ANC government's much-avowed project of transformation.

1.3 Problem Statement

The general problematique that motivates this study, as with many other investigations into weak, failed, collapsed (insert preferred adjective for dysfunctional) states,¹⁰ is the reality that in a world where states are accepted as a fundamental norm of political reality, certain states are simply unable to endure (Doornbos, 2005:172). States succumb to dysfunctional dynamics, rooted in the complex interaction between societies, institutions, and the international arena. State dysfunction in general is problematic since humankind derives certain "political goods" from states. Key amongst these political goods is the maintenance of order and the provision of security for citizens (Pennock, 1966:421). Other political goods premised upon the primary function of maintaining order and security may include the provision of welfare, ensuring justice, and the defence of liberty. The state is central to the provision and maintenance of these political goods, and without the state, the social contract preventing a 'condition of war of every one against every one' (Hobbes, 1851:598) becomes null and void. Indeed, regions where states have become dysfunctional bear an uncanny resemblance to the Hobbesian state of nature, where life is 'solitary, poor, nasty, brutish, and short'. As alluded to earlier, Africa plays host to a disproportionate number of these places, which have been evocatively recounted in mainstream media through writing e.g. Kaplan's *The Coming Anarchy* (1994); *Foreign Affairs' Postcards from Hell* (2012)) and films such as *Black Hawk Down* (2001) and *Blood Diamond* (2006). Thus, an important assumption which underpins this study is that any investigation that endeavours to gain an understanding of a generally destabilising phenomenon such as state dysfunction is inherently relevant.

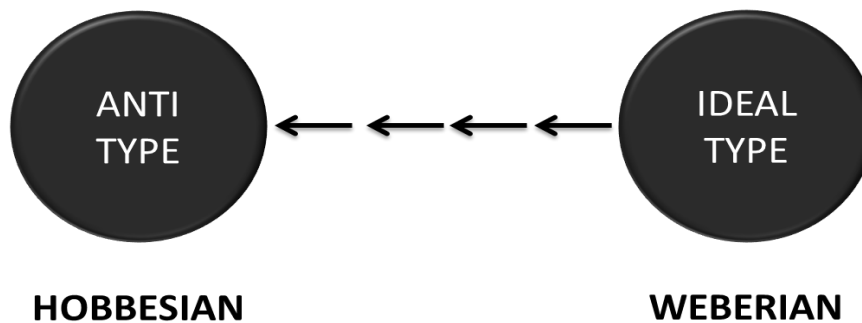
The dysfunctional state is essentially a manifestation of statehood (i.e. a phenomenon) which contrasts with an ideal-type (i.e. a concept). It is therefore important to *conceptualise* the dysfunctional state, just as the ideal-typical state was conceptualised by Weber in the early 20th century. According to Weber's (1947) conceptualisation:¹¹

¹⁰ This study consistently employs the terms 'dysfunctional state' or 'state dysfunction'.

¹¹ This is an English translation of the original German text by Talcott Parsons (1947:156).

The primary formal characteristics of the modern state are as follows: It possesses an administrative and legal order subject to change by legislation, to which the organised corporate activity of the administrative staff, which is also regulated by legislation, is oriented. This system of order claims binding authority, not only over the members of the state, the citizens, most of whom have obtained membership by birth, but also to a large extent, over all action taking place in the arena of its jurisdiction. It is thus a compulsory association with a territorial basis. Furthermore, today, the use of force is regarded as legitimate only so far as it is either permitted by the state or prescribed by it ... The claim of the modern state to monopolise the use of force is as essential to it as its character of compulsory jurisdiction.

This conceptualisation represents another point of departure for this study, since it represents the ideal-typical state, of which state dysfunction is held to be a deviation. In contrasting it with the Weberian ideal-type, this study posits that the total absence of a stable state may be described as the antitype. This antitype may be termed the Hobbesian antitype, since in conceptual terms; it would imply a state of anarchy, as recounted by Hobbes. Indeed, Weber (1919) himself concurred that ‘If no social institutions existed which knew the use of violence, then the concept of ‘state’ would be eliminated, and a condition would emerge that could be designated as anarchy...’. The relationship between these two opposing concepts may be illustrated as follows:



Source: Own construct

Figure 1: The conceptual dichotomy of statehood

Occupying the conceptual ground between total political order and absolute anarchy is the realm of state dysfunction (represented by the arrows in the diagram above). From these terms of reference, the integrity of a state, (i.e. functionality/dysfunctionality) may therefore be determined according to its approximation to, or deviation from, either of the above parameters. Taking the abovementioned into account, this study employs the following theoretical definition of state dysfunction:¹²

¹² This theoretical definition was developed by the candidate as the outcome of a MA dissertation entitled *A Conceptualisation of the Dysfunctional State* (2012). This definition is thoroughly reconstructed in chapter two of this thesis – it is posited here for the purposes of orienting the reader with regards to the problem statement.

A dysfunctional state represents a fundamental deviation from the ideal-typical Weberian conception of state, (the dysfunctional attributes of which manifest in societal, institutional and international contexts)¹³ and which:

- **may be represented according to a typology of dysfunction, incorporating differentiated graduations**
- **is often encountered as a postcolonial phenomenon**
- **is essentially characterised by a deficiency in the capability to predominate as an autonomous, legitimate and authoritative political institution**
- **is therefore not authentically (positively) sovereign in either domestic or international spheres and,**
- **as a result, is incapable and/or unwilling to fulfil the functions of state in the public interest and for the public good.**

As a theoretical definition, the above statement brings into focus the relationships between a given concept and related concepts within a specific conceptual framework (Mouton & Marais, 1990:131). A theoretical definition is therefore connotative in nature, since it implies relationships between scientific constructs. However, in order to clarify such relationships explicitly, a theoretical definition must be developed into an operational definition. According to Mouton and Marais (1990:132) an operational definition describes certain operations under which the use of the concept is valid. An operational definition therefore presents specific conditions for the appropriate use of a specific concept, usually by means of a set of measurable criteria. Furthermore, Babbie (1990:124) notes that an operational definition builds upon a theoretical definition in the sense that it assigns quantifiable indicators to the denotative content of a theoretical definition. These indicators represent proxies through which the empirical reality may be engaged (i.e. the application context). Thus, noting that the abovementioned theoretical definition posits that state dysfunction manifests in three spheres of application, namely internal, intermediate, and external, a set of associated criteria are identified.¹⁴ The operational criteria depicted below (Table 1) were developed by the author as the outcome of a MA dissertation entitled *A Conceptualisation of the Dysfunctional State* (2012), which forms the basic theoretical foundation of this investigation. **The purpose of this study is therefore to operationalise the theoretical outcomes derived from a preceding investigation, entitled *A Conceptualisation of the***

¹³ For example: fragmented social control, low levels of institutionalisation, negative sovereignty, and neo-patrimonialism amongst others (discussed above).

¹⁴ The criteria identified will be the subject of extensive elaboration in the chapters that follow, during which the analytical framework will be developed and explicated.

Dysfunctional state, with the aim of evaluating state dysfunction in the South African context.

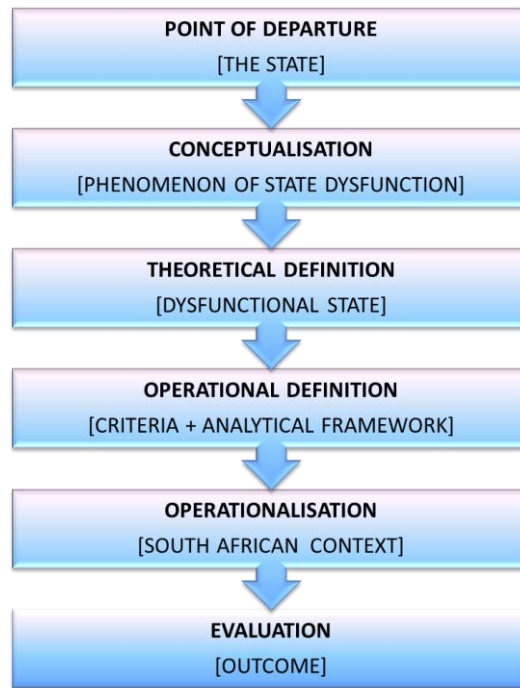
Table 1: Operationalising a theoretical definition of state dysfunction

DIMENSION OF STATE DYSFUNCTION	LEVEL OF APPLICATION	CONSTRUCT/CONCEPT	
INTERNAL	SOCIETAL	<ul style="list-style-type: none"> • Fragmented social control • Modernisation + Colonialism • Web-like society • Non-state actors • Competing survival strategies 	NON-TRINITARIAN WARFARE
INTERMEDIATE	INSTITUTIONAL	<ul style="list-style-type: none"> • Low levels of institutionalisation • Corruption & maladministration • Accommodation & submission • Politics of survival • Neo-patrimonialism • Praetorianism • Revolution 	
EXTERNAL	INTERNATIONAL	<ul style="list-style-type: none"> • Negative sovereignty • Self-determination • Non-intervention • International affirmative action • Neglect of human rights / civility 	

Adapted from Greffrath, 2012:254

The spheres of application and criteria cited above will, in turn, form the basis of an analytical framework which will be developed in subsequent chapters. This analytical framework, informed by both theoretical and operational definitions, will enable the realisation of the research goals of this study by addressing the central research problem. The goal of this study is therefore to implement a theoretical conceptualisation of the dysfunctional state through means of an analytical framework, consisting of verifiable criteria in the South African social, political, and economic contexts. This progression from the general to the specific may be represented as follows:

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The figure above¹⁵ demonstrates how a topical and urgent concern relating to an observable phenomenon (state dysfunction) is brought into focus by means of a systematic scientific process of conceptualisation, definition, and operationalisation. **This process aims to achieve the creation of valid and reliable knowledge regarding state dysfunction, with a focused application in the South African context.**

Therefore, noting the acute relevance of the phenomenon of state dysfunction, and furthermore, noting the existence of various tendencies in the South African political sphere commonly associated with state dysfunction, as well as the anecdotal accounts and speculation regarding South Africa as a dysfunctional state (recounted in the preceding section) the following problem statement will motivate this study: **By developing a theoretical and analytical framework of state dysfunction, a systematic investigation is conducted, aimed at evaluating the status of South Africa as a dysfunctional state, and identifying the nature of such dysfunction, if and where applicable.** In order to satisfactorily address this research problem, the research objectives outlined below must be attained.

1.4 Research Questions

From the problem statement posited above, the following research questions are posed:

¹⁵ This figure is employed consistently throughout this thesis as a structural element and not as part of its substantive content. Accordingly, the reader will note that a figure heading and source are not indicated.

Chapter One: Introduction

- The primary research question of this study is whether South Africa exhibits the characteristics of a dysfunctional state, based upon an evaluation informed by a theoretical conceptualisation of the dysfunctional state and the application of an analytical framework, consisting of measurable criteria.

Contributing to the solution of this primary research question, are several secondary research questions:

- What are the prevailing viewpoints and important contributions on the subject of state dysfunction?
- Can the phenomenon of state dysfunction be interpreted and analysed according to an analytical framework, which would enable the application theory in the empirical realm?
- What conclusions can be reached when an analytical framework is applied to the contemporary South African context, focusing on the following spheres of application:
 - The South African societal sphere?
 - The South African institutional sphere?
 - The international sphere, with reference to South Africa?
- What does an evaluation of the South African political sphere reveal, based upon the systematic approach outlined above?

1.5 Research Objectives

The following research objectives have been identified as central to addressing the research problem. The primary research objective of this study is to:

- Evaluate to what extent South Africa approximates a dysfunctional state, by implementing a theoretical conceptualisation of state dysfunction through means of an analytical framework, consisting of verifiable criteria.

The attainment of the primary research objective will be facilitated by secondary research objectives, namely:

- Reconstructing the broad theoretical field of study regarding state dysfunction, with particular reference to different contributions on the subject, with the aim of conceptualising the dysfunctional state.

- Constructing an analytical framework according to which the phenomenon of state dysfunction may be interpreted and analysed, employing specific spheres of application and criteria that enable empirical verification.
- Operationalising the analytical framework in the context of contemporary South Africa, according to the criteria identified for each of the following spheres of application:
 - The South African societal sphere.
 - The South African institutional sphere.
 - The International sphere, with reference to South Africa.
- Providing a comprehensive evaluation of South African statehood, based upon the outcomes of the analytical framework of state dysfunction.

1.6 Central Theoretical Statement

The African continent as geopolitical entity exhibits extensive patterns of political decay, as well as several instances of state dysfunction (Clapham, 2004:84; Engelbert & Tull, 2008:106; Bertocchi & Guerzoni, 2010:2; Kraxberger, 2012:99). Anecdotal evidence suggests that these same tendencies are in the ascendancy in the South African political sphere (Patel, 2012; Sunter, 2013; IFAISA, 2013; Borraine, 2014). This phenomenon is alarming, and raises important questions regarding the societal, institutional, and international integrity of the contemporary South African state. **A systematic and methodologically sound investigation is required (premised upon theory and operationalised accordingly) in order to evaluate whether South Africa approximates a dysfunctional state.** The methodology and key literary and other sources that underpin this study are clarified in the following section.

1.7 Method and Procedures

Research will be conducted utilising existing literature, which will be both qualitative and quantitative (such as compilations of statistical data) in character. Since the study will employ only existing literature and sources, no first-hand gathering of empirical data will occur. No fieldwork will therefore be conducted, and the planned research has very limited ethical implications, if any.

The research design will incorporate both descriptive and explanatory approaches. The investigation is largely descriptive, since it conducts a focused and comprehensive analytical evaluation of the phenomenon of state dysfunction and its application in the South African

context. A theoretical phenomenon is delimited and contextualised through means of associated criteria that illustrate its empirical occurrence (an object of study is therefore *described*). The study also contains an explanatory component, albeit to a lesser extent, since the theoretical nature of state dysfunction and its empirical occurrence will be correlated with a set of operational criteria. Hence, it may identify sequences of cause and effect, or uncover certain permutations related to operational criteria which may possess explanatory potential.

The research will encompass three 'levels of theory', since it will commence with meta-theoretical perspectives (i.e. the concept of state dysfunction), move to a second-order theoretical analysis (by constructing a theoretical framework for the interpretation of state dysfunction), and conclude with the application of measurable criteria to the empirical reality (i.e. first-order theory).

The sources which will be consulted in this study can be delimited to qualitative and quantitative sources. Being in large part a descriptive study, utilising a diverse range of sources is of crucial importance in achieving a comprehensive evaluation.

1.8 Key sources and literature review

The dissertation entitled **A conceptualisation of the dysfunctional state** (Greffrath, 2012) serves as the principal motivation and conceptual point of departure for this study. Chapter two (dealing with meta-scientific and theoretical points of departure) and chapter three (concerning the conceptualisation of the state as ideal type) of this thesis are based on the corresponding chapters of the aforementioned work. The subsequent chapters of this thesis aim to expand the theoretical arguments posited in *A conceptualisation of the dysfunctional state* (2012) and to develop frameworks of analysis, application and operationalisation in the South African context – the intended contribution to the body of knowledge.

Qualitative sources will be employed to address two important aspects of this thesis, namely the theoretical conceptualisation of the dysfunctional state, and the contextualisation of South African statehood since 1994. Regarding the conceptualisation of the dysfunctional state, three pivotal sources are identified as foundational contributions in the form of Samuel Huntington's **Political Order in Changing Societies** (1968), Joel Migdal's **Strong Societies and Weak States** (1988), and Robert H. Jackson's **Quasi-states: Sovereignty,**

International Relations and the Third World (1993).¹⁶ These three sources provide the theoretical underpinning of a conceptualisation and theoretical definition of state dysfunction which find application in three distinctive contexts.¹⁷ This core of theoretical perspectives will be augmented by other works of a theoretical nature that provide insights into the precarious position of modern statehood in times of political turbulence, for example **Crises and Sequences in Political Development** (Binder, et. al., 1971), **Democratic Experiments in Africa: Regime Transitions in Comparative Perspective** (Bratton & van de Walle, 1997), and van Creveld's **The Transformation of War** (1991) and **The Rise and Decline of the State** (1999).

Notable sources dealing with various manifestations of state dysfunction, such as failed and collapsed states will also be consulted, including **Saving Failed States** (Helman & Ratner, 1992), **The Coming Anarchy** (Kaplan, 1994), **Collapsed States: The Disintegration and Restoration of Legitimate Authority** (Zartman, 1995), **The Blood of Experience** (Mazrui, 1996), Robert Rotberg's **State Failure and State Weakness in a Time of Terror** (2003) and **When States Fail: Causes and Consequences** (2004), **State Failure, Sovereignty and Effectiveness** (Kreijen, 2004), **When Things Fall Apart** (Bates, 2008), and **Dealing with Failed States** (Starr, 2009).

A further collection of qualitative sources will be employed with the purpose of reconstructing contemporary South African statehood since 1994. This reconstruction will incorporate the socio-economic and political dimensions, which will include perspectives on relevant issues such as the public sector, the African National Congress (ANC) as ruling party and political institution, and government and governance in South Africa. In this regard, the insights of political commentators and analysts are very useful. Books such as Allister Sparks's **Beyond the Miracle** (2003), R.W. Johnson's **South Africa's Brave New World: the Beloved Country since the End of Apartheid** (2009), and Anthea Jeffery's **Chasing the Rainbow: South Africa's Move from Mandela to Zuma** (2010) represent excellent reconstructions of South Africa's 19 year-old democratic era. Other commentators who's anecdotal or journalistic contributions contextualize contemporary South African politics include Adriaan Basson's **Zuma Exposed** (2012), Mamphela Ramphele's **Laying Ghosts to Rest: Dilemmas of the Transformation in South Africa** (2008) and **Conversations with my sons and daughters** (2012), Martin Plaut and Paul Holden's¹⁸ **Who Rules South Africa?** (2012), William Gumede's **Restless Nation: Making Sense of Troubled Times**

¹⁶ This choice of sources is extensively motivated in chapters three and four.

¹⁷ See preceding definition, section 1.3.

¹⁸ Paul Holden is also the author of investigative books such as *The Arms Deal in your Pocket* (2011) and *The Devil in the Detail: How the Arms Deal Changed Everything* (2011).

(2012), and Rhoda Kadalie's **In your face** (2009). The brother of former president Thabo Mbeki, Moeletsi Mbeki's recent publications, **Architects of Poverty** (2009) and **Advocates for Change** (2011) focus on the socio-economic challenges of Africa in general (alluded to in the introduction), and South Africa in particular. Furthermore, recent analytical studies regarding various aspects of South African statehood are considered, such as **The State of the People: Citizens, civil society and governance in South Africa, 1994-2000** (2001), **South African Governance in Review: Anti-corruption, Local Government, Traditional Leadership** (Jackson, et.al, 2009), **Testing Democracy: Which way is South Africa going?** (Misra-Dexter & February, 2010), **Development Dilemmas in Post-Apartheid South Africa** (Freund & Witt, 2010), **Constructing a Democratic Developmental State in South Africa: Potentials and Challenges** (Edigheji, 2010), **New South African Review 2010: Development or Decline?** (Daniel, Naidoo, Pillay & Southall, 2010), **The Zuma Administration: Critical Challenges** (Kondlo & Maserumule, 2010), **Future Inheritance: Building Capacity in Democratic South Africa** (Plaatjies, 2011), **Lost in Transformation: South Africa's search for a new Future since 1986** (Terreblanche, 2012), **South Africa's Suspended Revolution: Hopes and Prospects** (Habib, 2013a) and **A Time-traveller's Guide to our Next Ten Years** (Cronje, 2014).

Thus, this study will make generous use of qualitative perspectives with the aim of contextualization (the above-mentioned list of sources being by no means exhaustive) and generating what Geertz (1973:10) refers to, as a 'thick description'¹⁹ representing:

....a multiplicity of complex conceptual structures, many of them superimposed upon or knotted into one another, and which he [referring to the researcher] must contrive somehow first to grasp and then to render.

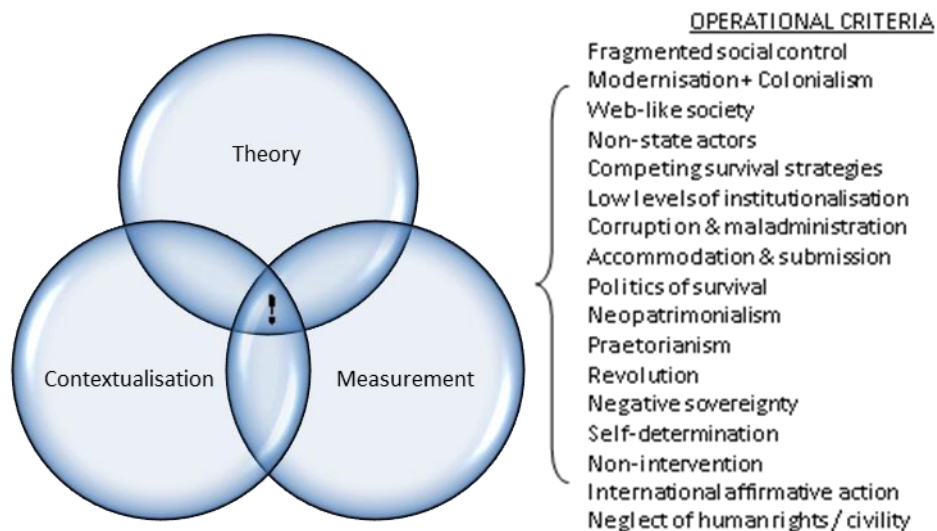
Therefore, by systematically applying contextual 'tissue' to an analytical / theoretical 'skeleton' a coherent body of knowledge can be constructed, representing a valid and reliable outcome. Complementing the focus of this qualitative backdrop is a category of quantitative sources, utilised for the purposes of concise measurement and verification, rather than contextualisation. These sources include comprehensive statistical compilations covering South African society writ-large such as the annual SAIRR **South Africa Survey** (2012) and the HSRC's **State of the Nation: South Africa 2012-2013** (2012).²⁰ Other valuable sources of statistical data pertaining to South Africa include **Statistics South**

¹⁹ Geertz developed this 'thick description' as a specialized approach to anthropology, but its essence is well-suited to political science and the social sciences in general, where theory and context (the empirical domain) should be mutually reinforcing.

²⁰ The SAIRR South Africa Survey includes data on a wide variety of social, economic, and political indicators such as demographics, public finance, employment, assets and incomes, business and labour, education, health and social security, living conditions, and crime and security.

Africa,²¹ the **South African Local Government Association**, the reports and findings of the **Auditor General of South Africa, Municipal IQ**, and the **South African Reserve Bank**.²² Several international indexes and statistical sources are also very useful, particularly in benchmarking states and drawing comparative conclusions. In this regard, the **World Bank’s Worldwide Governance Indicators (WGI)** is a comprehensive and reliable collection of data covering more than 200 states and territories. The purpose of the WGI is to measure the quality of governance across states according to six key dimensions, namely voice and accountability, political stability, government effectiveness, regulatory quality, rule of law, and control of corruption.²³ These key dimensions broadly correlate with the operational criteria identified in the analytical framework of state dysfunction, and will therefore serve as an important source of information for this study. Other important quantitative sources relating to measurable criteria include **Transparency International’s Corruption Perceptions Index** (which ranks states according to their perceived levels of corruption), the **Failed States Index (FSI)** published by the Fund for Peace, the **Global Competitiveness Report** compiled by the World Economic Forum, and the **Mo Ibrahim Index of African Governance**. Domestically, the SAIRR also publishes the **Rainbow Index**, which measures South Africa’s performance relating to good governance across ten social, political, and economic criteria (SAIRR, 2012:818).

The relationship between the theoretical, qualitative (contextual), and empirical (measurable) methodological dimensions of this study are depicted below:



Source: Own construct

Figure 2: Ascertaining valid knowledge through a diversified methodology

²¹ The Stats SA website is available at <http://www.statssa.gov.za>.

²² The Reserve Bank website is available at www.resbank.co.za.

²³ Indicators for each of the six dimensions are compiled with data taken from 30 different sources. The Worldwide Governance Index is available at <http://info.worldbank.org/governance/wgi/index.asp>.

The methodological strength of this study therefore lies in the interaction between theory, context and measurement (illustrated above) and their overlap, culminating in the creation of valid and reliable knowledge related to the research problem (indicated by the exclamation symbol). Having outlined the methods and procedures to be employed in this study, its potential academic contribution is now clarified.

1.9 Contribution

The contribution of this study is the development of a theoretical framework of analysis of state dysfunction and its application to the South African context. Hitherto, no systematic or theoretically informed investigation has been conducted to ascertain whether South Africa may, or may not be characterised as a dysfunctional state, nor have any academic studies in the form of theses or dissertations been found that address this research problem. Nevertheless, the growing body of anecdotal and substantiated evidence would suggest that such an investigation is not only relevant, but urgent. As outcome, this study will make a contribution to the understanding of the dynamics of South African politics, government, and society. The structuring of the thesis content according to chapters is outlined below.

1.10 Chapter Division

Chapter one serves as introduction to the study. In this chapter, a brief overview of the structure of the thesis is provided, along with its objectives and methods. The phenomenon of state dysfunction in Africa is contextualized, and extrapolated to South Africa. Consideration is given to recent events that have prompted the discourse surrounding South Africa as a dysfunctional state. This contextual introduction develops logically into the problem statement, which informs this study. The problem statement is subsequently broken down into research questions that must be answered, and research objectives that will be attained, after which the methods and procedures used to achieve these goals will be discussed. The contribution towards new scientific knowledge made by this study is also discussed.

Since this study is a theoretically premised investigation into state dysfunction and its application in the South African context, **chapter two** explicates several meta-theoretical points of departure. This includes a focused discussion on the nature of science and scientific knowledge, the role of paradigms and traditions in science in general, and the

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discipline of political science in particular, as well as a delineation of scientific constructs. The discussion will also indicate how these elements of scientific practice will be integrated into this study.

Chapter three will reconstruct a conceptualisation of the ideal-typical state, which will be employed as a theoretical benchmark in this study's conceptualisation of the dysfunctional state. The concept will be thoroughly reconstructed by drawing on influential contributions in the field, notably that of the Weberian tradition. As an outcome, several attributes of state are identified (upon which subsequent criteria for state dysfunction will be based) and formulated as a definitional statement.

Chapter four represents a comprehensive literature review of contributions in the field of state dysfunction. This serves to orient the reader regarding the state of scholarship in the field, whilst simultaneously identifying theoretical shortcomings. The theoretical foundation which was laid in the two preceding chapters will aim to augment these deficiencies. The second part of this chapter will introduce the contributions to be utilised in this study's conceptualisation of the dysfunctional state. Each contribution will be concisely contextualised, with reference to the authors' paradigmatic points of departure, view of the state, and use of particular scientific constructs (these contributions will be more comprehensively reconstructed in the next chapter).

Chapter five represents a systematic reconstruction of each selected contribution's approach to understanding state dysfunction. The scientific constructs employed by an author are used in structuring the discussion, and are related to the attributes of state which were distilled in chapter three. The outcome of the chapter is an analytical framework that integrates the salient insights from all the contributions considered, by incorporating three dimensions of state dysfunction (internal, intermediate, and external). It is therefore essentially an exercise in theory building, the product of which is a theoretical framework for evaluating state dysfunction, as well as empirical verification (which is the purpose of the next three chapters).

Chapter six represents a vital methodological bridge. It links the domains of theory (chapters 2 – 5) and operationalisation (chapters 7 and 8). Essentially, the chapter uses the analytical framework developed in chapter 5 to identify corresponding applicational contexts in the realm of empirical statehood in order to facilitate operationalisation. The outcome of this chapter is a set of 3 primary and 13 secondary research questions that, collectively, correspond with the analytical framework developed previously. Thus, equipped with (i) the

theoretical perspectives of an analytical framework and (ii) the guidance provided by the research questions in identifying how such theory may be applied empirically, the study is now poised to commence with the operationalisation of the constructs that constitute state dysfunction.

Chapter seven represents the focussed operationalisation of the internal, intermediate, and external contexts of South African statehood respectively, as informed by the analytical framework developed in chapter four and the reconstruction of post-apartheid South African history in chapter five. Each of the chapter's three parts will operationalise a particular dimension utilising both qualitative and quantitative sources (as detailed in chapter four) in order to evaluate the characteristics of state dysfunction (or otherwise) present in a given dimension of statehood:

- **Part One** will operationalise state dysfunction in the South African societal dimension, focussing on societal tendencies such as patterns of political participation (both systemic and anti-systemic), South Africa as a web-like society (including neo-patrimonialism and network politics), and aspects of modernisation (urbanisation, violence, xenophobia, vigilantism, and a culture of protest).
- **Part Two** will operationalise state dysfunction in the South African institutional dimension, focussing on the regime dynamic, political institutions and institutionalisation (including political parties), governance, praetorian tendencies, corruption, and the 'politics of survival' (regarding political leadership).
- **Part Three** will operationalise state dysfunction in the external dimension, focussing on South Africa's international position, predominantly in relation to the concept of negative sovereignty, and its interaction with both the developing and developed worlds.

Chapter eight will conclude with a summary and integration of the preceding chapters, with particular reference to the conclusions reached in chapters five, six, and seven. The goal of this chapter is to evaluate the integrity of South African statehood, and discuss the future prospects of South African state dysfunction, making recommendations where applicable.

Chapter Two: Meta-scientific and theoretical points of departure

2.1 Introduction

The preceding chapter identified the central research goal of this study to be the operationalisation of a theoretical conceptualisation of the dysfunctional state using an analytical framework. In order to realise this goal, three methodological steps are required (which can be directly deduced from the research goal), namely conceptualisation, analysis, and implementation. The step of conceptualising the dysfunctional state will be conducted in the next chapters, which will in turn inform the remaining two methodological steps. However, before any of these steps can be performed, certain fundamental suppositions and points of departure must be clarified in order to ensure the scientific integrity of this study.

Since this study utilises the scientific method in achieving its primary research goal, it is important for the purposes of theoretical and methodological transparency that the investigation accounts for its scientific approach. Accordingly, the purpose of this chapter will be to orient the reader regarding the meta-theoretical structure of this investigation, focusing on:

- The pre-scientific realm
- The nature of knowledge
- The realm of social science (as province of this investigation)
- The role of disciplines and traditions in practicing science (with particular reference to political science)
- The role and function of paradigms
- The role and function of scientific constructs (including concepts, definitions, typologies, models, and theories) and their relevance for this investigation.

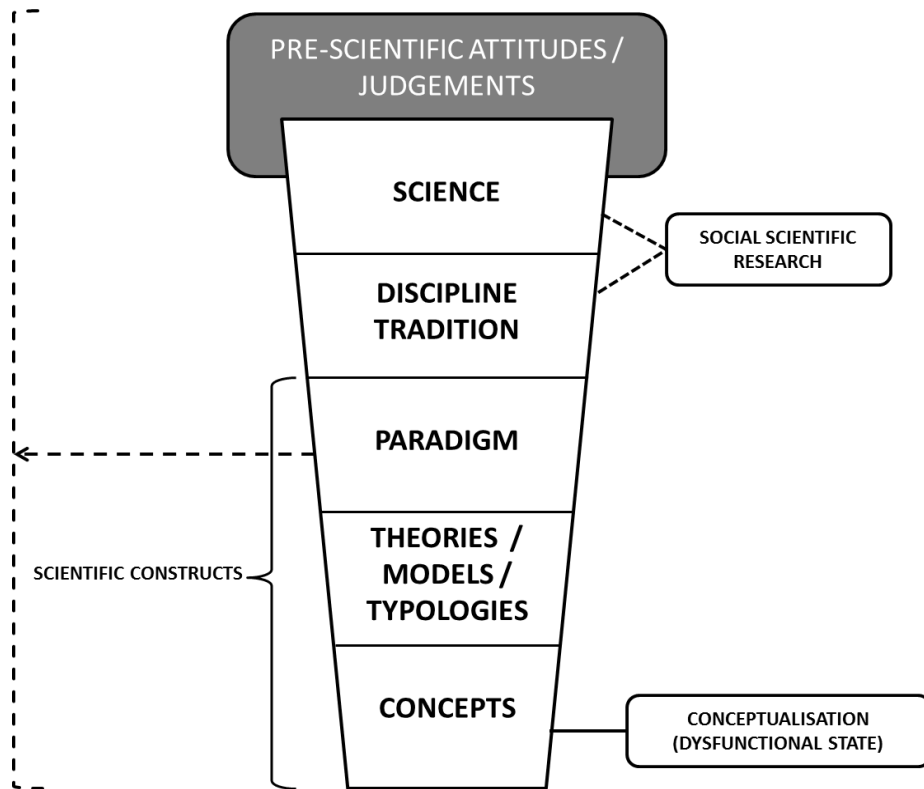
The abovementioned will be achieved by integrating the perspectives of numerous influential sources in the fields of the philosophy of science and research methodology. The outcome of this chapter will be the creation of a theoretical framework according to which the remainder of the study will be structured (i.e. the steps of analysis and implementation, referred to earlier). The theoretical framework will be rendered in diagrammatic form that can conveniently and consistently be incorporated into the study in the chapters that follow. Thus, the role of this chapter in relation to the study as a whole is to comprehensively account for the scientific points of departure that buttress the systematic inquiry into the research problem.

2.2 Meta-science

Any scientist's perceptions and study of reality are infiltrated by personal or external considerations of a non-scientific nature. Just as an emotive reaction on the subject of abortion or capital punishment is prompted by moral or religious persuasion, so too the practice of science is characterised by deliberate decisions made through preference or conviction. Thus, any scientist is guided, at least in part, by irrationality (judgements and attitudes emanating from the pre-scientific realm) in addition to the scientific method itself. Babbie and Mouton (2001: xxiii) describe the process of gaining perspective on these aspects that influence scientific research: 'Whenever we, as researchers, stand back and distance ourselves from the practice of social research and begin to reflect on what we are doing, we enter into a different mode of thinking – meta-science'. It becomes important for a researcher to gain such perspective since the taking into account of the influences that shape scientific practice enables the anticipation of shortcomings and critique. Furthermore, for the purpose of this study, it is important to demonstrate the integration of the goals, methods, content, and meaning of science, in order to conduct a credible investigation.

The scientific world is constituted by a multitude of disciplines each of which are, in turn, characterised by a variety of traditions and paradigms that compete for relevance and legitimacy. Depending on which paradigm or tradition a political scientist adheres to, his/her scientific observation and interpretation of reality will be significantly influenced by the considerations which that paradigm accentuates, as well as the aspects it disregards or ignores. Hence, even the relatively simple act of conceptualisation is influenced by a range of scientific considerations and pre-scientific factors, and it is therefore necessary to account for these influences.

This chapter will be constructed as a progressively focused delineation, commencing with the broadest of themes (the subjective pre-scientific realm) and concluding with the various scientific constructs. This process is illustrated below:



Source: Adapted from Duvenhage, 1993:60

Figure 3: Levels of the scientific process

2.3 Knowledge

Science, and by extension scientific knowledge, enjoys unparalleled prestige in modern society (Ladyman, 2002:2). As Chalmers (1999: xix) points out, new products are routinely advertised as being ‘scientifically proven’ to be better, faster or stronger in comparison to their competitors. This is done to attribute to the claims about that product a measure of legitimacy since the claims are now supported by a scientific authority, and to assert that they are well founded and beyond dispute. However, what is science, and how is scientific knowledge distinguished from ‘normal’ or everyday knowledge?

2.3.1 Ordinary knowledge

Babbie and Mouton (2001:1-17) and Babbie (1998:16-20) explain the nature of science and the scientific process by distinguishing between lay and scientific knowledge. Lay knowledge represents the knowledge possessed by ‘ordinary’ people, based on their personal experience and observation. Such knowledge is often synonymous with wisdom, common sense, practical knowledge or ‘know-how’, and represents the stock of knowledge

used to cope effectively with everyday life. This type of knowledge is characterised by several distinctive features.

First, lay knowledge is based on *personal or first-hand experience*, derived from interaction with other individuals and reality in general. Thus, experiential knowledge is derived from experience, which in turn is highly contextualised. It would be difficult to replicate the experience of an interaction with person *A* in an interaction with person *B*. One's interaction with person *A* was experienced in a specific context and subsequently has little purchase and general applicability outside that particular context.

Second, the accumulation of lay or ordinary knowledge usually occurs in an *unsystematic and haphazard* manner. The experiences through which one accumulates knowledge, (for example, the above-mentioned interaction with person *A*) are rarely the result of planned activities or intentional investigations. Whilst one might gain valuable knowledge from such experiences, these insights are rarely deliberately integrated into a coherent and systematic knowledge system, rendering them relatively isolated and context bound.

Third, much lay knowledge is based on the *personal authority* of another individual. Often, in everyday life, the opinions and judgements of individuals one considers to be 'experts' or authoritative in their fields are accepted as true, for example, one trusts the diagnosis of a faulty vehicle provided by a mechanic. Because one may not possess knowledge in that general field, or about the particular problem, the authority and expertise of the mechanic is sufficient for one to accept his opinion as the truth.

Fourth, lay knowledge is based on *secondary sources*, such as the media, books, the Internet, and other people. For example, oral traditions and storytelling typically are handed down by word of mouth from one generation to the next, and with the passing of time the actual subject of the story becomes increasingly further removed from its original occurrence, with the result that one's knowledge of that particular story is derived from (at best) a secondary source. The nature of this type of knowledge is such that it is never attained through first-hand observation or experience.

In summary, lay or ordinary knowledge is knowledge that consists of unstructured first-hand experience and often appeals to the authority of other people and second-hand sources. It is usually unsystematic in nature (Babbie & Mouton, 2001:5). Bless, Higson-Smith and Kagee (2007:1-3) broadly concur with these characteristics of ordinary (unscientific) knowledge, when discussing three 'methods of knowing'. The first method relates to the *authority* of

another person. This would be a prominent individual seen as possessing wisdom, and having a better grasp of their specific environment than other people (village elders, church leaders, technocrats). Closely related to authority, is the so-called *mystical* method of knowing. In this instance, the correctness of the knowledge is assumed to reside in a supernatural source, and the individual imparting this knowledge is regarded as authoritative due to his/her abilities to transmit the truth derived from this source. Examples of mystical authority would include religious leaders or traditional healers. Finally, *conventional wisdom* is cited as another method of knowing, reflecting so-called common sense understandings of the world, that are routinely accepted as being true. However, what is often accepted as common sense might not necessarily correspond with the truth. It is often contradictory, the saying 'absence makes the heart grow fonder' and 'out of sight is out of mind' being one example of such a contradiction.

In evaluating the nature of ordinary knowledge, and the methods through which such knowledge is gained, it is clear that ordinary knowledge fulfils a vital role in human existence. Lay knowledge facilitates basic interaction with reality, such as maintaining relationships with partners and family, or conducting business with clients and colleagues, in addition to forming the basis of an individual's pre-scientific judgements. The notion of the dysfunctional state has also come to form a part of lay knowledge, as frequently communicated by the media or common sense. The term 'failed state' is used indiscriminately by the media and commentators when referring to instances of state dysfunction, often for sensationalist purposes.²⁴ This encourages neither conceptual clarity nor sound (scientific) reasoning. The purpose of this chapter and of the next is to facilitate the integration of the concept of state dysfunction as a part of scientific knowledge. This will be achieved through a process of conceptualisation, thereby rendering a concept that is of scientific utility. Such a concept will be suitable for operationalisation in the empirical context via an analytical framework, developed in subsequent chapters. Accordingly, the characteristics of scientific knowledge are discussed below.

2.3.2 Scientific knowledge

A clear differentiation must be made between ordinary knowledge and scientific knowledge, the latter being the province of this investigation. Babbie and Mouton (2001:6) explain that, despite the dissimilarities between ordinary and scientific knowledge, they should not be regarded as opposing ways of knowing. Ordinary knowledge can serve to complement and

²⁴ See, for example, Steenhuisen (2011).

enhancing scientific knowledge. Babbie and Mouton (2001:6) note the following characteristics of scientific knowledge:

- Science is based on the collective, validated experiences of the members of the scientific community, rather than on the individual experiences and observations of any single person.
- Scientific knowledge is the outcome of rigorous, methodical and systematic enquiry, as opposed to the haphazard and spontaneous manner in which ordinary knowledge is acquired.
- Science rejects the value and importance of any personal authority; the only 'authority' that is accepted is the authority of evidence..
- Science is not based on taking second-hand sources at face value, but is inherently sceptical. It questions all claims, irrespective of their authority and origin, until they have been tested and, furthermore, stood the test of time.

A comparable account of science is presented by Bless, Higson-Smith and Kagee (2007:3), which emphasises the importance of reason and empirical observation as a point of departure. Knowledge gained through reasoning, or the rationalistic method, occurs through the human capacity for logical thought. A defining characteristic of reasoning is the ability to discover truths purely by applying one's mind *intellectually*, in other words, without having to touch, feel or see an object of study.²⁵ Mathematics serves as a good example of such reasoning. Its laws and principles are discovered by relying solely on mathematical axioms, rather than on an observable or sensory aspect of reality. As a method of acquiring knowledge, the empirical method could be considered the opposite of the rationalistic approach (and these opposites partly reflect the qualitative/quantitative methodological divide). The empirical method maintains that facts observed in nature form the foundation of all true knowledge. Thus, according to empiricists, the objectivity of one's *observation* of reality is paramount and only things that are *observable* (or otherwise perceived by our senses) can constitute knowledge. Applied exclusively, both the rationalistic and empirical methods have obvious shortcomings; theory is redundant when it becomes totally removed from reality, and facts are of little use unless a relationship between them can be established. Bless, Higson-Smith & Kagee (2007:3) consider science to be a process that combines the principles of rationalism with the process of empiricism – a premise that study endorses in pursuance of its research goal. Noting Babbie and Motuon's aforementioned

²⁵ Accordingly, a scientist is able to effectively study a phenomenon such as state dysfunction theoretically, rather than empirically i.e. through sensory experience in the field. In any case, it could be argued that any study, particularly purely empirical studies, must be predicated upon sound rationalist logic.

Chapter Two: Meta-scientific and theoretical points of departure

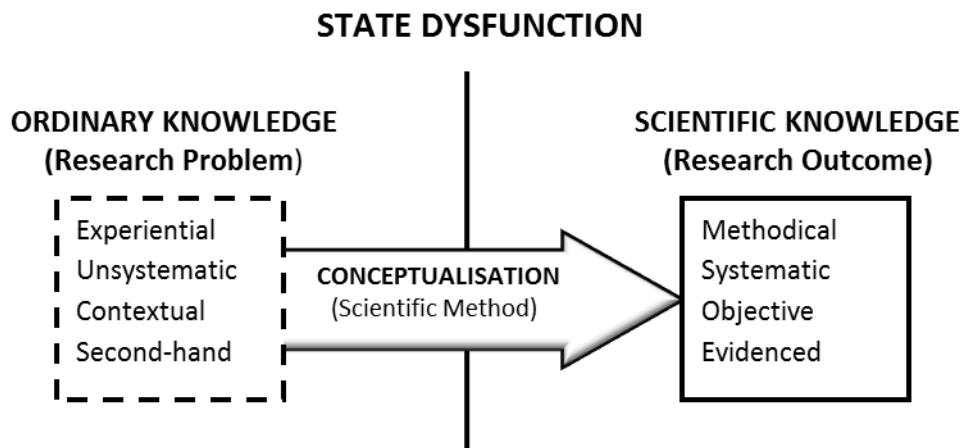
description of science, the following set of scientific assumptions further elaborate on important characteristics of science:

- Science assumes the existence of natural and social laws. These laws provide order and regularity to natural and social events, and exist independently from the observer.
- Such laws are discoverable. Because human beings form part of nature, we are subject to natural laws, which in turn make these laws perceivable and discoverable.
- Natural phenomena have natural causes. This assumption is linked to the existence of laws, and that such laws are discoverable. Thus, no supernatural forces are required to explain the way reality functions.
- The accumulation of scientific knowledge occurs gradually and sequentially, meaning that scientific progress builds upon itself continually expanding the scientific body of knowledge.
- Knowledge and truth are founded on evidence. In order to be accepted as good science, a scientific claim must be endorsed by evidence, or else the claim remains a hypothesis (a statement yet unproved). Evidence is constituted by observations made using the senses, as well as proven relationships between relevant facts.
- Scientific statements must be distinguished from common-sense statements. As discussed previously, common sense forms part of everyday, lay knowledge. This type of knowledge is usually context specific, and is usually not generally applicable. It may contain contradictory notions, as in 'absence makes the heart grow fonder'. Scientific statements, on the other hand, must take into account different contexts (variables) and come out of systematic observation.
- Scientific observation must be objective, meaning that the observation and subsequent description of reality must not reflect the subjective views or opinions of the researcher. Therefore, the accuracy of a scientific observation is directly related to the objectivity of that observation.
- Scientific observation occurs systematically. A logical method must be applied to scientific observation to ensure, for example, that relationships between variables are accurately observed. Systematically identifying and isolating objects of study will result in an accurate study of the object itself, and the manner in which that object interacts and relates to other objects/phenomena in reality.

Bless, Higson-Smith & Kagee, 2007:3

The essence of this description is that of science as a systematic and rigorous activity, able to withstand scrutiny and aimed at producing valid knowledge. This methodical application

of science has its origins in the primary interest of its practitioners – the search for truth (Babbie & Mouton, 2001:7). Yet, scientists have also realised that obtaining certain and indubitable knowledge (absolute truths) through the scientific method is highly unlikely. Instead, scientists endeavour to achieve findings that approximate reality as closely as possible (Mouton & Marias, 1990:15). This notion of approximate truth (Putnam, 1978) is often referred to as verisimilitude; a concept developed by Popper (1963). Acknowledging that scientific knowledge does not represent infallible truths implicitly admits that all scientific theories are not true – i.e. that all scientific theories are, in fact, false. Thus, in scientific practice, one is faced with a variety of competing, false theories, that all approximate reality (or the truth) to varying degrees. The problem of verisimilitude is thus how to determine which theories and hypotheses *most* closely approximate reality. The debate surrounding scientific realism²⁶ will not be entered into here, the important point being that science is engaged not in determining absolute and indubitable truths, *but rather knowledge that is valid and reliable*. The pursuit of valid and reliable knowledge represents the epistemological dimension of science and scientific research and is concerned with determining what knowledge *is*, as opposed to mere belief (Ladyman, 2002:5). In contextualising the place and role of ordinary knowledge versus scientific knowledge for the purposes of this chapter, consider the following diagram:



Source: Own construct

Figure 4: The roles of ordinary and lay knowledge in a conceptualisation of state dysfunction

Having differentiated between ordinary and scientific knowledge, and having provided an overview of the scientific method, this chapter now turns its attention to the social sciences, as the branch of scientific practice within which this study is conducted.

²⁶ In this regard, see Weston (1992).

2.4 Social Science and Social Science research

Scientific investigation has diverged along two intuitively different streams of subject matter. Natural science comprises the study of nature and motion, whilst social science concerns the investigation of human structures and behaviour, in other words, social phenomena (McErlean, 2000:252). Social science traces its origins back to natural science, to the time when the excitement and enthusiasm created by Newtonian physics and the advances in chemistry and various other domains of natural science enjoyed its peak (the Enlightenment). Consequently, various philosophers of science suggested that the logical progression in the development of science would be the application of the same proven methods to the discovery of the laws that govern human behaviour and the ways in which societies function (Ladyman, 2002:65). The potential of this Enlightenment epistemology was that human life in society would be made more meaningful (and would be wholly understood) if humans could organise themselves on a rational basis, in accordance with a legitimate 'science of society'. Theories such as Engels' (1892) 'scientific socialism' and Freud's (1949) principles of psychoanalysis have attempted to stake their claims as scientific truths, universally applicable to humans and society as a whole. However, the general applicability and absolute certainty of such theories have been widely critiqued and discussed, proving such claims to be fallible and false.

Arriving at accurate, replicable and predictable conclusions such as those that typify the natural sciences is a daunting task for the social scientist, as discussed in the previous section. The natural scientific method is premised on absolute control over variables, through conducting observation and experimentation in optimal laboratory conditions. This enables the physicist or bacteriologist to isolate and observe specific elements of an experiment, thus enabling him/her to observe directly and accurately the relationship between variables. For the social scientist (whose objects of study are humans and society), such precise control over experimentation is impossible, as certain experiments cannot be ethically conducted on human subjects and certain variables can never be controlled. The majority of elements comprising social science research are uncontrollable due to the complexity of social reality and human unpredictability. Therefore, most knowledge in the social sciences can only be expressed as probability statements reflecting a certain level of doubt (or approximate truth). For example, a physicist can express the laws of electricity with a formula and predict with certainty when an electric bulb will glow, whilst a sociologist can only predict that, under certain circumstances, unemployment leads to an increase in crime (Bless, Higson-Smith & Kagee, 2007:12).

Noting the divergent paths of the natural and social sciences, the discussion now turns to the characteristics of social science and social science research. In this regard, Mouton and Marais (1990:7-20) provide a model of the structure and dimensions of social science research. Mouton and Marias (1990:7) define social science research as 'a collaborative human activity in which social reality is studied objectively with the aim of gaining a valid understanding of it.'

Considering the preceding discussion on the nature of scientific knowledge and the scientific method, elements of the above excerpt appear familiar. This definition contains five distinguishable dimensions, which together constitute a comprehensive approach to social science research. The emphasis on social science research as a 'collaborative human activity' highlights its *sociological* dimension. During the Enlightenment, the isolationist ideal of the sciences (prevalent in the Middle Ages and Renaissance) was discarded, in favour of co-operative and participatory scientific practice. The co-operative notion of science established itself and has remained prominent ever since, to the extent that the notion of undertaking an investigation in the social sciences in total isolation is wholly unfeasible today. The practice of social science research (in particular) necessitates the researcher to engage with his/her laboratory – in other words, society. Therefore, the nature of the object of study, in the case of social science, disqualifies isolation. Related to the idea of collaboration is the fact that any scientist operates within a scientific community (sometimes referred to as 'invisible colleges'), or a distinctive paradigm, as argued by Thomas Kuhn in *The Structure of Scientific Revolutions*, (1962). These communities of scientists share common paradigmatic departure points, networks and information in an attempt to gain greater scientific knowledge. Such scientific communities also become structured and institutionalised to the extent that they develop mechanisms of control – rewards and status (publication of research, accolades, prestige) and sanction for aberrant members (rules regarding plagiarism, ethical requirements, academic discipline). Perhaps the most pertinent implication of the sociological facet of scientific research is the notion that science is public. It is public in the sense that it is communicated from one scientist to another and subject to scrutiny by the scientific community at large. Thus, whatever is private to the individual scientist, for example his/her motivations, value judgments, etc., do not properly belong to the province of science (Doby, 1954:8).

The investigation of the domain of social reality, which is the paramount preoccupation of social science, reflects the *ontological* dimension of social science research, ontology referring to the study of being or reality. The elements that comprise this domain are varied and diverse, including human activities, characteristics, institutions, culture and behaviour.

This diversity is similarly reflected in the domain assumptions held by scientists. Such domain assumptions are explicit beliefs regarding what is real and what is not, and as such, these assumptions have a marked influence on the definition of research problems. This influence is most pronounced when the scientist decides *what* part of his/her reality is to be observed; he/she can study an individual or a group, employ qualitative or quantitative methodologies, draw realist or positivist conclusions. Often such considerations are influenced by the sociological dimensions of research, whereby scientists collaborate on grounds of a shared paradigm or worldview (see section 2.6 below). Thus, the variety of ontological approaches encountered in social science results in scientists differing as to the definitive research domain of the social sciences. One of the concerns that motivates the first part of this study is the predominantly quantitative nature of the scholarly conceptualisation of state failure (Reus-Smit & Snidal, 2008:494; Carment, 2003:408-409). As a result, this study conceptualises state dysfunction from an inter-paradigmatic qualitative perspective, from which a quantitative analysis may subsequently be conducted.

Previously in this chapter it was noted that science is a systematic and objective endeavour. Conducting any activity in a systematic and objective manner suggests that the practitioner is gradually and carefully labouring towards the attainment of a goal. If the activity was merely frivolous, no systematic approach would be required whatsoever. Science, therefore, is an activity which progresses towards the attainment of a specific end – representing the *teleological* dimension of social science research (*telos* being an Aristotelian concept, meaning that everything in reality has a final end, purpose, aim or goal) (Mouton & Marais, 1990:13). When considering the goals and aims of social science, one is once again faced with a variety of differing approaches. Certain schools of thought approach social science research with theoretically defined research goals, such as discovering laws that govern society and human interaction, or the theoretical clarification of ill-defined and ambiguous concepts, which the first part of this study aims to achieve. In contrast, other scientists would regard practical goals as more important, such as the resolution of labour disputes, the drafting of corporate social responsibility policies, or counselling young delinquents.²⁷ Mouton and Marais (1990:13) emphasise that such disparate goals and aims should be seen as representing two ends of the same continuum, and not as competing or mutually exclusive approaches. Indeed, it is easy to conceive of instances where ‘theoretical’ or abstract science and pragmatic (or practical) science function hand in hand. This study could be considered a hybrid, to the extent that its goal is to gain a clearer conceptual understanding of a phenomenon along with its occurrence in the South African reality.

²⁷ To a certain extent this example illustrates the divide between classical and developmental approaches to higher education.

The *epistemological* dimension of science has been referenced earlier, when it was noted that science was initially considered a process whereby truthful knowledge of the world could be acquired. Contemporary science, however, is concerned with discovering knowledge that is valid and reliable, approximating the truth as closely as possible. Because of the complexity of the domain of social science research, and the inherent inaccuracy and fallibility involved in human observation, it is necessary to accept that complete certainty and absolute truths are unattainable (Mouton & Marais, 1990:15). Once again, this recalls Popper's (1963) criterion of verisimilitude in the search for valid and reliable knowledge.

Last, the *methodological* dimension of social science research must be addressed. Methodology has its origins in the Greek word *methodos*, meaning 'a system of investigation in pursuit of knowledge'. The meaning of the term has changed remarkably little, especially in the scientific context in which it is applied here. It has been established that science aims to achieve a valid and reliable (epistemological) understanding of reality (ontology). Noting this, methodology is defined as the application of scientific methods in the investigation of phenomena (Mouton & Marias, 1990:16). Methodology is of particular importance to science, since the process of scientific investigation is, in essence, a series of decisions made in order to realise a specified outcome. The use of sound methodology assists in these decisions being made rationally, thus increasing the validity and reliability of the outcome. Implicit in the methodological choices a scientist makes are certain concealed sociological influences which prompt one methodological option to be the more acceptable option. Within a macro context, methodological traditions such as positivism, logical positivism, critical theory, scientific realism etc. feature prominently. At an operational level, methodology may represent choices surrounding a qualitative/quantitative approach, or an approach that uses inductive/deductive reasoning.

It is evident that the five dimensions discussed above form part of an integrated model, overlapping in content and meaning, or in the words of Mouton and Marias (1990:8) 'five aspects of the same process'. Hence, this model provides the reader with a relevant and complete account of social science research, and by extension social science itself.



Source: Adapted from Mouton & Marias, 1990:8

Figure 5: The five dimensions of social science research

The substantive domain of social science has, in turn various disciplines, each of which is concerned with the particular thematic focus of that domain (see Figure 3). It is therefore through disciplines that the differentiated and diverse character of social sciences research is displayed. Political science features prominently as one such discipline, and is also the primary locus of this investigation. Accordingly, the role of disciplines and their differentiation are discussed next, with particular reference to political science.

2.5 Disciplines, traditions, and political science

An academic discipline is a specific branch of knowledge and learning. Different disciplines are identified through distinguishable traditions or lineages (composed of historical, methodological and, in particular, terrain foci) tasked with the teaching and research of reality, particular aspects of that reality, and the relationship between those aspects (Duvenhage, 1993:30). An academic discipline is further characterised by the following elements:

- Disciplines emerge autonomously and independently of, but in conjunction with, other disciplines to constitute science.
- A discipline focuses on specific aspects of reality or the manner in which different aspects interact/relate to each other. A unique ontological tradition, differentiating its

focus from other disciplines, is important to a discipline. For example, in the discipline of political science, Easton (1971:143) would consider this focus to be 'the authoritative allocation of values for a society'.

- Disciplines are comprised of a variety of sub-disciplines, which are not duplications of other disciplines, but distinct in their own right. These sub-disciplines may differ in focus, theory, or methodology, but are conjoined to a common central focus, and should thus contribute to a more complete understanding of that focus. Examples of sub-disciplines include political theory, political development, international relations, and comparative politics.
- Furthermore, a discipline is characterised by a distinct body of knowledge, differentiable from other disciplines. This body of knowledge is organised and systematised in terms of underlying connections, relationships and common ground. The systematic and methodical nature of science thus manifests itself in disciplines and sub-disciplines, facilitating the expansion of existing disciplinary knowledge that is valid and reliable.
- Concerning this body of knowledge (discussed above), the development of theory and theoretical constructs unique to a discipline is of great importance. The search for valid and reliable knowledge is best conducted in a systemised manner, in which strong conceptual frameworks play an important role, especially in the context of discipline-focused academic investigation. By applying theory and theoretical constructs to an unordered reality, structure and regularity (and thus functions of description, explanation or prediction) can be achieved. (Duvenhage, 1993:30-32)

Taking the above-mentioned characteristics into account, Duvenhage (1993:32) defines an academic discipline as 'a demarcated, autonomous, and exclusive teaching/research tradition, possessing a certain measure of theoretical and methodological sophistication, oriented towards the expansion of a body of knowledge with reality, or aspects of reality, as its focus.'

The term 'social sciences' acknowledges the pluralist nature of social science in playing host to numerous disciplines such as anthropology, sociology, cultural and ethnic studies and gender studies. Of particular relevance to this thesis is the discipline of political science, as it is within the ambit of this discipline that the phenomena of the state and state dysfunction are most effectively studied. Political science has been referred to as the 'junction subject' of the social sciences (Burnham, Lutz, Grant & Layton-Henry, 2008:9) originally born out of history and philosophy while drawing on the insights of economics and sociology in addition

to the study of law, psychology and geography. Notably, this position was argued millennia ago by Aristotle who remarked, about the study of politics, that:

*... it prescribes which of the sciences needs to exist in cities and which ones [each] groups in cities should learn and up to what point. Indeed, we see that even the capacities that are generally most honoured are under it – for example general-ship, household management, and rhetoric. And since it uses the other practical sciences and, furthermore, legislates about what must be done and what avoided, its end circumscribes those of others, so that it will be in the human good.*²⁸

Aristotle, 2014:3

However, the distinguishable *discipline* of political science is a relatively new addition to the repertoire of social science, as it only developed as a distinctive field of study after the 1920s. Traditionally, the study of politics was conducted from a legal/historical approach. The study of institutions and constitutions was perceived as representing the pinnacle of the political reality; history meant primarily political history and political science relied almost exclusively upon historical analysis (Almond, 1962:417). However, the dramatic failure of the German institutional and constitutional order between the two World Wars and the emergence of fascism necessitated a departure from the formalistic and legalistic academic approaches to politics (which had failed to anticipate these events) and prompted the need to develop new paradigms in the discipline, signalling a shift away from a *methodologically-centred* approach towards one that accentuated the role of *ideology*.

After World War II, behaviourism emerged as a result of the discontent with the formal, legal and historical emphasis of 'old institutionalism', which was occupied with the formal structures of government (Burnham *et al.*, 2008:19). The new behaviourist approach was excitedly pursued in the USA, where it reinvigorated the relevance of political science. However, behaviourism never enjoyed this ascendancy outside the United States, and the development of political science as a discipline in other countries retained a strong indigenous character. Such examples include Eastern Europe, where the discipline was split along communist and post-communist lines; Australia, where political science developed a unique identity due to geographic isolation and the proximity to the pacific rim states; and Italy, where the discipline is relatively underdeveloped, as law is still viewed as the 'science of the state' (Burnham *et al.*, 2008:9-14). Since the 1960s the dominance of behaviourism has subsided as other traditions have developed and gained intellectual momentum. In concluding this short discussion of academic disciplines, Ricci (1984:7) best captures the essence of political science as a discipline:

²⁸ Aristotle's remark has led many to label political science as the 'master science', however my interpretation of his position is that the study of politics is in fact the 'science of the master'.

Chapter Two: Meta-scientific and theoretical points of departure

Some academic disciplines deal with precise and marketable knowledge, such as that which enables them to train physicists. Political science belongs to another group of learned disciplines, embracing most of the humanities and social sciences, which impart a more general understanding of their subject to students among whom only a few will work at a job based solely on the acquired knowledge. Immediate vocational payoffs aside, such disciplines are responsible for investigating immense realms of social phenomena, for translating the findings of their research into coherent teachings, and for conveying to all who would listen, be they students or the public, a sense of what constitutes reasonable behaviour toward their fellow man.

During the development and growth of political science as a discipline it played host to various different ideas and convictions related to its practice. These ideas can collectively be referred to as traditions within the discipline. In general terms, tradition refers to customs, beliefs or principles that are passed on, and persist, over time. Similarly, in an academic disciplinary context, tradition refers to certain philosophies (usually relating to the nature of science and reality), methodologies, approaches, and general orientations (Duvenhage, 1993:33). In political science, prominent philosophical (or philosophical-ideological) traditions include conservatism, liberalism, and radicalism. Each philosophical tradition further devolves into applications that are more specific, for example, liberalism encapsulates classical, contemporary, pluralist and utilitarian approaches, whilst the radical philosophical tradition incorporates Marxist and existentialist approaches. Parallel to these philosophical traditions, run distinct methodological currents. Major methodological traditions include universalism, institutionalism, behaviouralism (mentioned earlier), rational choice, critical theory, and more recently, interpretivism (Burnham *et al.*, 2008:28). The two chapters that follow in this study reconstruct the contributions of several on the subject of state dysfunction. As part of this reconstruction, a discussion of each author's orientation within the discipline of political science is conducted. Consequently, the reader will be able to accurately contextualise an author's contribution with reference to a given political scientific tradition and paradigm (discussed below), whilst being able to integrate different individual perspectives. This methodological feature contributes to the pluralism and diversity that underpins the theoretical dimension of this investigation.

In conclusion, a specific tradition represents certain methodological and philosophical preferences and convictions, through which scholarly activity within an academic discipline is conducted. These individual preferences and convictions about reality, science and methodology that manifest in traditions are rooted in broader frameworks of reference, known as paradigms.

2.6 Paradigms

Several approaches and orientations towards science, and the discipline of political science, have thus far been discussed. Pre-scientific beliefs, one's conceptualisation of science (and social science) and disciplinary traditions are all elements of the scientist's being that are formed through convention and socialisation within society (in general) and the scientific community (in particular), as the discussion of the sociological dimension of science has demonstrated. Referring back to Figure 3, it can be seen that, for the purposes of this thesis, paradigms along with theories, models, typologies and concepts, are described as scientific constructs. In contrast to the psychological and personal philosophical (pre-scientific) nature of one's own view of science and one's adherence to a scientific tradition and pre-scientific convictions, scientific constructs serve as objective analytical 'tools' - instruments with which the scientist is able to make sense of the phenomenon that is being investigated (Mouton & Marais, 1990:125). As emphasised previously, personal and philosophical views have an undeniable influence on any scientist, as these views serve to orientate the practitioner relative to reality and the practice of his/her science. Scientific constructs, however, are 'practical' tools, used to sort concepts, isolate variables, specify definitions, postulate hypotheses, classify typologies, predict models, and explain theories. The point of intersection between normative philosophical views on the one hand, and the practice of science on the other, is a paradigm. From this perspective, Chalmers (1999:111) offers a concise description of the relationship between a paradigm and a scientist:

Even though there is no complete, explicit characterisation, individual scientists acquire knowledge of a paradigm through their scientific education. By solving standard problems, performing standard experiments and eventually doing a piece of research under a supervisor who is already a skilled practitioner within the paradigm, an aspiring scientist becomes acquainted with the methods, the techniques and the standards of that paradigm.

Emphasising the intersection (described above) between the scientist's gradual sociological conditioning within certain conventions, and the practice of science using scientific constructs, Chalmers (1999:112) notes that: 'The aspiring scientist will be no more able to give an explicit account of the methods and skills he or she has acquired than a master-carpenter will be able to fully describe what lies behind his or her skills. Much of the normal scientist's knowledge will be *tacit*'.

Hence, it becomes clear that a paradigm is the yoke between scientific philosophy and scientific practice. The above example provided by Chalmers pertinently notes the unobtrusive, tacit nature of paradigmatic knowledge. This state of paradigmatic equilibrium

can be equated to what Kuhn (1996) termed 'normal science', which is characterised by the following 'rules':

- Scientists commit themselves to certain theories and the laws of the dominant paradigm. These theories and laws stand central to the specific paradigm, and form the core point of departure for normal scientific practice within the paradigm. Referring to this commitment, Kuhn (1996:41) notes, 'The most obvious and probably the most binding is exemplified by the sorts of generalisations we have just noted. These are explicit statements of scientific law and about scientific concepts and theories. While they continue to be honoured, such statements help to set puzzles and to limit acceptable solutions.'
- Just as the scientist is committed to a seminal theory of a given paradigm, he/she also commits to a certain methodology, espoused by that paradigm: 'At a level more concrete than that of laws and theories, there is, for example, a multitude of commitments to preferred types of instrumentation and to the ways in which accepted instruments may legitimately be employed' (Kuhn, 1996:41).
- A paradigm necessitates a scientist to be committed to a specific view of reality (the object of research), i.e. an ontological commitment. Using, as an example, the impact that Descartes' scientific writings (positing a corpuscular conception of the universe) had on science in the 17th century, specifically the new paradigmatic commitments it brought about, Kuhn (1996:42) writes, 'That nest of commitments proved to be both metaphysical and methodological. As metaphysical, it told scientists what sorts of entities the universe did and did not contain ... More important still, the corpuscular conception told scientists what many of their research problems should be.'
- Finally, paradigmatic science requires an epistemological commitment, one which drives the scientist to discover increasingly more valid and reliable knowledge: 'Finally, at a still higher level, there is another set of commitments without which no man is a scientist. The scientist must, for example, be concerned to understand the world and to extend the precision and scope with which it has been ordered. The commitment must, in turn, lead him to scrutinise, either for himself or through colleagues, some aspect of nature in great empirical detail' (Kuhn, 1996:42).

Taking into account these features, Kuhn describes the paramount function of normal paradigmatic science as that of 'puzzle solving' (Kuhn, 1996:36-40). During times of normal science, the scientist has an opportunity to perfect the finer details and mechanics of a theory. This opportunity is facilitated by a dominant paradigm, since it provides certain

fundamentals which may be conveniently taken for granted during scientific practice, enabling the scientist to approximate his/her theory ever closer to reality. Thus, it is because of their confidence in the adequacy of a paradigm that scientists are able to devote their energies to attempts to solve the detailed puzzles presented to them within the paradigm, rather than engage in disputes about the legitimacy of their fundamental assumptions and methods. Indeed, it is necessary for normal science to be (to a large extent) paradigmatically uncritical. If all scientists were critical of all parts of the framework in which they worked all of the time, no detailed work would ever be done (Chalmers, 1999:118). Normal science therefore approximates puzzle solving in the sense that the paradigm provides the rules, pieces, and example of the puzzle to be solved. It is left to the ingenuity of the scientist to put the pieces together. Thus, paradigms fulfil three main functions during normal science (Mouton & Marais, 1990:147):

- Establishing appropriate facts
- Matching facts and theory
- Articulation of the theory

Kuhn (1996:92) explains that scientific progress is made through 'non-cumulative developmental episodes in which an older paradigm is replaced in whole or in part by an incompatible new one', in other words, by means of a scientific revolution. Such a radical break in the normal course of scientific practice has its origins in a growing awareness of the existence of a contradiction, or anomaly. When new empirical facts are discovered that are not predicted by the paradigm, or that are entirely surprising in terms of paradigmatic expectations, one is confronted by such an anomaly (Mouton & Marais, 1990:149). These 'new and unexpected phenomena' (Kuhn, 1996:52) often undermine the core functions of a paradigm (referred to above) to such an extent that the paradigm is unable to self-correct in order to accommodate these anomalies. This requires the replacement of the now-obsolete paradigm, with a new paradigm.

This period of crisis leads to what Kuhn (1996:89) terms 'extraordinary research', science conducted without the rules and commitments of the previously dominant paradigm. Often, the shape of a new paradigm is reflected strongly in the way extraordinary research is conducted by the scientist, and can thus be anticipated in advance. However, as Kuhn (1996:90) rather evocatively suggests: 'More often no such structure is seen in advance. Instead, the new paradigm, or a sufficient hint to permit later articulation, emerges all at once, in the middle of the night, in the mind of a man deeply immersed in crisis.'

This new paradigm would then resolve the crisis brought about by the previous paradigm's inability to accommodate certain anomalies. Over time, this paradigm will consolidate its validity in the scientific community, leading once again to the practice of normal science, thus completing a scientific revolution. Kuhn's (1996) account of scientific progress has been an influential contribution to the philosophy of science and, as such, has stimulated vigorous debate. Amongst other issues, this debate has centred on Kuhn's description of a largely haphazard scientific change: anomalies which arrive suddenly and unexpectedly, as it were. These quickly render a dominant paradigm meaningless giving rise to unstructured and unguided research, until (hopefully) an embryonic new paradigm emerges.

A notable critic of Kuhn's was Imre Lakatos, who provided an alternative account of scientific progress to Kuhn's (Lakatos & Musgrave, 1970). According to Lakatos and Musgrave (1970), scientific progress cannot be gauged by examining the successes and failures of single theories. Rather, a series of successive theories, sharing the same core assumptions, should be employed to evaluate progress. He refers to this as a 'research programme'. A research programme consists of a 'hard core' of assumptions, insulated by a 'protective belt' of related theories, which act as a shield and protective mechanism to the hard-core assumptions, from which theoretical constructs emerge. In Lakatos and Musgrave's (1970) account, when anomalies emerge, adjustments to the protective belt are made accordingly, whilst protecting the hard core of the research programme. The ability of the hard core to remain intact and undisputed (resulting from skilful adjustments to the programme's protective belt) is a measure of the research programme's survivability and thus, scientific relevance. Such successful adjustments are referred to as 'progressive problem shift' (content increasing shifts), as opposed to 'degenerative problem shift', which occurs when adjustments to the protective belt are content diminishing and undermine the hard core of the research programme (Lakatos & Musgrave, 1970:133). In his insightful comparison between the views of Kuhn and Lakatos, Ball (1976) describes a Lakatosian research programme through the following analogy:

A good research programme is a good swimmer – mainly because its 'protective belt' serves as a life belt, keeping the hard core afloat on an ocean of anomalies. So long as this belt can be adjusted in 'progressive' (i.e. content-increasing) ways, the research programme is in no danger of sinking. But, by the same token, a research programme begins to list and take on water when its protective belt can no longer be adjusted in progressive ways – when, that is, adjustments amount to no more than content-decreasing semantic ones and/or when they fail to anticipate new facts. Only then is the research programme itself – hard core and all – in danger of sinking. (Ball, 1976:165-166)

To emphasise Lakatos' more gradual view of scientific progress it should be noted that, he also maintains that theories are never falsified absolutely, but only relatively – i.e. they are

superseded by better theories. Lakatos maintains that 'There is no falsification before the emergence of a better theory' (Lakatos & Musgrave, 1970:119).

Taking into account the views of both Kuhn and Lakatos regarding scientific progress and the role of paradigms/research programmes, Duvénage (1993:42-43) highlights the following important aspects:

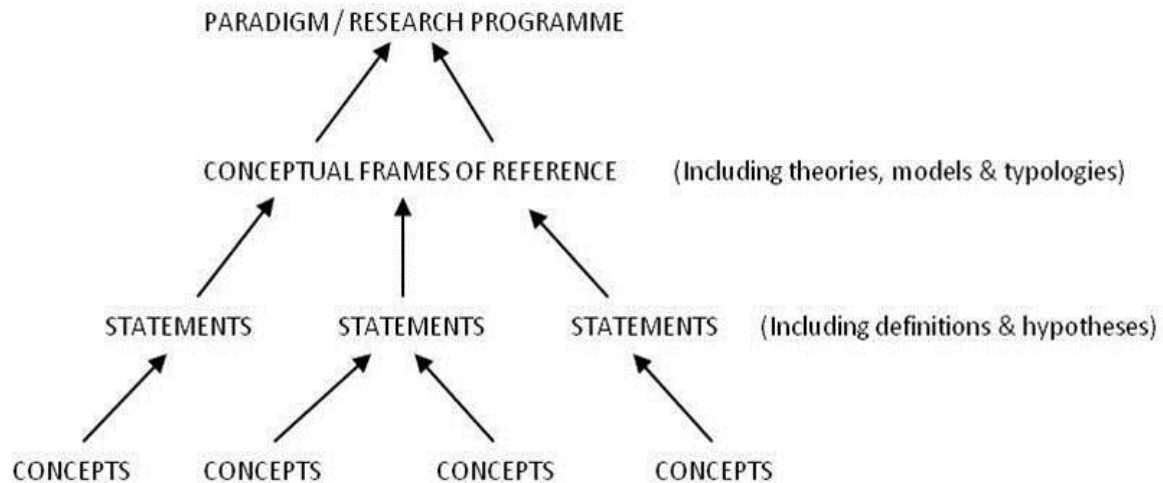
- The development of valid and reliable scientific knowledge, in the discipline of political science, can occur cumulatively (Lakatos) and through revolutions (Kuhn); however, in most cases, progress constitutes a balance between these two views.
- A change in paradigm occurs only when the core assumptions (hard core) of a paradigm are adjusted. Therefore, a scientific revolution only occurs when the hard core is redundant.
- In contrast to the natural sciences, political science exhibits a complex continuum of traditions, sub-traditions and approaches. This, in turn, indicates the existence of a number of competing and concurrent paradigms.

The latter of these aspects is of particular relevance to this study. Having demonstrated that the practice of science is influenced by various dimensions (for example, pre-science, differing views of science discipline and traditions specific) that culminate in a paradigm, it is logical to assume that different paradigms exist through which the problems of political science are engaged. As a phenomenon in reality, which has in the last two decades (and more recently in South Africa) gained a heightened empirical profile, encouraging investigation, state dysfunction represents one such problem. This study will approach the challenge of conceptualising state dysfunction through means of a multi-paradigmatic approach – i.e. making use of more than one paradigm. As a meta-theoretical route marker, the paradigm is of instrumental importance to this study. Identifying paradigms in the works of influential thinkers enables a researcher to gain greater insight into the assumptions that the thinker holds, and the conclusions reached as a result. Consequently, each of the authors discussed in the following chapters will be concisely reconstructed, interpreted and evaluated with particular reference to their respective paradigmatic departure points, and will also be integrated into a comparative assessment of their contributions.

2.7 Scientific constructs

Having earlier described paradigms as that juncture where philosophical convictions converge with practice, the most important scientific constructs will now be discussed.

Regardless of a scientist's pre-scientific or paradigmatic assumptions, these constructs provide structure to the scientific quest for valid and reliable knowledge. They are employed by all scientists, and are of particular relevance to this chapter and the next, given the goal of theoretical conceptualisation. Mouton and Marais (1990:125) depict the hierarchical relationship between scientific constructs as follows:



Mouton & Marais, 1990:125

Figure 6: The relationship between scientific constructs

According to this representation, concepts combine to form scientific statements, such as definitions and hypotheses. Statements are sentences that make specific knowledge (epistemic) claims concerning an aspect of reality (Mouton & Marais, 1990:131). When combined, such statements constitute conceptual frameworks, which include theories, models and typologies. Ultimately, these conceptual frameworks form part of a paradigm, along with pre-scientific/philosophical assumptions, discussed previously. This discussion of the constructs of science will commence with concepts, since they represent the 'primary building blocks of scientific knowledge' (Mouton, 1996:181).

2.7.1 Concepts

As discussed earlier, the pursuit of valid and reliable scientific knowledge in large part rests upon the scientist's ability to interpret accurately and correctly his/her observations of reality. In this regard, theory aids the scientist in ordering, explaining and predicting observations. It would thus follow that, since theory is based upon the use of concepts, valid and reliable

concepts lead to valid and reliable scientific knowledge – hence the fundamental importance of concepts and conceptualisation in science.²⁹

The individual, in adjusting himself in his environment, uses his sensory capacity to become aware of certain aspects of the world that confront him (Doby, 1954:22). This process forms the essence of scientific observation, as the scientist employs his/her senses to perceive empirical reality. The acts of observation and perception, in themselves, already represent a method of selectivity, since certain features of reality are ignored, whilst others receive attention. Of course, perception alone is not a sufficient condition for gaining a complete understanding of reality, and gaining valid and reliable knowledge. There are many situations where perception is insufficient, or one is not able to perceive all the relevant elements in a situation, necessitating one to act on the basis of conception by making certain assumptions (Doby, 1954:22). In science, concepts aid our understanding of the existence of something that is not directly perceivable through our senses. Consider this passage from Blumer in Doby (1954:23):

...on the basis of given tangible perceptual experiences which were puzzling, certain individuals fashioned constructs which would give these experiences an understandable character. As far as I can see, scientific concepts come into existence in this way. They refer to something whose existence we presume, but whose character we do not fully understand. They originate as conceptions occasioned by a series of perceptual experiences of a puzzling character which need to be bridged by a wider perspective. I hasten to add that the concept does not merely suppose the existence of something which bridges perceptual experiences, but implies that this thing has a nature or certain character.

Doby notes that concepts are not only a way of conceiving reality but also have a distinct content. The concept therefore enables one to capture and hold some content of experience, through a process of abstraction. However, for a conception to be meaningful (and not just limited to personal experience) it must be given a name, sign, or identifying symbol that may be interpreted by all (Doby, 1954:24). Accordingly, three features of the process of abstraction and subsequent concept formation are of crucial importance to science:

- The common content, conceived out of the multitude of objects, may become the object of separate investigation and study (in other words, instead of merely studying cats and dogs and horses separately, one can now study animals as a new conceptualised object, created by abstraction).

²⁹ In this regard, John T. Doby's enlightening chapter entitled *Science and Concepts* (Doby, 1954) will serve as background to this discussion.

Chapter Two: Meta-scientific and theoretical points of departure

- The concept may become the experience of others, since it may be identified by a language or symbols, which are the common property of others, making collective action and common investigation possible.
- The concept makes possible the unity and systematic nature of science by linking together the particular elements and ideas in a pattern.
-

Thus, science derives its systematic nature through the coherence of its concepts (Doby, 1954:24).

At this point, it is appropriate to return to the primary research question of this study, which enquires whether South Africa exhibits the characteristics of a dysfunctional state, based upon an evaluation *informed by a theoretical conceptualisation of the dysfunctional state* and the application of an analytical framework, consisting of verifiable criteria. Relating this research question to the three points regarding concept formation in science, above, it follows that the weak/failed/collapsed state is a concept employed generally (in the experience of others, see point 2 above) since it has acquired prominence in scientific and popular literature. However, collective action (point 2) surrounding the conception is difficult, since different users ascribe different content to the concept. This undermines the unity and systematic nature of science (point 3) – an unacceptable condition that must be rectified (once determined, the concept may be systematically applied in an empirical context). Meehan's (1971) observation in this regard is particularly relevant 'The worst sin in conceptualisation is ambiguity – uncertainty about the meaning or the application of a concept. Since concepts are the basic patterns or building blocks for organising perceptions, ambiguity has disastrous consequences, however well an enquiry might be conducted' (Meehan, 1971:32). Thus, in order to eliminate such ambiguity in this study, the dysfunctional state is first fully conceptualised, before its place and role in the South African context is evaluated analytically.

This brief aside was necessary to contextualise the importance of concepts and paradigms to this study, and to elucidate the aims of the study, given the research focus. Returning now to the discussion of concepts as scientific constructs, Doby (1954:24) summarises the 'psychological aspects' or characteristics of concepts as follows:

- The scientific concept, as a way of conceiving, enables one to picture and present that which cannot be seen or directly perceived. In other words, it enables one to circumvent problems of perceptual experience.

- The content of the scientific concept consists of an abstracted relation, which becomes the subject of additional study.
- The concept, because of its verbal or symbolic nature, may be shared, thus it permits collective or serial activity in a scientific procedure.
- The interrelations of scientific concepts make possible the systematic structure of science.
-

Finally, a distinction must be made between the connotative and denotative meaning of concepts. Copi (1972:125) explains:

In one sense the meaning of a term consists of the class of objects to which the term might be applied. This sense of the meaning, its referential sense, has traditionally been called extensional or denotative meaning. A general or class term denotes the objects to which it may correctly be applied, and the collection or class of these objects constitutes the extension or denotation of the term ... the collection of properties shared by all and only those objects in a term's extension is called the intension or connotation of the term.

This implies that most concepts fulfil two functions. When the term 'failed state' is understood in a connotative sense, it conjures up pictures of corruption, starvation, violence and civil war (features that generally connote state dysfunction). In a denotative sense, the term also denotes places which could be considered failed states: Somalia, Afghanistan, Sierra Leone. This study endeavours to first describe the connotative nature of state dysfunction (chapters 3 and 4) after which its denotative nature is analysed in the South African context.

Having explored the role of concepts as the basic building blocks of science, and the importance of concepts in this study, the discussion now ascends a step in the hierarchy of scientific constructs (compare Figure 6, above). Scientific statements combine concepts in a meaningful way, in order to more accurately describe phenomena. One such scientific statement is a definition.

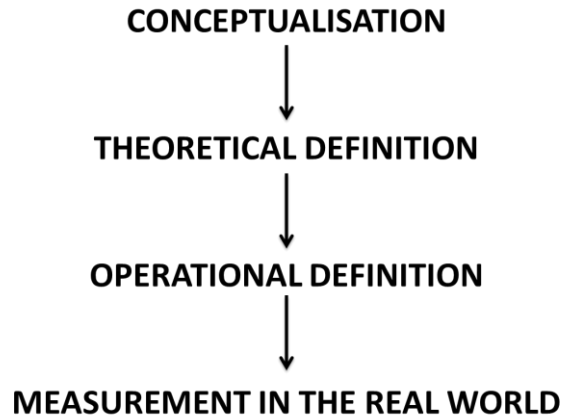
2.7.2 Definitions

Mouton and Marais (1990:131) describe a definition as a statement through which the meanings (connotative and denotative) of concepts are specified. A further distinction is drawn between theoretical definitions (of a connotative nature), and operational definitions (of a denotative nature). Mouton (1996:188) explains that the specification of a connotative meaning of a concept, namely the general intention or 'idea' it incorporates, is usually referred to as the theoretical (connotative) definition. Through a theoretical definition, the

relationships between a given concept and a broader conceptual framework (i.e. model, theory and paradigm) are clarified. Noting the research goals of this study and the notion of conceptual ambiguity mentioned earlier, the following statement by Mouton (1996:189) bears relevance:

...theoretical definitions of highly abstract concepts vary across larger frameworks and paradigms. The same word will have different connotations, both positive and negative, depending on the theoretical framework. This does in fact lead people to look at the social world differently and interpret seemingly similar events differently. The social scientist still has a responsibility to ensure that his/her definitions are as clear and unambiguous as possible.

The variations of theoretical and paradigmatic viewpoints described above necessitate a scientist to account clearly for (a) the meta-theoretical and meta-scientific assumptions underlying his/her view of science and scientific constructs, and (b) the theoretical and paradigmatic departure points that guide his/her scientific observation. For this thesis, regarding point (a), this chapter fulfils the function of explicating the meta-science upon which this study is based. In the following section, point (b) will be thoroughly explored, that is, the Weberian paradigm and scientific constructs which are employed in studying the state. Additionally, paradigmatic departure points are also identified in the following chapter in the reconstruction of relevant theoretical contributions on state dysfunction. Theoretical or connotative definitions thus refer to the features one connotes with a certain phenomenon (state dysfunction) and concept (the dysfunctional state). Mouton and Marais (1990) explain that, in an attempt to find a counter measure to the problems associated with variance in meanings encountered in theoretical definitions, research tends to emphasise the use of denotative definitions, also referred to as operational definitions: 'An operational definition of a concept describes certain operations (usually some type of measurement) under which the use of the concept is valid. In other words, an operational definition presents specific conditions for the appropriate use of a specific concept – conditions that state that the execution of certain operations will result in specific results'. (Mouton & Marais, 1990:132). When compared with theoretical definitions, operational definitions represent a clear shift from an abstract notion towards something more concrete and measurable. Therefore, operational definitions often specify measurable and quantifiable empirical criteria, which (if present) denote a certain phenomenon. Babbie (1998:124) illustrates this relationship through the following diagram:



Babbie, 1998:124

Figure 7: Theoretical and operational definitions

An operational definition builds upon a theoretical definition in the sense that it assigns quantifiable (measurable) indicators to the denotative content of a theoretical definition (Babbie, 1998:124). For example, if a part of the denotative content of a theoretical definition of state dysfunction is violence, an operational definition would aim to make violence measurable (for example, political assassinations or violent protest action). Such indicators can be measured in the real world (see Figure 2 and Figure 7) to indicate to an observer whether the phenomenon approximates state dysfunction or not. In other words, if violence is measured above a certain threshold, the phenomenon exhibits that specific characteristic of state dysfunction. Currently, this is the dominant method used in studying dysfunctional states.³⁰ Lists of measurable indicators are compiled and applied to various case studies. If the quantitative data reveals high levels of indicators *x* and *y*, and low levels of indicators *a* and *b*, a state may be classified as strong; conversely, the state is labelled as a failed state (or some other descriptive adjective of dysfunction). Whilst such operational definitions are undoubtedly important in making sense of reality, they must first be based upon sound conceptions, and second, on sound theoretical (connotative) definitions. In relation to Babbie's (Babbie, 1998:124) illustration, this chapter is concerned with bolstering the levels of conceptualisation and the theoretical definition of state dysfunction (the attainment of valid and reliable knowledge) and from which operational definitions may subsequently be constructed. These will be used to evaluate state dysfunction in South Africa, in the chapters that follow.

³⁰ See, for example, the benchmark Failed States Index, published annually by Foreign Affairs Magazine.

2.7.3 Typologies

A typology, according to Mouton (1996:195), can be described as a conceptual framework in which phenomena are classified in terms of the characteristics that they have in common with other phenomena. The natural sciences exhibit many such classifications or taxonomies. These have become an integral part of scientific knowledge, such as the classification of the elements, or the classification of species. In social science, too, classifications abound: ideologies are classified as reactionary or radical, political convictions as liberal or conservative, party systems as one party, two party, dominant party, or multiparty, and states as strong or weak. Since typologies are constructed from concepts, they necessarily involve a measure of abstraction, in that certain realities are accounted for whilst others are ignored. Weber's (1947) concept (or ideal-type) of the state is nowhere to be found in the empirical reality, since it represents a theoretical ideal. Similarly, in the domain of the natural sciences, one will never encounter a perfect vacuum in nature. Nevertheless, it is the predictive schema of the vacuum that makes empirical approximations comprehensible and comparable (McKinney, 1954:146). A typology focuses on uniformity, and it is through this notion of uniformity that variation and deviation can be understood, since any deviation is a departure from a given ideal. This concurs with the assumption held in this study that the dysfunctional state is a deviation from the ideal-typical state, hence the conceptualisation of the ideal-type in the next section. McKinney (1954:147) delimits a typology (or constructed type, as he refers to it) as follows:

- It is not a hypothesis, in the sense that it is a proposition about concrete reality that is concretely verifiable, and to be accepted in this sense as true or verified. In contrast to this sense of concreteness, it is abstract.
- It is not a description of reality, if by this is meant a concretely existing thing or process to which it corresponds. In this sense, it is also abstract.
- The constructed type does not refer to the most common form of a phenomenon, but to the most significantly representative form. For instance, it makes sense to talk about the 'economic man' despite the fact it is doubtful that rationality (which forms part of this particular typology) is the most common form of economic behaviour. It is through the notion of rationality, as the outstandingly representative form, that the non-rational forms of economic behaviour are then apprehended.
- The constructed type is not a stereotype in that the stereotype often lacks an empirical referent, and is an unmethodical exaggeration that is not empirically useful because of a

lack of explicit criteria that make it comparable to concrete cases – in other words, a stereotype is a construct of lay knowledge.

- The constructed type is a purposive, planned selection and abstraction, with a combination and accentuation of criteria that have empirical referents, and that serve as a basis for the comparison of empirical cases.

It is specifically the latter of these points that illuminate the role of the typology and methodological choices in this study. By employing the Weberian concept of statehood as a typological anchor reference, the conceptualisation of state dysfunction (i.e. deviation from the ideal) becomes purpose related, planned and structured, eventually resulting in a valid and reliable description of the phenomenon. Thus, the theoretical content of this study may be depicted as representing a continuum of state dysfunction, with the established ideal-type of the state anchoring one end (functional, Weberian), and a conceptualisation of the terminally dysfunctional state at the other extreme (as Hobbesian anti-type). The contributions considered in the two chapters that follow will be integrated in order to determine criteria with empirical referents, which will subsequently be applied in an evaluation of South Africa as a case study. From the preceding sections, it is evident that the theoretical ambit of this study largely falls within the domains of conceptualisation and definition, with typologies fulfilling a peripheral role. More advanced scientific constructs such as models and theories will also fulfil a role in this study, and a concise discussion of these aspects will be presented next. Clarifying the roles and functions of these scientific constructs will aid in the analytical evaluation conducted in subsequent chapters.

2.7.4 Models

Models are scientific analogies or metaphors. They are created when phenomena are observed of which little or no knowledge exists, and then clarified through analogy with another phenomenon of which thorough knowledge exists (Duvnhage, 1993:49). Giere (1979:197) further illustrates this:

The use of models in science can best be described in general terms as follows. There is a type of system, such as atoms, about which not much is known. However, there are other systems such as solar systems, about which a lot is known. In 1900 there were already good theories of solar systems (e.g. Newton's). Someone then suggests that maybe the unknown type of system is like the known one in certain important respects. This in turn suggests questions that one should ask about the unknown system: How fast are the electrons moving around their orbits? Are the orbits circular or elliptical? and so on. The model also suggests ways of answering the questions ... So it is clear that models as the basis of analogies do play an important role in scientific research – that is, in the creation of new theories.

Mouton (1996:197) explains that, in the example above, an established theory of the planetary system was used as the source for the construction of a model of the relatively unknown phenomenon of atomic activity. The assumption is thus made that similarities or analogies exist between unknown phenomenon *A* and known phenomenon *B*, through which *A* is subsequently clarified. Phenomenon *B* is thus used as model, through which *A* may be better understood. For example, one of the best-known models in the social sciences is that of Easton's (1953), which represents a political system as a delimited and dynamic sequence of decision-making. Mouton and Marais (1990:141) identify the following key characteristics of models:

- Models identify central problems or questions concerning the phenomenon that ought to be investigated.
- Models limit, isolate, simplify and systematise the domain that is being investigated.
- Models provide a new language game or universe of discourse within which the phenomenon may be discussed.
- Models provide explanatory sketches and the means for making predictions.

Regarding the latter of these characteristics, models are said to provide preliminary or prototypical explanations for unknown phenomena (hence *explanatory* sketches). Although models provide explanations, purely by virtue of bringing variables and concepts into relation with each other, the task of more comprehensive explanation is left to theories.

2.7.5 Theories

Kerlinger (1973) defines a theory as 'A set of interrelated constructs (concepts), definitions and propositions that present a systematic view of phenomena by specifying relations between variables, with the purpose of explaining and predicting the phenomena' (Kerlinger, 1973:9).

This definition combines those elements of typologies (interrelated concepts) and models (specifying relations between variables), with the addition of explanatory and predictive functions, that are characteristic of theories. Such a definition would thus suggest a hierarchical heuristic relationship between typologies, models and theories. Each progression requires the presence of the former, which is then elaborated upon to constitute a more advanced scientific function. Therefore, it is reasonable to posit that a good theory originates from a good typology, and that a good typology presents a useful classification of

phenomena between which relationships may be modelled. Returning to the above-mentioned definition, Mouton (1996:199) elaborates on the explanatory nature of theories in social science. First, in the social sciences (in contrast to the natural sciences) theories are explained through constructing stories or narratives of phenomena. Such causal stories are more or less plausible (valid and reliable) to the extent that they identify the real causal processes or mechanisms that produce certain states of affairs or events. Second, even though these causal stories might include empirical regularities (such as statistical generalisations) they do not necessarily assume the form of universal or deterministic laws. Third, because explanatory theories typically explain phenomena in open systems, prediction is not an essential requisite for theories in the social sciences. Mouton's (1996) elaboration on the explanatory character of theories in social science clearly correlates with the earlier discussion on the nature of social science research, namely that the nature of social scientific theories (as outcome) closely resembles the nature of social science practice (as process).

2.8 Towards a theoretical framework for this study

The purpose of this chapter was to account for the meta-theoretical framework that underpins this study. Accordingly, it accounted for the nature of pre-scientific influences, the nature of ordinary and scientific knowledge, as well as the constructs that constitute science and enable scientific practice. Given the discussion of meta-theory and scientific methodology, this thesis defines the process of conceptualisation, as it pertains to the research methodology and goals of this study and the employment of scientific constructs (not necessarily limited to concepts) in examining a phenomenon.³¹

The exploration of the foundations of science and scientific research lays a solid base upon which the reconstruction, interpretation and evaluation of contributions pertaining to state dysfunction may be conducted. By virtue of their nature as scientists, the authors included in this study employ a scientific methodology characterised by the use of scientific constructs. For example, in a theoretical account of state dysfunction, an author will write from within a particular *paradigm*, employ certain key *definitions* and elaborate upon certain *concepts*, which may then be combined to form descriptive *typologies* or explanatory *models*. The presence of these scientific constructs represents the common denominator of all good science and, as such, enables the comparison of various thinkers according to their use of scientific constructs. In an attempt to identify and evaluate the various constructs employed

³¹ Compare Mouton & Marais (1990:16).

by an author, they could conceivably be integrated into an analytical tool, in the form of a rubric which enables cross-reference. Such a rubric makes it possible both to identify each individual author’s use of key scientific constructs, and whilst facilitating comparison between different authors remain true to the inter-paradigmatic methodology of the study.

From a comparative perspective, a conceptualisation of the state is a logical point of departure for evaluating state dysfunction, since it represents a point of reference according to which state dysfunction may be determined. The next chapter deals solely with the formulation of a concept of ideal-typical statehood (including its defining attributes and elements), which will be consistently employed in this study in the form of a definitional statement. In integrating this concept of the state with each contribution on state dysfunction, note how the rubric below accounts for each of the definitional elements of statehood:

Table 2: Comparing multiple contributions on state dysfunction using a single concept of state

	Concept of State				
	Element 1	Element 2	Element 3	Element 4	Element 5
Contr. 1	•		•	•	•
Contr. 2	•	•	•		•
Contr. 3		•		•	•

Source: Own construct

From this, a more sophisticated tabulation of each respective contribution may be constructed. Such a tool may account for an author’s paradigmatic points of departure and use of scientific constructs, in addition to the definitional elements of statehood, as illustrated below:

Table 3: Reconstructing an author's contribution on state dysfunction

		WEBERIAN CONCEPT OF STATE					
PARADIGM		Conservative/ Institutionalist	ELEMENT 1	ELEMENT 2	ELEMENT 3	ELEMENT 4	ELEMENT 5
SCIENTIFIC CONSTRUCTS	CONCEPTS	Concept _x	↓		↓	↓	
		Concept _y		↑		↑	↑
	TYPOLOGIES						
	MODELS						

Source: Own construct

The example above accounts for the paradigm, as well as the concepts, typologies and models utilised in a given contribution. The use of these scientific constructs is then related to a concept of state according to its area of applicability. Additionally, symbols may be employed to clearly indicate the relation of a given scientific construct to state functionality. A concept that contributes to state dysfunction may be indicated with a ↓ symbol to indicate a negative or undermining effect upon an element of statehood. Conversely, a scientific construct that relates positively to state functionality may be indicated with a ↑ symbol in the applicable space. Furthermore, certain constructs employed by authors may have a destructive or terminal effect on state functionality, and are accordingly illustrated with a ☠ symbol.

This analytical tool serves to summarise a theoretical body of knowledge and to facilitate comparison between different authors, by identifying key aspects of their contribution. It is, however, important to note that such an analytical tool cannot replace a thorough reconstruction, interpretation and evaluation of literature, which is why it will be employed as a means of integrating such a process, not as a substitute. This analytical tool is operationalised in the chapters which follow, during which several theoretical contributions will be considered.

It was previously mentioned that the purpose of this chapter was to orient the reader regarding the meta-theoretical structure of this investigation. This was achieved by systematically surveying the nature of science and scientific practice, and integrating these insights diagrammatically in the form of an analytical tool. This is a critical outcome, since it

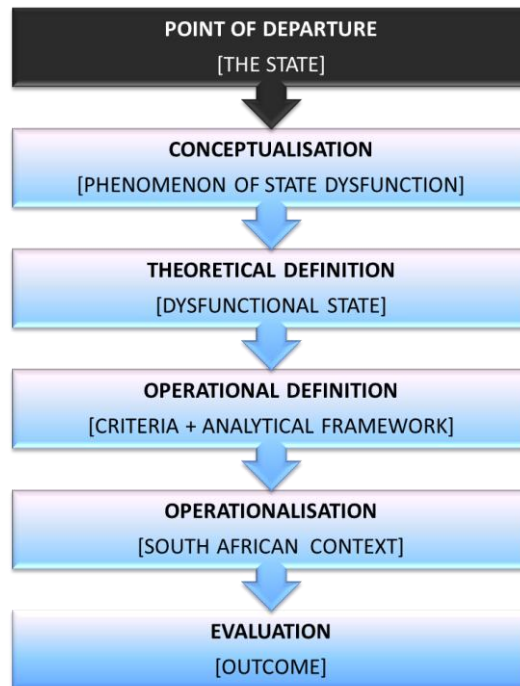
Chapter Two: Meta-scientific and theoretical points of departure

underpins the methodological steps of conceptualisation, analysis, and the operationalisation to be conducted in the remainder of this study. In the chapter which follows, the process of conceptualising the dysfunctional state will commence, by reconstructing theoretical perspectives on the state.

Chapter Three: Conceptualising the state as ideal-type

3.1 Introduction

From the progression of the study thus far, it becomes evident that scientific and methodological soundness is prioritised. The previous chapter laid the foundation upon which the necessary tasks of conceptualisation, analysis, and implementation may be conducted. The purpose of this chapter is to begin the process of conceptualisation (as looked at in the preceding chapter) regarding the dysfunctional state. Thus, the study now moves from the meta-theoretical towards the theoretical (see Figure 3) as it grapples with a vital concept in the discipline of political science, namely the state. The place and role of this chapter in relation to the rest of the study may be represented as follows (relevant stage is highlighted):



As noted in the preceding chapter, this study moves from the premise that a failed or otherwise deficient state is essentially a state that has become dysfunctional (thesis/antithesis). Therefore, in order for the nature of state dysfunction to be successfully conceptualised, a theoretical benchmark of statehood (i.e. a conceptualisation) must be identified and consistently employed. The outcome of this chapter is such a theoretical benchmark. Methodologically, this is achieved through a deductive, qualitative literature study focused on the definition and conceptualisation of the state in the disciplinary context

of political science, but also of international law. This process will be conducted by focusing on:

- The importance of the state as a scientific construct
- The original purpose of the state as a means to collective protection
- Reconstructing the concept of state through means of a definitional statement, noting its most important attributes, namely:
 - Having a coordinated administration
 - Maintaining a monopoly of force
 - Being a compulsory association
 - Exercising binding authority
 - Possessing a demarcated territory

The reconstruction alluded to above will be conducted with reference to the work of Max Weber, as the Weberian concept of state occupies a position of relative consensus in the discipline of political science, and also represents a common denominator in the inter-paradigmatic makeup of the contributions assessed later in this study.³²

The outcome of this chapter is therefore a definitional statement of statehood, which will serve as this study's conceptualisation of the state, and will be employed as anchor reference in the subsequent conceptualisation and analysis of the dysfunctional state. This outcome will also be rendered in diagrammatic form, as noted in the preceding chapter, and will represent the theoretical progression and the meta-theoretical points of departure that have already been established.

3.1.1 The state as a concept

No concept is more central to political discourse and political analysis than that of the state (Hay, Lister & Marsh, 2006:1), and politics is often understood as the study of the state (Heywood, 2002:85). Although politics (and political science) has a much broader and more inclusive focus than the state alone, it represents the most significant focus of this study. The state has risen to prominence to become the major locus of power and authority in every modern society (Goodwin, 2007:333). Most of modern human activity is regulated, facilitated, or supervised by the state; it mobilises populations in defence of its borders,

³² This will be demonstrated when the theoretical contributions that will be utilised in conceptualising the dysfunctional state are introduced.

policies conduct in civil society, intervenes in the economy and even regulates the flow of information in the public sphere (Hay, Lister & Marsh, 2006:1).

The current global geographical landscape is divided into almost 200 states, many of which are relatively new additions. Only 30 of the states currently in existence were independent states possessing their own governing systems over a unified territory in 1800. Most of the existing Latin American countries were established as self-governing states in the nineteenth century, after gaining independence from Spanish and Portuguese empires. After World War II, many new states were created in Africa and Asia in the process of decolonisation. In 2010, 17 African countries celebrated their 50th anniversaries of independence, from the largest, such as Nigeria and the former Belgian (now Democratic Republic of) Congo, to the vulnerable, like Niger and Somalia. Furthermore, a cursory inspection of a contemporary geopolitical atlas reveals that the disintegration of the Soviet Union resulted in the formation of 15 new states after 1990, whilst the dissolution of Czechoslovakia and Yugoslavia have created two and seven successor states respectively, as of 2008. The addition of the youngest internationally recognised state, namely the Republic of South Sudan, occurred in 2011. The international community of states is therefore a fluid system, where states continually proliferate and, potentially, become dysfunctional.

Recently, it has become fashionable to posit the demise of the state as a relevant concept in political science (Green, 1990:64).³³ Much has been written on the growing dominance and influence of multinational corporations (MNCs), nongovernmental organisations (NGOs) and supranational entities, arguing that they might, in the near future, subordinate the state as the central point of departure when studying the international system (Grigsby, 2005:54). The object of this conceptualisation is not the vindication of a certain pro- or anti-state agenda, but to write from the assumption that the state remains an important (probably the most important) conceptual instrument in political science. This assumption is supported by asserting that the number of states in the world has, in fact, consistently increased ever since the birth of contemporary statehood. As a result of this proliferation, the dynamics of the international system of states have also become more complex, leading to new challenges in theory and practice – one such problem being state dysfunction.

This section does not aim to make a contribution to the state-discourse in political science. The objective is to construct a concept of state that can be consistently employed in this thesis and from which the dysfunctional state may be conceptualised. Since the concept of

³³ For a summary of the different philosophical and theoretical dimensions of this viewpoint, see *The Authority of the State* (Green, 1990).

state is of such importance to the discipline of political science, it has been the subject of long-standing debates, rival theories and vast volumes of written opinion. Thus, extracting a concise and useable description of the state from this daunting body of collective knowledge runs the risk of becoming a controversial exercise. However, the elements that have been chosen as representative of the state are common denominators, present in most authoritative descriptions of the state. Controversy is thus avoided as far as possible in exchange for conceptual and definitional clarity and consensus.

3.2. The origin of the state – the universal drive for protection

If it is true that groups of people organise themselves in response to a specific need, an organisation with the scope of the state must have been formed to respond to a need common to *all* the individuals in that society. The nature of this common need becomes clear once one dissects the various functions of the modern state. These functions are manifold and diverse – whereas some have only recently begun to be executed by states, others have been part and parcel of statehood for much longer. One can refer to the earliest of state functions as primary (or original functions) as opposed to secondary (or derivative) functions, which manifested more recently in history (Lipson, 1997:45). In an attempt to identify the state's paramount, original and primary function, one could pose the question: 'What is the essential, indispensable function which a state must perform in order to be considered a state?' The primary common concern of all human beings is the desire for security of life and limb, and foremost in every individual's mind is the search for guarantees from physical harm. This is especially true when, according to Hobbes, 'The condition of Man ... is a condition of war, of every one against every one' (Hobbes, 1851:598). This Hobbesian state of nature represents the polar opposite of functional statehood, and is employed in this study as its anti-type (see Figure 1).

It is this 'condition' that has, from earliest times, necessitated man to defend himself, or associate and arrange for defence. Initially, humans relied only upon themselves for protection. But how does one arm for a danger that is constant and unrelenting, or so well-organised and superior in numbers that no measure of individual preparation could be sufficient? Practical realities such as these brought man to the realisation that in order for security to be effective, it had to be *collective*. The protection that people could not obtain as individuals had to be found through co-operation with others. When a need (like the need for protection) remains constant, humans adapt and develop methods and strategies to satisfy the need, and these are continually repeated. At some stage, through continual repetition, these methods become accepted and subsequently endowed with a measure of formal

organisation – they become institutionalised.³⁴ Thus, it could be posited that the nucleus of the state is formed when a group of persons has institutionalised its own protection³⁵ (Lipson, 1997:46) or, in the words of anthropologist Melville Herskovits: ‘...primitive political organisation is essentially an organisation for war and peace – war without, and peace within. Attacks on human life outside the political unit are conceived of as legitimate warfare and entail no sanction... within the unit, such attacks are branded as crime...’ (Herskovits, 1948:330).

Indeed, the testimony of history demonstrates that a direct relation has always existed between the type of organisation a group adopts for its defence on the one hand, and its government on the other. One needs only to consider the major conflicts of the twentieth century to realise that when communities are imperilled, everything becomes subordinate to the struggle for survival – the need to organise for defence and attack takes precedence over all other activities (total war). Thus, bearing in mind that the original and all-encompassing function of the state is to provide protection, one can continue to explore its other defining attributes, which are better understood when this universal function of protection is taken into account.

3.3 Constructing a concept

In the preceding chapter it was noted that in order for a concept to be of use, it needs to depict effectively and accurately the phenomenon upon which it is applicable. Based upon Locke’s well-known approach to generating ideas through a process of abstraction from specific examples, discussed in *An Essay Concerning Human Understanding* (Locke, 1690), this conceptualisation of state will identify (i) the features that define the state as a form of political organisation and (ii) the features that distinguish the state from other forms of political association.

During the last 200 years many writers have developed conceptualisations and definitions of the state. Many of these definitions share common features, whilst some emphasise the addition or omission of certain features. Notable descriptions include that of Garner (1928:52), who defines the state as ‘a community of persons, more or less numerous, permanently occupying a definite portion of territory, independent (or nearly so) of external

³⁴ An institution is a social practice that is regularly and continuously repeated, sanctioned and maintained by social norms, and has a major significance in a social structure (Abercrombie, Hill & Turner, 2006:200). The value of institutions and the process of institutionalisation are discussed in the next chapter.

³⁵ This forms the core of a Clausewitzian paradigm of trinitarian warfare (Van Creveld, 1991:35), whereby the state, armed forces, and population are clearly separated. This paradigm has been eroded in the post-WWII era, with the proliferation of low intensity conflicts, waged by actors that are *not* states.

Chapter Three: Conceptualising the state as ideal type

control and possessing an organised government to which the great body of inhabitants render habitual obedience', and that of Maclver (1926:22), who views the state as 'an association which acting through law as promulgated by a government endowed to this end with coercive power, maintains within a community territorially demarcated the universal external conditions of social order'. Laski (1935:8) explained the state as 'a society ... which is integrated by possessing a coercive authority legally supreme over any individual or group which is part of the society', whilst du Plessis (1941:3) regarded the state as a unifying order of human society, within which it is a supremely powerful organisation, characterised by the subservience of a majority to a minority acting as government.

These definitions, all of which bear merit, were however preceded and influenced by Max Weber. Over the last century, his conceptualisation has been adopted as a near-universal description of the state, and also forms the core element of this study's engagement with the theme of state dysfunction. Since Weber's (1919) contextual description is of special importance for this chapter, an extended quote is provided.

'Every state is founded on force', said Trotsky at Brest-Litovsk. That is indeed right. If no social institutions existed which knew the use of violence, then the concept of 'state' would be eliminated, and a condition would emerge that could be designated as 'anarchy', in the specific sense of the word. Of course, force is certainly not the normal or the only means of the state – nobody says that – but force is a means specific to the state. Today the relation between the state and violence is an especially intimate one. In the past, the most varied institutions – beginning with the sib – have known the use of physical force to be quite normal. Today, however, we have to say that a state is a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory. Note that 'territory' is one of the characteristics of the state. Specifically, at the present time, the right to use physical force is ascribed to other institutions or to other individuals only to the extent to which the state permits it. The state is considered the sole source of the 'right' to use violence. (Weber, 1919:1)

In this extract, Weber introduces arguably the most crucial attribute of statehood: the ability to claim successfully a monopoly of the legitimate use of physical force within a given territory. If a state does not possess a monopoly of coercive force in society, there can be no law (for law is backed up by sanction) and by extension no order. Weber further elaborates on his core conception of the state in *The Theory of Social and Economic Organisation*, which was translated into English by sociologist Talcott Parsons in 1947. Weber's updated conception of the state reads:

Since the concept of the state has only in modern times reached its full development, it is best to define it in terms appropriate to the modern type of state, but at the same time, in terms of which abstract from the values of the present day, since these are particularly subject to change. The primary formal characteristics of the modern state are as follows: It possesses an administrative and legal order subject to change by legislation, to which the organised corporate activity of the administrative staff, which is also regulated by legislation, is oriented.

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This system of order claims binding authority, not only over the members of the state, the citizens, most of whom have obtained membership by birth, but also to a large extent, over all action taking place in the arena of its jurisdiction. It is thus a compulsory association with a territorial basis. Furthermore, to-day, the use of force is regarded as legitimate only so far as it is either permitted by the state or prescribed by it ... The claim of the modern state to monopolise the use of force is as essential to it as its character of compulsory jurisdiction. (Parsons, 1947:156)

From these two related definitions, it becomes clear that Weber does not conceptualise the state primarily in terms of its functions (the ends of statehood) but rather in terms of its *modus operandi* (the means of the state). Two aspects of Weber's latter definition are particularly noteworthy, as they provide a basis and point of departure for many subsequent descriptions and conceptualisations of the state (Hay, Lister & Marsh, 2006:8). First, Weber notes that the modern state wields a monopoly of authoritative rule making within a bounded territory. This is in turn backed up by a monopoly of the means of physical violence (force or coercion) within the same territorial space. Second, the state is regarded by Weber as a set of institutions with dedicated personnel. Migdal (1988:19) also reiterates these characteristics in his definition of the state, as used in his book *Strong Societies and Weak States* (1988): 'In short, following Max Weber, I use an ideal-type definition of the state: it is an organisation, composed of numerous agencies led and coordinated by the state's leadership (executive authority) that has the ability or authority to make and implement the binding rules for all the people as well as the parameters of rulemaking for other social organisations in a given territory, using force if necessary to have its way'.

Charles Tilly, who is arguably the leading author on the genealogy of the state and early state formation, also adheres to a distinctly Weberian conception of state. In the introductory chapter of *The Formation of National States in Western Europe* (1975:70) he introduces the following characterisation of the state: 'An organisation which controls the population occupying a definite territory is a state insofar as (i) it is differentiated from other organisations operating in the same territory, (ii) it is autonomous, (iii) it is centralised and (iv) its divisions are formally coordinated with one another'.

Gianfranco Poggi (1990:19) employs Tilly's conception (which clearly owes its origins to Weber) in his important work *The State: Its Nature, Development and Prospects* as a basic interpretation of what statehood entails. Importantly, Poggi notes that the above-mentioned conception of the state comprises the fundamental and abiding features of the modern state, upon which many additional (secondary) features have developed during the last 200 years. Poggi's comment is of relevance to the outcome of this chapter since, at its conclusion, a conceptualisation of the primary attributes of the state (i.e. the generic and universal tenets

of statehood) will be presented. Such a conceptualisation excludes the large variety of secondary functions and characteristics that states have assumed through development and modernisation, for example, social welfare functions and economic intervention. As a concluding remark regarding Tilly's conception of the state, it is interesting to note that he introduces the notion of *autonomy*. In this sense, autonomy can be considered as synonymous with *sovereignty*, which means that the state claims, and if necessary is willing to prove, that it owes to no other power its control over its population, and it exercises that control on its own account, sharing it with no other entity, internally or externally (Poggi, 1990:21). The aspects of sovereignty and self-determination are further elaborated upon in the discussion of Jackson's contribution in chapters three and four.

There is no shortage of scholars who employ Weber's description of statehood, or variations thereof. Another of the foremost authors on the modern state, Patrick Dunleavy, also employs a Weberian concept of state. His conception commences with a classical institutionalist description (Weber being the first to characterise the state as a set of interrelated institutions) and then proceeds with a more elaborate functional characterisation, once again squarely positioned in the Weberian mould. Dunleavy's (2007:793) description is quoted below:

The state is a complex, multi-criteria concept. In the contemporary era it refers to:

- A set of organised institutions with a level of connectedness or cohesion, justifying shorthand descriptions of their behaviour in 'unitary' terms.
- Operating in a given spatial territory, inhabited by a substantial population, organised as a distinct society.
- These institutions' socially accepted function is to define and enforce collectively binding decisions on the members of that society.
- Their existence creates a 'public' sphere differentiated from the realm of 'private' activity or decision making.

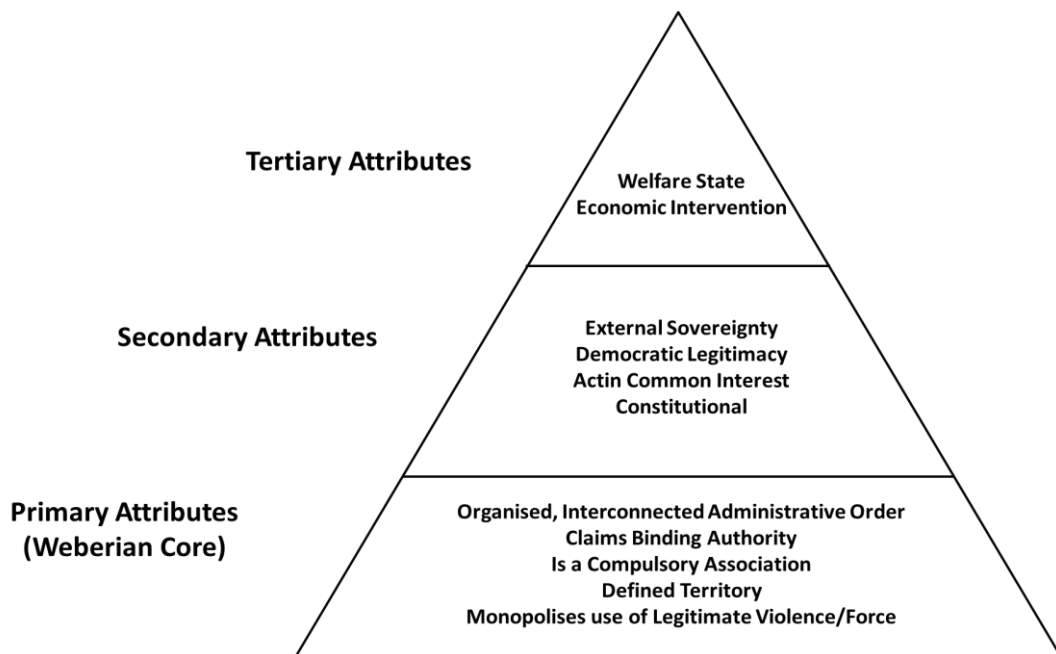
Each state (ensemble of institutions) must also:

- Claim sovereignty over all other social institutions and effectively monopolise the legitimate use of force within a given territory.
- Be able to define members and non-members of the society, and control entry to and exit from the territory.

Chapter Three: Conceptualising the state as ideal type

- Make strong ideological/ethical claims to be advancing the common interests or general will of members of the society.
- Be accepted as legitimate by significant groups or elements in the society.
- Command bureaucratic resources so as to be able to collect taxation and order governmental affairs effectively.
- Substantially regulate societal activities by means of a legal apparatus, and government activities by means of a constitution.
- Be recognised as a state by other states.

In this description, Dunleavy concurs with the core Weberian view of the state but elaborates with several additional features. This is regarded as a suitable conceptualisation of the state for the purposes of this thesis, as it distinguishes between the Weberian core (points 1-5 presented earlier in the chapter), which will henceforth be referred to as primary attributes, and *additional functions* (points 6-11) which will be referred to as secondary attributes. The rationale for distinguishing between primary and secondary attributes is to conceptualise the state both in its essence and in its totality.³⁶ For the purposes of this study, a state lacking or deficient in any of the primary attributes of state is considered to be dysfunctional. Accordingly, the level of dysfunction would logically escalate with the measure of deviance from these primary attributes. Consider the following diagram:



Source: Adapted from Dunleavy, 2007:793; Parsons, 1947:156

Figure 8: Conceptualising the attributes of statehood

³⁶ In this regard, see Desch's (1996:241) distinction between 'minimal' and 'maximal' states.

The above diagram distinguishes between three levels of attributes namely, primary, secondary and tertiary attributes (they can also be described as first, second, and third order attributes, and are used interchangeably with the former nomenclature). The three levels of the diagram are arranged in a hierarchical order, commencing with the primary first order attributes of statehood at the base. It then progresses to third order tertiary attributes at the apex. Much like Abraham Maslow's hierarchy of human needs, this portrayal of the attributes of statehood represents the progression from the most fundamental tenets of statehood to its most developed modern features. This diagram aids in the conceptualisation of the state (and therefore state dysfunction) since it enables one to differentiate between variations of the same concept (i.e. a typology). For instance, if a state exhibits first, second and third order attributes, it can be called a strong state³⁷ (or self-actualised, in the Maslowian theme) which approximates the ideal-type. Conversely, certain states might be described in terms of their dysfunction (i.e. weak, soft or failing) and will typically be deficient in one or more of the most fundamental primary attributes of state.

3.4 Constructing a definition of state

It was noted in Chapter 2 that a definition is a statement through which the *meanings* of *concepts* are specified. Hence, this study argues that if a national organisation exhibits the entirety of primary attributes of statehood (the Weberian core) it may be considered a state.

Accordingly, from the conceptualisation of the state developed in this chapter and as it is subsequently employed in this thesis, an entity could be considered a state if it possesses:

- **An *administration*, of which the different parts are coordinated,**
- **The character of a *compulsory association***
- ***Binding authority* over all that occurs**
- **Clearly laid down *territorial boundaries***
- **A *monopoly on the legitimate use of force*.**

These are considered to be indispensable requirements for statehood. For the purposes of this study, if any of these attributes are compromised, or a state fails to exhibit any of these requirements, it cannot be considered a functional state and may then warrant a description

³⁷ Depending on its goals, such highly developed states are often referred to as developmental states, or welfare states.

referencing degrees of dysfunction. The table developed in Chapter 2 (Table 2) can now be augmented accordingly:

Table 4: Comparing multiple authors' contributions on state dysfunction using Weberian concept of state

	Weberian Concept of State				
	Coordinated administration	Compulsory Association	Binding authority	Territory	Monopoly of legitimate force
Contr. 1					
Contr. 2					
Contr. 3					

Source: Own construct

Having formulated a conception of state and a definitional statement of ideal-typical statehood to be utilised in this thesis (based on the meta-theoretical foundation provided in Chapter 2) the subsequent chapters of this study will proceed towards the conceptualisation of the antithesis, or dysfunctional state, which figures centrally as the focus of this study. The scientific constructs encountered in the contributions of each of the authors evaluated in chapters 3 and 4 will be compared with this definitional norm.

The remainder of this chapter is devoted to discussing each of the primary attributes that constitute the definition of the concept of state, posited above.

3.4.1 Administration³⁸

Because the state is an organisation, its power must be vested in, and exercised through, a set of purposefully structured arrangements (institutions), namely a body of rules, a series of roles, a pool of resources, all of which are committed to a distinctive, unified and unifying set of interests and purposes (Poggi, 1990:19). Moreover, since the state is a form of *political* organisation, it would follow that all political activities must either emanate from it, or refer to it as the preeminent political authority. The state can therefore also be described as a unitary organisation as in Dunleavy's conception of the state above (point 1). Of course, individually or collectively, members of the population may exercise or be subject to other forms of power (such as the family or church), but they cannot exercise *political* power.

³⁸ This section is largely based on two excellent works that describe the organised administrative/bureaucratic character of the state, namely *The State: Its Nature, Development and Prospects* (Poggi, 1990) and *Essays in Sociology* (Weber, 1947).

Chapter Three: Conceptualising the state as ideal type

Some associations in society may exercise aspects of political power, but they do so only because they derive these aspects from the state and not of their own accord, and the use of force can therefore be considered legitimate only in so far as it is either permitted by the state or prescribed by it (Weber, 1947:156).

Because of the unitary nature of the state, its distinguishable parts are (ultimately) centralised.³⁹ This centralised quality ensures that: (a) the various parts of the organisation are at least nominally interconnected, or dovetail, so that each part has defined and differentiated tasks and responsibilities which work in conjunction and not in opposition to each other; and (b) the combined authority of these different parts eventually has its origin in a single source of executive authority.

Yet, despite the centralised character of state organisation, a contrast emerges between the state as a unitary entity, and the diverse parts of which it is comprised. The various bureaux and institutions that embody the state administration differ greatly in the activities they authorise and conduct, and as a result they become relatively autonomous.⁴⁰ Each seeks to maximise the specific resources of the state it commands, and aims to assign priority to its own concerns above those of other parts of the administration. Bureaucracy is a relatively effective means of controlling these tendencies (Poggi, 1990:30). In his seminal description of 'modern officialdom', Max Weber (1947:196) provides the defining characteristics of bureaucracy:

- There is the principle of fixed and official jurisdictional areas which are generally ordered by rules, that is, by laws or administrative regulations.
- The regular activities required for the purposes of the bureaucratically governed structure are distributed in a fixed way as official duties.
- The authority to give commands required for the discharge of these duties is distributed in a stable way and is strictly delimited by rules concerning the coercive means, physical, sacerdotal, or otherwise, which may be placed at the disposal of officials.
- Methodical provision is made for the regular and continuous fulfilment of these duties and for the execution of the corresponding rights; only persons who have the generally regulated qualifications to serve are employed.

³⁹ A notion that informs the term 'organs of state', i.e. separate parts combining as an integrated whole (body).

⁴⁰ In this regard, see section 6.4.1.

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- The principles of office hierarchy and of levels of graded authority mean a firmly ordered system of super- and sub-ordination in which there is a supervision of the lower offices by the higher ones.
- The management of the modern office is based upon written documents ('the files') which are preserved in their original and draught form.

Needless to say, Weber's (1947:196) characterisation of bureaucracy typifies an ideal (he elaborates further on the nature of office management and document storage in subsequent points). The essential aspects of an organised administration can be extracted from this description. The first is the notion of fixed and official jurisdictional areas, which is closely related to territoriality. Implicit in this point is the requirement that the administration (as executive instrument of the state) be operational over the entire geographical area of the state, which may be further divided into sub-national districts where different parts of the administration enjoy jurisdictional authority. These fixed and jurisdictional areas also contribute to the stability of the administration, since it clearly delineates the spheres of responsibility of the various interconnected parts of the state organisation. The second important notion is that the activities of these interconnected parts are governed by rules (laws or administrative regulations). This ensures that the coercive power wielded by the administration is applied in an even-handed and predictable manner.

Weber also mentions the continuous nature of a bureaucratic structure (point 4 above), which would suggest that the state is a continuous venture, unlike the intermittent phenomena of governments and regimes. The continuous nature of the state, and the administration through which it controls and coerces within its territory, thus requires agents qualified in the 'continuous fulfilment of these duties' – an administrative corps. This group (who are variously referred to as bureaucrats, civil servants, public managers, et cetera) occupies itself with the activities necessary for the effective maintenance and prolongation of the state's existence. Heinrich Popitz concisely describes the result of a successful bureaucratic-administrative order in the Weberian mould:

First, there is the growing depersonalisation of power relations. Power no longer stands or falls with one particular individual who at any given time happens to have a decisive say. It connects progressively with determinate functions and positions which transcend individuals. Then, there is growing formalisation. The exercise of power becomes more and more oriented to rules, procedures and rituals. A third aspect of the institutionalisation of power is the growing integration of power relations into a comprehensive order. (Popitz, 1992:38)

As has been mentioned previously, Weber's typology is an ideal. In reality the administrative bureaucratic character of various states differs markedly in terms of levels of institutionalisation and capacity, or as Huntington noted, the difference is not in a state's

form of government but rather its *degree* of government (Huntington, 1968:1). For the purpose of this section it is sufficient to conclude that a state must be capable of projecting the coercive power vested centrally (in a ruler or government) in a diffuse manner so that it effectively governs the entire territory – the means through which this is achieved is an institutionalised administrative order.

As an additional remark concerning the administration of the organised state it is desirable, for the purposes of accountability and transparency, that the institutions of state are recognisably public, in contrast to the ‘private’ institutions of the rest of society. In other words, public institutions should execute public functions, for the benefit of the public in general. Charles Tilly (1975:70) describes this as a ‘process of differentiation’, a process which is at its maximum when the state administration performs *all* and *only* political activities. Perhaps the most well-known manifestation of this process of differentiation has been the process of secularisation. A state is secular to the extent that it disclaims any responsibility for fostering the spiritual well-being of its citizens. It thus regards the religious beliefs of citizens as private and irrelevant for its purposes. Another example of differentiation is the divide between the state and civil society. This divide, when permitted and tolerated by a state, conveys the state’s recognition that the individual, though subject to its authority, also has capacities and interests of a *non-political* nature. This has specific relevance for citizens’ economic activities, since the production and distribution of wealth in society are largely assigned to private institutions (businesses) and the market. As a result of differentiation, the state will act as an ‘outside guarantor’ (serving public interests) rather than as an interested party (Poggi, 1990:21). When the state’s administrative organisation is described as being public in nature, it implies that the machinery of state be utilised to perform functions in the public interest. The debate on what exactly constitutes ‘public interest’ is a long-standing one, and will not be entered into here. However, the public interest is in essence *not* the private interests of the executors of state power and authority (members of government and political leaders).⁴¹

Given that the original function of the state is to provide protection to all citizens within its territory (arguably the paramount public function) a state is compromised when:

- its administration provides public functions selectively (for example, choosing to extend the function of protection only to certain groups, defined ethnically, religiously or otherwise);

⁴¹ Bratton & van de Walle’s contribution (discussed in the next two chapters) speaks directly to the absence of differentiation between public and private interests.

- its use of its monopoly of force is used not in the public interest but for personal gain and includes , corruption, cronyism, nepotism and resource extraction;
- its administration has become unable to fulfil public functions (for example, due to civil war, insurgency, natural disaster, economic collapse or incompetence and incapacity).

These examples are common occurrences in many states that are considered dysfunctional and will receive attention in subsequent chapters.

3.4.2 A monopoly of force

Perhaps the most crucial aspect of the Weberian conception of the state is that it must successfully lay claim to a monopoly of physical violence⁴² within a certain territory. It is interesting to note that even prior to Weber, political thinkers such as Machiavelli and Hobbes noted that fledgling states should prioritise the monopolisation of violence and that centralising this function was a driving force in statecraft. According to Weber, the requirement of monopolising violence in society emphasises *means*, not *ends*. He notes that:

[T]he state cannot be defined in terms of its ends. There is scarcely any task that some political association has not taken in hand, and there is no task that one could say has always been exclusive and peculiar to those associations which are designated as political ones: today the state, or historically, those associations which have been the predecessors of the modern state. Ultimately, one can define the modern state sociologically only in terms of the specific means peculiar to it, as to every political association, namely, the use of physical force. (Weber, 1990:69)

Essentially, Weber posits that the state is not fulfilling a new or novel function in human existence. Several other societal institutions and political associations throughout history have existed that fulfilled such an array of diverse functions that they cannot be defined by merely analysing their functions alone or, in addition, their employing of violence as a means to reach their ends. Du Plessis (1941:3-17), for one, relates the embryonic beginnings of the state back to the family unit – later developing into to the ancient monarchy (as the first form of state-like organisation), followed by the classical polities of the Greek world, the imperium of Roman times, and the emergence of rational nomocracy in the Middle Ages.

Consider the family as a form of association, compared to the state as a form of association. Both the family and the state possess authority, and can coerce a member of its association to conform to its will. Yet only the state has the means to apply its authority *universally*, since (if it as a functioning state) it possesses a 'monopoly of force over a territory and its

⁴² In the context of this discussion, the term violence and force are used synonymously. The German term used by Weber is 'gewalt', which does not differentiate between force and violence.

population'. The family as a form of association does not possess this universal authority; one family cannot impose its binding values on another family, or all other families in a society. Thus, according to Weber's definition, in reality the most essential test of the existence of a state is whether or not it can lay claim to a monopoly of force in the territory under its jurisdiction (Jackson & Rosberg, 1982:3). This is the single most important characteristic that distinguishes it from other forms of human organisation in society. However, in order to understand this conceptual element completely, one also needs to explore the other part of the twofold requirement posited by Weber, since he refers to a monopoly of the *legitimate* use of violence. In the words of Lipson (1997:62) 'power is naked; authority is power clothed in the garments of legitimacy'.

The state is an exercise in legitimation, since its decisions are considered binding on the members of society. These decisions are considered to be binding, because the state possesses the coercive power (monopoly of violence) to enforce them. If a citizen does not obey, he/she is punished. But when can the exercise of this power be considered legitimate, or authoritative? What is legitimacy? To use a hypothetical example, consider a nomadic tribe. Under the excellent leadership of a specific chief, this tribe manages to conquer other neighbouring tribes, thus expanding its territory, gaining grazing pasture, riches and slaves. Most members of this tribe recognise that, were it not for the leadership of their chief, these achievements would not be possible. The chief (as a leader) has managed to attract adherents through his capacity for leadership, and has thus gained a following. Because of the support from his tribe, the chief becomes powerful (i.e. he is able to achieve results through concerted action). The claims of his power hold sway only for those who consent to it (his supporters) but not by all individuals in the tribe. Three groups can be identified in this scenario:

- The chief (leader);
- Those who support the chief;
- Those who oppose the chief.

The 'rightness' of the chief's power is therefore only acknowledged by groups 1 and 2. Group 3 may be violently coerced into submission, and the chief's raw power may secure compliance, but compliance is not the same as allegiance. The point is that although the chief possesses power, he does not necessarily exercise authority. Authority is a rule which all accept as valid (Lipson, 1997:61). The exercise of authority is accepted and approved by those who approve of the leader (group 2) but also tolerated by those who oppose the

leader (group 3). Confronted with power, the individual has a choice: whether to support or oppose. However, when confronted with authority, the only option is to obey.

From a juridical point of view, power is a *de facto* construct, which concerns facts and actions, whilst authority is a *de jure* construct, concerning right. The primary aim of any successful political institution (and in particular the state) is to transform its coercive might (power) into authority, by invoking legal and moral concepts to establish its legitimacy in society, thereby gaining compliance and co-operation from its citizens (Goodwin, 2007:328). Thus, a state's authority rests both on its legal validity and on the people's acknowledgement of political obligation, which in turn ensures their loyalty and obedience to the laws of state. Coercion (naked power) creates obedience, but at a high cost in manpower and capital, whereas, through possessing authority, a state can control both the minds and the behaviour of individuals at a very low premium, providing it is established and accepted in society. In this regard, Binder *et al.* (1971:142) explain that '...once power has been transformed into authority by the process of Legitimation it requires less physical input to achieve the same effect. Thus it is that out of excessive power struggles leaders seek to transform their naked power into an acceptable form of legitimacy'. Goodwin (2007:329) notes that Weber's well-known analysis of power represents an account of the sources of authority. Weber (1947:78-80) identifies three types of power, which he qualifies with additional requirements, and which essentially convert that power into authority. First, he identifies the authority of the 'eternal past',⁴³ where power held by a group or an individual is sanctified through its ancient recognition or the habitual orientation to conform. The patriarchs, kings or patrimonial rulers of centuries past exercised this 'traditional' legitimation of power. Second, there is the authority of an extraordinary personal gift of grace or charisma. Legitimacy emanates from the ruler's ability to project qualities of heroism or great individual leadership and wisdom. According to Weber, this charismatic authority is the tool of the prophet, the plebiscitarian ruler, the party leader, the demagogue, and (notably) the warlord. Third, there is legitimacy by way of legality, when there is an absolute belief in the validity of the law and the rationally created rules that govern society. Notably (again in reference to the previous section) this is the type of authority exercised by the 'servant of the state' in executing his duties as part of the state's centralised administration. Thus, the requirements of an *administration* and *legitimate violence* are intimately linked and mutually reinforcing. This does not, however, discount the other two bases of authority and legitimacy, namely tradition and charisma. The three types of legitimate power may be summarised as follows:

⁴³ In fact, Weber uses the term 'ewig Gestrige', which is directly translated as the 'eternal yesterday'.

Chapter Three: Conceptualising the state as ideal type

- Patriarchal or traditional power supported by traditions and myths;
- Charismatic power, which rests on the leader's personality and is the antithesis of permanent, rule-bound authority;
- Bureaucratic power, resting on a legal structure and characterised by impersonal rules in regularities, and the authority attached to offices.

By applying Weber's three-part conceptualisation of authority, one can easily identify the sources of authority for various types of political association. Tribal and monarchical systems rely heavily on patriarchal powers supported by tradition, prevalent in feudalistic, web-like, societies (see Chapter 4). Liberal democracies acquire authority through bureaucratic power and rational legal institutions, while fascist states often look to the charisma of a leader (führer) as the sole source of authority. The relationship between the coercive force wielded by the state and the nature of legitimacy which underpins its application is also important in understanding the normative context of the contemporary state, in which liberal democracy enjoys the ascendancy. The doctrine of the rule of law (see Dicey, 1897:179) is central to maintaining the consistent and predictable nature of liberal democracies providing a better basis for enduring stability and, in turn, of realising the original purpose of the state of collective protection (discussed earlier). The notion of the rule of law is sometimes extended to include that of the *rechtstaat*, or constitutional state, where the exercise of force is not only regulated by law, but by law that is *just*.⁴⁴ This is in contrast to the *machtstaat*, or authoritarian and militarized power state (Wilson, 1999:4), which has historically formed the foundation of the totalitarian state (Fraenkel, 1941:60).

It may therefore be argued that unrestrained patriarchal and charismatic authority is less tenable and as a result less desirable in achieving stability within a state. For the purposes of this discussion the important factor is that a state possesses authority and that, by extension, the exercise of state power is authoritative. Legitimacy however is less enduring and more transient when vested in individuals compared to institutions.

A state can ensure compliance from individuals through raw power alone, but at great cost. Such states usually construct elaborate intelligence networks and all-powerful security establishments in order to ensure compliance from citizens, resulting in the state assuming a praetorian character. In such cases, a lack of legitimacy leads to the emanation of state dysfunction from within, rather than from societal influences – in other words, states are

⁴⁴ The Constitution of the Republic of South Africa (1996) and the Bill of Rights represent elements of a South African *rechtstaat*. See Venter (2011:1-8).

threatened less by warlords and guerrillas and more by endemic corruption and dysfunction *within* the institutions of state (history has proved repeatedly that such states are not sustainable).⁴⁵ However, a state that possesses authority in the eyes of its citizens is seen as legitimate and obedience is realised not through fear and coercion, but a sense of obligation.

3.4.3 A compulsory association with binding authority

The notions of the state as a compulsory association exercising binding authority in society are two aspects that will be discussed under one heading, as they are in fact mutually reinforcing in practice, and slightly tautologous in theory. The reader will notice that these twin aspects are closely integrated with the state's maintenance of a monopoly of legitimate force.

The state, as a 'compulsory association', entails a person being automatically subject to its jurisdiction from the moment they enter its territory, until exiting. In other words, an individual cannot exercise a choice relating to whether he/she is subject to, say, the Republic of South Africa's jurisdiction once he/she is in South Africa. The individual has no choice in the matter. A permanent resident of South Africa, or a visiting tourist, are both subject to the legitimate force that constitutes the means through which this notion of compulsory association is enforced. Thus the state exercises binding authority upon all who happen to be in its territory (Raphael, 1976:43). A person within South African territory is necessarily bound by its laws, and disobedience will be punished accordingly, based upon the premise that he is bound by those laws through compulsory association with the state and (by extension) the compulsory jurisdiction it exercises over him.

For much of history, a person or group of people who preferred not to be subject to the laws of their native state could leave and start a new community elsewhere where rules and laws of their own choosing could be instituted (laws that, perhaps, they considered to be more legitimate). In the contemporary world order, however, all habitable parts of the earth have been claimed and incorporated into the approximately 200 states currently in existence. One option is to relocate to another state, where one will obviously form part of that state's compulsory association. Another more extreme route is to secede from the state under which one resides, or to challenge the monopoly of force that the state claims over its

⁴⁵ The securocratic apparatus of states such as Iran (under the Pahlavi dynasty), Syria (under the Hafez and Bashar al-Assad) and South Africa (during apartheid) inevitably failed to suppress political discontent, prompting political instability and violence with the potential for revolution.

territory. This is not uncommon, and has been the motivation behind many intra-state conflicts across the world, including Angola, Sierra Leone and Sri Lanka. Indeed, the monopoly of force of most (if not all) dysfunctional states has been challenged, with varying degrees of success.⁴⁶ If a secessionist or separatist movement succeeds in substantially eroding the state's monopoly of force, it manages to undermine the compulsory association that state lays claim to, since through means of force it follows its own will, rather than that of the state. In such instances, a state will temporarily lose control over parts of its territory, now occupied by the dissidents.⁴⁷ In cases of secession, the state loses total control over that territory, since it is appropriated by political groups seeking independence and, by definition, a single state ceases to exist and is supplanted by two entities.

3.4.4 Territory

"The state does not have a territory, it is a territory." (Romano, 1947:56)

Thus far, four of the primary attributes (Weberian core) of statehood have been discussed, namely an *organised administrative order*, which serves, claims and enforces a *monopoly of legitimate force* that in turn manifests a *compulsory association* which claims *binding authority*. These elements receive a capstone through means of a fifth attribute, namely a defined locus for these characteristics to occur, a *defined territory*.

Geographical territory itself is probably the most obvious (and empirically self-evident) aspect of the state's requirements (Caramani, 2008:87). Typically, a state's territory is continuous, has no enclaves and is relatively large. The most visible aspect of the development of the modern state in Europe, for example, was the drastic simplification of the continent's political map, which circa 1500 comprised some 150 independent political entities and by 1900 only 25 (Poggi, 1990:22). Indeed, it is by territory that one recognises a state on an atlas, and it is over territorial disputes that many international and civil conflicts have erupted in history. The point may even be posited that territory largely defines and shapes the character of a state, regardless of the degree of government occurring within its borders. Territories (i.e. states) with rich mineral, precious metal or oil deposits may become host to a lucrative mining industry, or conversely, devastating civil and international conflicts over the possession of diamond fields (Sierra Leone) or oil (Angola), manifesting what is often referred to as a 'resource curse' (Ross, 1999:297-322).

⁴⁶ The emergence of non-state actors who challenge the binding authority of the state is analysed by Migdal.

⁴⁷ For example, areas controlled by the LTTE in Tamil Eelam, Sri Lanka up to 2009.

To be regarded as a state, a polity must police a specific demarcated portion of the earth, being able to overwhelm any internal challenges through exercising legitimate force – a competency upon which it must maintain a secure monopoly. It must also claim that portion of territory against any and all other states, be able and willing to protect and defend it, patrol its boundaries, confront and repulse encroachment by other states and protect the resources in its geographical ambit. It is thus clear that the relation between state and territory is an inextricable one. However, a demarcated territory is not merely a location for the activities of the state. Rather, it represents a physical dimension of the state's own symbolic identity, the very ground of its existence and of its historical continuity which has resulted in it being referred to as the 'Motherland' or 'Fatherland' by various nations. Closely linked to the territorial ambit of the state and the monopoly of force it exercises within it, is the concept of sovereignty.

3.4.5 Sovereignty

Sovereignty finds a dual application with regard to the state. First, in the context of international relations, states as sovereign units have a right to be independent or autonomous with respect to other states. In reality, states may differ in their abilities (to project power) but as sovereign entities they are all legal equals in the international realm. Second, sovereignty is the attribute of the state that refers to its right to exercise complete jurisdiction over its own territory and to conduct its own affairs (self-determination). In other words, domestically the state represents the supreme, independent and final authority in society (Viotti & Kauppi, 1993:593). The state thus claims, and must be able to demonstrate (via the monopoly of force it possesses) that no other power compromises its domination over the population and territory over which it presides. The domination it exercises is exclusively by the state's own account, in that it activates its own resources through its organisational and administrative capacities (whether natural or manmade) unconditionally, and this domination is not shared with any other entity (Poggi, 1990:21). According to du Plessis (1941:69) 'Insofar as the rule of law is required, and insofar as it cannot be upheld by any other means, the state is qualified to act – however here it is *only* the state which may act, since maintaining the rule of law is the sole preserve of the state: its sovereignty'.

Although other power-wielding entities exist within all states (for example, trade unions, universities, municipalities) the state overrules any and all of these associations by the *means* particular to it. This domestic sovereignty (as opposed to the international sovereignty also mentioned above) is of particular concern when one considers the occurrence of state dysfunction and is intimately linked to the preceding discussions on *the*

monopoly of force and the state's *territory*. It is a distinctive feature of dysfunctional states such as Somalia, Sudan, Sierra Leone and Liberia that various groups operate within the defined territory of the state whilst undermining the state. These insurgent groups often exercise absolute control over substantial swathes of territory where the state, in turn, has virtually no influence. This occurrence clearly undermines the domestic sovereignty of a state, compromises the state's ability to protect its citizens and in some cases even leads to the loss of legitimacy as popular warlords and well-governed insurgent groups gain support and popularity in society⁴⁸. Yet in the contemporary world order, certain states exist that maintain internal sovereignty, but are not recognised as sovereign by other states. States such as Abkhazia, Northern Cyprus, Kosovo, Somaliland, Taiwan, Transnistria, South Ossetia and Palestine enjoy limited or no *de jure* recognition by other states, yet empirically they embody all the primary attributes of statehood discussed previously. It would thus appear that from a practical, *de facto* point of view, external sovereignty is not necessarily a fundamental requirement of statehood. In other words, it is not a prerequisite for statehood and a state cannot be considered to be dysfunctional solely because other states do not recognise it as a peer in the international community.⁴⁹ Furthermore, internal sovereignty is not indicated as a primary attribute, since it is regarded to be the collective result of the primary attributes when combined. The place and role of sovereignty in the contemporary international system is considered in the chapter that follows, with reference to Robert Jackson's theoretical contribution.

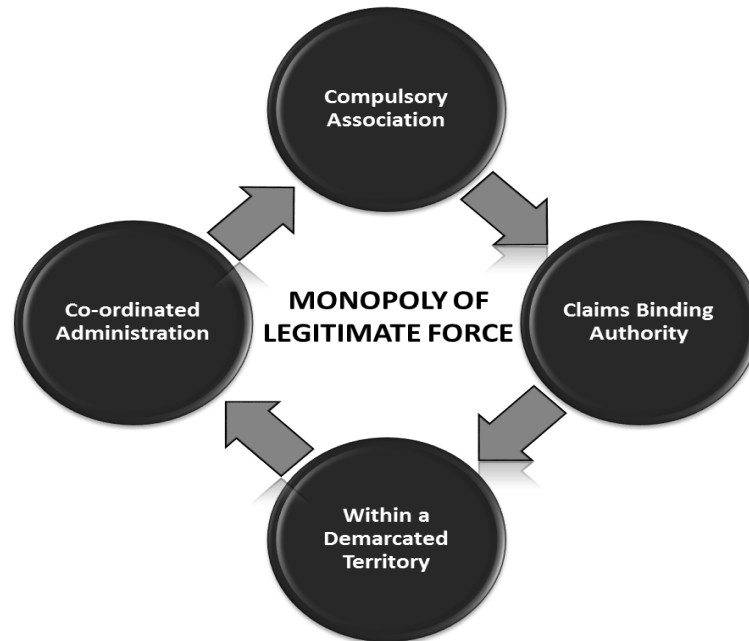
3.5 Conclusion

The five primary attributes identified in this chapter will be employed as a 'measurement of statehood' when assessing the various contributions by authors in the field of state dysfunction, and therefore collectively constitute the concept of state as it is henceforth consistently employed throughout this thesis (see table 4). Together, the primary attributes may be expressed in the form of a definition statement, **namely that a sovereign state is a polity possessing an administration, of which the different parts are coordinated, it is a compulsory association which claims binding authority over all that occurs and exists within its demarcated territory, being able to do so through possessing a monopoly on the legitimate use of force**. From the discussion of each of these attributes, the reader will notice that they are in fact inseparably linked and mutually reinforcing. It would be unlikely for one attribute to exist without the presence of the remaining four

⁴⁸ See, for example, *Warlord Politics and African States* (1998) by William Reno.

⁴⁹ The reader will notice that the requirement of external sovereignty is regarded as a secondary attribute (see figure 8).

(indeed, it would reflect state dysfunction). Consider the following diagram, illustrating the relationship between the various elements of the definitional statement:



Source: Own construct

Figure 9: The mutually reinforcing relationship between the primary attributes of state

This chapter commenced with a contextualisation of the prominence of the state as a scientific construct in the discipline of political science and the continuing prominence of statehood in reality. Several conceptualisations of statehood were discussed, amongst which Max Weber's was demonstrated to be preeminent. By adopting Weber's conceptualisation as the theoretical point of departure and augmenting it with elements contributed by other writers, a three-tier typology of statehood was constructed, as depicted in Figure 8. The first level of this typology represents the primary attributes of statehood, or the Weberian core. Upon this foundation, other attributes of the state may develop through processes of modernisation and political development. These attributes are described as secondary and tertiary attributes. However, what is of pertinent relevance to this thesis are the primary attributes, since without them, a state cannot be considered truly functional (in other words it is dysfunctional). Five primary attributes were identified, and related in the form of the definitional statement given above.

However, the stated goal of this chapter was to identify a theoretical benchmark (conceptualisation) for statehood that may be consistently employed in the rest of this study (thesis), to facilitate the subsequent phases of conceptualising the dysfunctional state

(antithesis), an analysis of the concept, and its implementation. In order to achieve this end, it is necessary to integrate the meta-theoretical perspectives gained from chapter 2 with the conceptual insights from this chapter. This may be achieved by combining table 3 (as representation of the meta-theoretical framework of this study) and table 4 (as representation of this study’s conceptualisation of the state). Consider the table below:

Table 5: Analytical tool incorporating scientific constructs and concept of state

		WEBERIAN CONCEPT OF STATE				
		Coordinated admin.	Compulsory Association	Binding authority	Territory	Monopoly of leg. force
SCIENTIFIC CONSTRUCTS	PARADIGM					
	CONCEPTS					
	TYPOLOGIES					
	MODELS					

Source: Own construct

By employing this analytical tool, the task of *conceptualising* the dysfunctional state and subsequently *analysing* the concept may be achieved. The outcomes of chapters 2 and 3 are incorporated, namely a meta-theoretical component (accommodating scientific constructs and paradigms along the leftmost column) and the attributes of state (represented along the top row). As the contribution of each author is reconstructed, important paradigmatic departure points (to be identified in the next chapter) and salient concepts, models, and typologies (extensively discussed in chapter 5) may be accounted for. These constructs may in turn be cross referenced with each of the five attributes of state, taken from the definitional statement formulated in this chapter. The result is a clear exposition of elements that may contribute to, and characterise, state dysfunction.

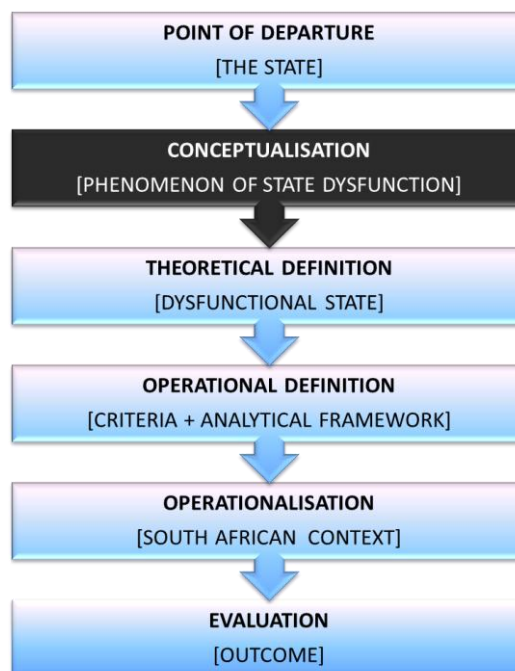
Having realised this outcome, this study can progress towards conceptualising the dysfunctional state. This will commence in the following chapter, in which the core theoretical contributions that form the basis of the conceptualisation will be introduced and contextualised.

Chapter Four: Conceptualising the dysfunctional state: Literature survey and theoretical contextualisation

4.1 Introduction

In chapter two a meta-theoretical framework was developed for this study that laid the foundation for the tasks of conceptualisation, analysis, and operationalisation (the three methodological steps that will be followed in realising the primary research objective of this study). In chapter three, this meta-theoretical framework was employed on a theoretical level, when a conceptualisation of the state was conducted. Additionally, an analytical tool was developed to integrate conceptual and meta-theoretical perspectives on the state, which can identify relationships between scientific constructs that are identified in the process of conceptualising the dysfunctional state, as well as the five primary attributes of the ideal-typical state.

In this chapter and the next, the process of conceptualisation is continued, but shifting its focus towards conceptualising the dysfunctional state, based upon the outcomes of the preceding chapter. Accordingly, the purpose of this chapter is to orient the reader regarding (i) existing literature on the theme of dysfunctional states, and (ii) introduce the literary sources that will be employed in this study's conceptualisation of state dysfunction. Its place and role in relation to the rest of this study is represented below:



Chapter Four: Conceptualising the dysfunctional state: Literature survey and theoretical contextualisation

The literature review on the general theme of state dysfunction will reconstruct a roughly chronological progression of contributions that have dealt with aspects of state dysfunction including failed states, weak states, soft states, and the like. Important sources of a qualitative and quantitative nature are included, in order to highlight the different methodologies that have developed in the discourse on the theme. Evaluative perspectives are provided throughout the literature review, particularly regarding the shortcomings and inadequacies surrounding the conceptualisation of the phenomenon of state dysfunction.

The second part of the chapter concerns the introduction of the particular sources employed in this study's original conceptualisation of the dysfunctional state. This begins with a brief discussion of the influence of Max Weber in this study. Scientific constructs of the Weberian tradition have been referenced in the preceding chapters, and it is therefore deemed relevant to briefly account for its influence in this investigation.

Next, five contributions dealing with the phenomenon of state dysfunction are discussed, using elements of the meta-theoretical approach outlined in chapter 2 and the conceptualisation of state developed in chapter 3. These contributions will be fully reconstructed and analysed in the next chapter, and will ultimately inform this study's conceptualisation of the dysfunctional state. However, the purpose of this chapter is to introduce these contributions and orientate the reader regarding their place and role in conceptualising the dysfunctional state.⁵⁰ Accordingly, each contribution is discussed according to the following subheadings:

- Background and contextualisation
- View of the state
- Usage of key scientific constructs
- Paradigmatic points of departure

The outcome of this process is the clear specification of the place and role of each contribution in this study's conceptualisation of the dysfunctional state, according to three dimensions of state dysfunction with corresponding levels of application (see table 1).

⁵⁰ This process is divided between two chapters for reasons of practicality. Conducting a diligent reconstruction, interpretation and analysis of each contribution is unattainable within the confines of one chapter. Hence, this chapter will introduce and contextualise the sources, and the next chapter will continue with a reconstruction and analysis with the purpose of building a concept of the dysfunctional state.

4.2 Literature survey

In large part, the philosophical antecedent of the current discourse surrounding state failure and dysfunction may be traced back to the concepts of societal decay and decadence. Perhaps the most forceful thinker to write about these phenomena was Nietzsche, whose intrinsic nihilism led him to conceptualise decay in modern society. In *The Will to Power*, Nietzsche (1967:68,32) sets forth the principle that: 'There is an element of decay in everything that characterises modern man' and infamously that 'modern society is no "society", no "body" but a sick conglomerate of chandalas⁵¹ – a society that no longer has the strength to excrete'. He (1967:70), however, qualifies this position by noting that 'The same reasons that produce the increasing smallness of man drive the stronger and rarer individuals up to greatness'.⁵² Other writers have accounted for decay in historical terms, charting the emergence and decline of 'high cultures' (Spengler, 1926:31) and even posing the question whether 'the latter-day expansion of our own Western Civilization over the face of the Earth may not be, perhaps, an intimation of mortality' (Toynbee, 1939:4). However, the notion *political decay* (as opposed to civilizational decay) was first posited in the post-war period by Samuel Huntington in his paper entitled *Political Development and Political Decay* (1965).⁵³ In motivating his focus in opposition to *political development* (which had become the doctrinaire at the time) he (1965:393) clarifies that:

A theory of political development needs to be mated to a theory of political decay. Indeed, as was suggested above, theories of instability, corruption, authoritarianism, domestic violence, institutional decline, and political disintegration may tell us a lot more about the "developing" areas than their more hopefully defined opposites.

This paper also formed the basis of Huntington's ground-breaking 1968 work *Political Order in Changing Societies*, which forms one of the core theoretical contributions in this study's conceptualisation of the dysfunctional state. However, it was only towards the end of the Cold War that the realities of political decay became explicitly linked with the *state*, particularly in the context of the developing world. In this regard *Strong Societies and Weak States: State-Society Relations and State Capabilities in the Third World* (1988) by Joel S. Migdal and *Quasi-States: Sovereignty, International Relations and the Third World* by Robert H. Jackson stand out as two of the most influential early contributions in the nascent field of study. Migdal's seminal work is notable for the theoretical depth in conceptualising the nature of weak states in the developing world in relation to societal dynamics, whilst

⁵¹ *Chandala* is a Sanskrit term for someone who deals with disposal of corpses, and is a Hindu lower caste.

⁵² It was this Nietzschean juxtaposition between strength/weakness and supremacy/inferiority that would later (at least in part) influence Hitler's thoughts on the Aryan *Übermensch* and the struggle against Western decadence, personified by the Jews.

⁵³ Huntington too would later turn his attention to the dynamics of power between civilizations in *Clash of Civilizations* (1996).

Chapter Four: Conceptualising the dysfunctional state: Literature survey and theoretical contextualisation

Jackson's international-juridical perspective deals with 'quasi-states' as an emergent trend in the realm of international sovereignty. Both these works are utilised extensively in this study and represent key theoretical influences.⁵⁴

Another early publication on contemporary state failure appeared in 1992, in *Foreign Policy*. In an article entitled *Saving Failed States*, Helman and Ratner (1992:3) introduce their focus as follows: 'From Haiti in the Western Hemisphere to the remnants of Yugoslavia in Europe, from Somalia, Sudan, and Liberia in Africa to Cambodia in Southeast Asia, a disturbing new phenomenon is emerging: the failed nation-state, utterly incapable of sustaining itself as a member of the international community'.

The piece continues with a contextualisation of a post-cold war global order, in which postcolonial states no longer enjoy the largely artificial prosperity that resulted from American or Soviet aid during the cold war. The authors tentatively position the United Nations as the logical organisation to intervene in these problematic states in the developing world, through means of conservatorship (Helman & Ratner, 1992:12). Ever since this very first publication on the subject, scholarship on the 'failed state' has focused on intervention and structural rehabilitation, prompted by the humanitarian urgency, as discussed previously. Helman and Ratner (1992:3) wrote: 'As those states descend into violence and anarchy – imperilling their own citizens and threatening their neighbours through refugee flows, political instability, and random warfare – it is becoming clear that something must be done'. Indeed, this sentiment of 'something must be done' set the tone for most of the literature dealing with state failure that was to follow. – The emphasis rested entirely on the necessity of *remedial action*, abrogating the notion that a proper conceptualisation and comprehension of the phenomenon may give rise to more effective solutions.

Among the early contributions, *The Coming Anarchy* (Kaplan, 1994) is possibly the most poignant popular piece of writing on the broad theme of state dysfunction. Although not a scholarly publication, Kaplan's article (and later book) recounts his travels through West Africa during the mid-1990s, combined with a set of well researched scenario predictions. State failure is described evocatively in all but name, as circumstances in states such as Sierra Leone and Liberia are detailed: 'Sierra Leone is a microcosm of what is occurring in West Africa and much of the underdeveloped world, the withering away of central governments, the rise of tribal and regional domains, the unchecked spread of disease, and the growing pervasiveness of war' (Kaplan, 1994:48). Kaplan's account has gained much

⁵⁴ The reader will note that although Jackson's *Quasi-states* was first published in 1990, this study consistently employs the first paperback edition (1993) in its subsequent references to the work.

Chapter Four: Conceptualising the dysfunctional state: Literature survey and theoretical contextualisation

acclaim since it was first published, as much of his descriptions of squalor in the developing world persist, and the increasing likelihood that his chilling predictions of anarchy will come to fruition.

In 1995, a short yet influential introduction emerged on the subject of state dysfunction, penned by Ali Mazrui, entitled *The Blood of Experience* (1995). It provides the reader with the prominent African scholar's perspective on the postcolonial malaise that has typified Africa since widespread independence was gained in the 1960s, later culminating in incidents of state dysfunction. Mazrui (1995) writes on the problematic nature of sovereign statehood in the postcolonial African context: 'The question that has arisen lately, however, is whether real decolonisation is not the winning of formal independence, not the changing of the guard on independence day, the raising of new flags, or the singing of new anthems, but the collapse of the colonial state itself, the cruel and bloody disintegration of colonial structures' (Mazrui, 1995:28).

Mazrui continues to consider the question of whether the process of liberation after decolonisation is only truly complete after all remnants of the former colonial state have been eradicated. He therefore sees state dysfunction in Africa as being symptomatic of the process of cathartic decolonisation: 'Are Somalia, Rwanda, Liberia, Angola, and Burundi experiencing the death throes of the old order? Is the colonial order being washed away with buckets of blood? Or are we witnessing the agonising birth pangs of a genuinely postcolonial order?' (Mazrui, 1995:28). Optimistic interpretations aside, what makes Mazrui's discussion of state failure significant for the purposes of this study is the elementary insight he arrives at, which other authors repeatedly take for granted, namely that 'In order to assess whether a state has failed, we must first identify the basic functions of the state' (Mazrui, 1995:28).

Mazrui identifies six crucial functions of the state, and continues to assess state performance in Africa according to these six functions. His contribution in this article is logical, lucid and coherent, despite the fact that he did not attempt to legitimise his analysis with reams of statistical data. It is a logical exposition because he returned to fundamental, existing knowledge within political science (the functions of the state) through which he conducted a concise, yet effective analysis of the 'new' phenomenon of state failure.

The first major scholarly volume on state collapse also emerged in 1995, when a leading scholar of African politics, William Zartman, assembled a collection of essays around the theme, entitled *Collapsed States: The Disintegration and Restoration of Legitimate Authority*.

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Comprised of case studies and contextual essays, this publication represents the first significant academic work on acute state dysfunction (or state collapse, in Zartman's idiom). Since its publication, Zartman's (1995:1-11) definition of state collapse has been adopted and modified extensively by other authors. According to him: 'State collapse is a deeper phenomenon than mere rebellion, coup, or riot. It refers to 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...For a period, the state itself, as a legitimate, functioning order, is gone' (Zartman, 1995:1).

Zartman (1995:5-6) also writes: 'Collapse means that the basic functions of the state are no longer performed, as analysed in various theories of the state ... state collapse is the breakdown of good governance, law and order'.

Even though these definitions represent a useful point of departure for understanding state failure, they are lacking in thorough conceptualisation.⁵⁵ Zartman does not elaborate further on his definition or conceptualisation of state failure, instead he leaves the task to the authors of the respective essays, each of whom offers their own insights into the causes and quantitative indicators of the phenomenon. However, none of these contributions approaches a conceptualisation of the phenomenon. Zartman's (1995) definition is also compromised by equating the normative notion of 'good governance' with the maintenance of order.⁵⁶ *Collapsed States* is also characterised by a strong focus on state reformation and intervention (or 'state building', as the endeavour has become popularly known). According to this approach, the emphasis falls on development, and the building of institutions that can generate and manage politico-economic policies and processes, resulting in stability. This focus enjoys the lion's share of attention in virtually all works dealing with state failure. Whilst the urgency of timely intervention and the subsequent rebuilding of failed states quite understandably enjoys primacy in the body of literature, a proper conceptualisation of the role of institutions during state dysfunction remains lacking, since the institutions of state may be complicit in perpetuating dysfunction. State institutions are not necessarily passive victims in the throes of state dysfunction.⁵⁷

Thus, by the late-1990s the phenomenon of weak and failed states had been placed firmly on the scholarly agenda. Two important and predominantly theoretical works that also

⁵⁵ For a discussion of the myriad contested definitions and terms used to describe state dysfunction, see Kostovicova & Bojicic-Dzelilovic (2009:2). The abundance of different definitions is also noted by Englebret (1997:768).

⁵⁶ In this regard, see the reconstruction of Huntington's perspectives on political institutions in the next chapter.

⁵⁷ This insight is thoroughly unpacked in chapters six and seven, and represents a significant part of this study's focus on the manifestation of state dysfunction in the South African context.

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appeared during this time are Bratton & van de Walle's *Democratic Experiments in Africa* (1997) and van Creveld's *The Rise and Decline of the State* (1999). Both of these works add important theoretical perspectives on state dysfunction in the developing world, and they are also introduced later in this chapter for the purpose of contributing to this study's conceptualisation of the dysfunctional state.

The acute relevancy of state dysfunction has prompted various role-players (aside from academia) to become involved in the field of study. During 1994, the Central Intelligence Agency (CIA) oversaw the funding and establishment of the State Failure Task Force, later renamed the Political Instability Task Force (PITF).⁵⁸ This think tank is comprised of scholars and methodologists (notably led by Ted Gurr), assigned to assess and explain the vulnerability of states around the world regarding political instability and state failure. Since its establishment, the PITF has broadened its attention from the kind of severe state dysfunction (i.e. collapse) that befell Somalia and the former Zaire in the early 1990s to include the onset of general political instability defined by outbreaks of revolutionary or ethnic warfare, adverse regime change, and genocide. More recently, the Task Force has explored matters of governance raised by research, through projects that measure state capacity and model democratic transitions (PITF, 2011). The PITF has produced four reports on political instability since 1995, dealing specifically with issues of wars, ethnic wars, adverse regime changes, and genocides and politicides. From 2001, the Task Force began focusing attention on the relationship between failed states and international terrorist organisations. These research outputs represent a predominantly quantitative investigation of the causes and indicators of political instability, utilising cross-national data sets and subsequent statistical analysis. The PITF's most recent publication (Goldstone, *et al.* 2010: 190-208) details the development of a quantitative model that reportedly forecasts the onset of political instability across different states. The PITF research over the last 15 years represents the most comprehensive collection of data on issues of political instability, in which state failure features prominently. Nonetheless, the almost exclusively quantitative character of this vast inventory of research does not provide a systematic theoretical conceptualisation of state dysfunction in general, or state failure in particular.

Several other governmental and NGO think tanks researching political instability and state dysfunction have been established worldwide. In 2002, the World Bank established a Low Income Countries Under Stress (LICUS) office that aims to provide support to a large number of fragile and conflict-affected states. This support involves all sectors ranging from

⁵⁸ The PITF website can be viewed at - <http://globalpolicy.gmu.edu/pitf>.

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public administration, community development and infrastructure to combatant demobilisation, healthcare, education and social services (World Bank, 2011). The research produced by the LICUS initiative has focused mainly on the prevention of political conflict, and post-conflict intervention and support. Research initiatives include: The Landmine Contamination, Casualties and Clearance Database (LC3D), The Armed Conflict and Location and Event Database (ACLED), and the Peace and Development Project. Similar research programmes are also currently being conducted at the Carnegie Corporation and the UK-based Overseas Development Institute. It would appear that the dominant themes in current failed state research is that of quantitative prediction (with the aim of early warning) and post-conflict intervention and development (state-building).

A more recent contribution of collected scholarly essays on state failure appeared in 2004 (edited by Robert Rotberg), entitled *When States Fail: Causes and Consequences* (Rotberg, 2004). Rotberg has been a prominent figure in the study of failed states, having also edited the 2003 volume entitled *State Failure and State Weakness in a Time of Terror*, which had a distinct focus on the correlations between state failure and international terrorism. Rotberg's (2004) definition of state failure is also characterised by a rather brief cause-effect description, with virtually no theoretical depth:

Nation-states fail when they are consumed by internal violence and cease delivering positive political goods to their inhabitants. Their governments lose credibility, and the continuing nature of the particular nation-state itself becomes questionable and illegitimate in the hearts and minds of its citizens. (Rotberg, 2004:1)

Failed states are tense, deeply conflicted, dangerous, and contested bitterly by warring factions. In most failed states, government troops battle armed revolts led by one or more rivals. (Rotberg, 2004:5)

From these descriptions, a further distinction is drawn between weak states and collapsed states, as opposed to failed states. According to Rotberg (2004:4):

Weak states (broadly, states in crisis) include a broad continuum of states ... Weak states typically harbour ethnic, religious, linguistic, or other inter-communal tensions that have not yet, or not yet thoroughly, become overtly violent.

In addition, regarding collapsed states:

A collapsed state is a rare and extreme version of a failed state. Political goods are obtained through private and ad hoc means. Security is equated with the rule of the strong. A collapsed state exhibits a vacuum of authority. It is a mere geographical expression, a black hole into which a failed polity has fallen. (Rotberg, 2004:9)

From these descriptions, it is assumed that Rotberg places state dysfunction on a continuum, ranging from weak, to failed (or failing), to collapsed. Compared to Zartman's

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(1995) definition of state collapse, it would appear that 'collapse' as a label is associated with a status of *terminal* dysfunction. This creates conceptual confusion, since this would imply that failed states have failed, but are not collapsed. Surely a failed state represents a collapsed state, and vice versa? This type of terminological pluralism is unnecessary and baffling. Nonetheless, these definitions (Zartman's and Rotberg's being the most cited definition of state failure/collapse) do offer a point of departure in the quest to conceptualise state dysfunction writ-large. This point will be revisited after the discussion of the remaining important contributions to the field.

When Things Fell Apart (Bates, 2008) presents a stimulating distillation of the occurrence of state dysfunction in postcolonial Africa.⁵⁹ Although this work relies in large part upon statistical and quantitative data (Bates being a prominent contributor to the PITF initiative), the author manages to depict effectively the circumstances in which states fail in Africa. The multidimensional role of violence assumes primacy in Bates' interpretation of state dysfunction, both as governments lose their monopoly of legitimate violence, and as more powerful non-state challengers (so-called 'specialists in violence', commonly known as warlords) emerge to vie for power. Although an excellent discussion on the symptoms and causes contributing to state failure, *When Things Fell Apart* offers no satisfactory theoretically grounded descriptive conceptualisation of state dysfunction.

Martin Doornbos, in the introduction to his chapter in Burnell and Randall's *Politics in the Developing World* (2005), presents an objective account of the current state of research on state failure. He underscores the point (closely connected with the problem statement of this thesis) that in examining the incidence of state failure, two central themes predominate: one concerned with the search for causalities, and the other concerned with appropriate responses (Doornbos, 2005:171). These foci, which largely characterise the literature discussed above, provide no scope for 'fitting' state failure into theory (i.e. a conceptualisation of state dysfunction), since its concern is exclusively empirical, not theoretical. It is important that Doornbos also distinguishes between the concepts of state collapse, and state failure. Concerning state collapse, the author argues that the collapse of a state (which implies the absence of a state) does not necessarily equate to disorder (as Zartman's definition posits), as other non-state actors or entities may provide order in such instances. Similarly, disorder has historically been a feature of certain societies where the

⁵⁹ Although this thesis does not explicitly limit its conceptualisation of state dysfunction to an African context, many of the theoretical perspectives that follow are rooted in the continent, and the application that follows in later chapters will be conducted with a particular focus on South Africa.

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state has remained intact, and such disorder has often occurred *because of* states. According to Doornbos (2005:174):

For definitional clarity, therefore, it is helpful to limit the notion of 'state collapse' to the kind of situation in which a functioning state system ceases to exist – whatever the situation might imply in terms of 'order'.

State collapse occurs at the final end of complex and conflict-ridden processes of deterioration, decline, and erosion of state functions.

Taking into account the above definition of state collapse, Doornbos (2005:174) argues that: 'The term "state failure" is more appropriate for situations of less than complete collapse.' From his definitions, it would appear that Doornbos views state collapse as the termination of a state, after a period of state failure.

The South African scholarly community has also contributed to the academic discourse surrounding state dysfunction. In this regard, Duvenhage's *Die Krisis van die Nasiestaat* (1998) and Geldenhuys' *Staatsverval* (1999) stand out as two early exploratory papers. Several works by Greg Mills have also investigated state dysfunction (from a predominantly quantitative perspective) including *Why Africa is Poor* (2010), *Africa's Third Liberation* (2012) and *Why States Recover* (2014). However, as of yet, no study has systematically engaged with the phenomenon of state dysfunction in the South African context.

Of course, the body of literature surrounding themes of state dysfunction is continually expanding. The contributions mentioned above represent a general chronological progression of noted works on the subject, intended to illustrate the disparity in conceptualisation regarding state failure, weakness, and collapse, in addition to the predominantly quantitative approach to studying these topics. Consequently, two aspects become clear from this literature review. First, an innovative conceptualisation of state dysfunction is required before the construct may be operationalised and, secondly, no such operationalisation has been conducted on the subjects of the South African state and state dysfunction.

The purpose of the remainder of this chapter and the next is to conduct a theoretical investigation into state dysfunction (which may incorporate themes of decay such as weakness, failure, collapse etc.) in order to achieve conceptual clarity regarding the phenomenon in general. Once conceptual integrity has been achieved, it can subsequently be applied and operationalised in the South African context. Before the substantive contributions employed in this conceptualisation are introduced, a brief word must be said on

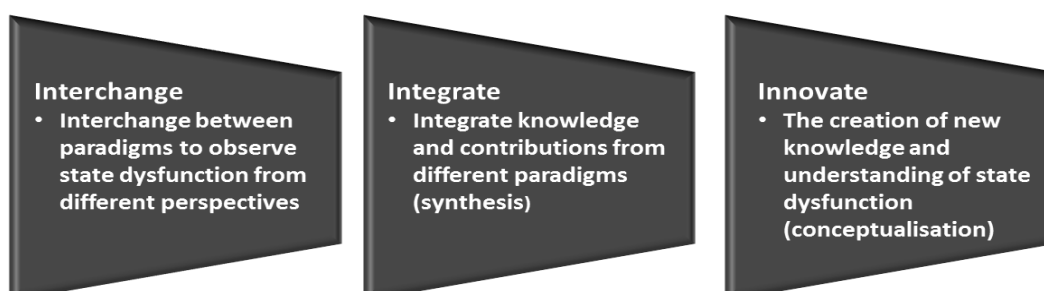
the particular methodology employed in this process (linking with the meta-theoretical framework discussed in chapter 2).

4.3 Methodology

This study will approach the task of conceptualising state dysfunction through means of an inter-paradigmatic approach – i.e. making use of more than one paradigm. This involves dissecting the contributions of three different authors, writing from different paradigms on the same subject matter. The reader will recall from the preceding chapter that paradigms are described as the nexus between normative philosophical views, and the practice of science through the systematic use of scientific constructs. Additionally, paradigms are influenced by prevailing traditions and schools of thought within a given discipline of science. Although the authors and contributions that are reconstructed, interpreted, and evaluated in this study are unified in the discipline of political science, the traditions that influence them, and hence their paradigms, are diverse. The theoretical contributions considered cover many important elements within political science as a discipline, including political institutions and institutionalisation, military-strategic and security perspectives, complex societal configurations, modernisation, colonialism, and international law. The merits of this multi-paradigmatic approach are endorsed by Barnsley (1974:60):

But is it not possible for political scientists to develop a single paradigm which thoroughly integrates all fundamentally different viewpoints? It is certainly possible for political scientists to engage in a responsible, constructive and fruitful confrontation between such viewpoints, and bring about a partial reconciliation of them. Indeed, there is an urgent need for this kind of work ... political science can and should attain a multiparadigmatic condition.

However, this study is also *inter-paradigmatic* in nature (in other words, *combining* two or more paradigms to create new knowledge) since such an approach can only serve to enhance an integrated and more complete understanding of the phenomenon of state dysfunction. Consider the depiction of the inter-paradigmatic method, below:



Adapted from Salmons & Wilson, 2007

Figure 10: An inter-paradigmatic method of conceptualising the dysfunctional state

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Accordingly, this study will contribute to the creation of new knowledge, by means of the interchange inherent in reconstructing, interpreting, and evaluating theoretical perspectives from divergent paradigms, and subsequently integrating those contributions through means of synthesis. The process of synthesis is conducted according to the analytical framework and definitional statement of statehood developed in the previous chapter. The next section will introduce and contextualise the five key contributions that will inform this study's conceptualisation of the dysfunctional state.

4.4 Contextualisation of authors and contributions

The conceptualisation of state dysfunction which will be developed in the next chapter, and consistently employed in the chapters that follow, with the aim of evaluating the South African state, will be built upon five influential contributions by six authors, namely *Strong Societies and Weak States* (1988) by Joel S. Migdal, *Democratic Experiments in Africa* (1997) by Michael Bratton and Nicholas van de Walle, *Political Order in Changing Societies* by Samuel P. Huntington (1968), *The Rise and Decline of the State* by Martin van Creveld (1999), and *Quasi-states* by Robert H. Jackson (1993). Having demonstrated in the preceding section that the current corpus of literature on failed, weak, and collapsed states exhibits a deficiency in unanimity and coherent conceptualisation of the phenomenon they aim to investigate, this study will cast the theoretical net broader in order to conceptualise the nature of state dysfunction. As a result, the contributions employed in the process of conceptualisation exhibit specific foci on elements of state deviance, decay, and dysfunction. The rationale behind this choice is to achieve a holistic and inter-paradigmatic conceptualisation that represents the creation of valid and reliable knowledge regarding the phenomenon of state dysfunction, which may then be applied to the South African context. This section will present the orientation, contextualisation, and motivation of each of the selected contributions, as a precursor to the reconstruction, interpretation and evaluation of key aspects in the next chapter. However, before these contributions are discussed, it is perhaps fitting to interject a perspective on an individual who has figured prominently in the study thus far and whose work plays an implicit role in achieving the theoretical coherence of this study.

4.4.1 Point of departure: The Weberian functional state

The previous chapter reconstructed the concept of state, which is an important conceptual point of departure for this study. It is of crucial importance in conceptualising state

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dysfunction which will, in turn, be operationalised to evaluate the South African political context. The concept of state referred to, is essentially that of Max Weber's as discussed earlier, and represents one of several elements of the Weberian tradition that feature not only in this study but have also permeated social science in general. As Käsler (1988: ix) notes: 'Max Weber is universally acknowledged as one of the most significant figures in the development of modern social science. The ideas he pioneered, and the avenues of research he opened up, influenced scholars in many disciplines, ranging from history to jurisprudence'. Weber's avid interest and participation in politics led to a unique strand of political realism comparable to that of Machiavelli and Hobbes and, in addition, he is regarded as one of the founders of modern sociology (Heywood, 2007:211). Thus, Max Weber's influence is far-reaching and spans the vast array of disciplinary, methodological, ideological and philosophical schools in social science, including the discipline of political science (Kim, 2012). As a result, this study, falling within the ambit of the aforementioned, incorporates many scientific constructs from the Weberian tradition⁶⁰ because no thorough social scientific investigation can be conducted without somehow linking it to the work of Weber. Apart from the conceptualisation of state, this study has thus far employed other Weberian constructs, such as the notion of an ideal type and Weber's characterisation of authority and legitimacy (see chapter 3). Another Weberian construct that holds value for a study concerned with the state and statehood, and which has experienced resurgence in the recent past, is the so-called protestant work ethic. The concept constitutes part of the comprehensive characterisation of Western civilisation. This forms a major theme in Weber's collective writings (Bendix, 1960:71), and explores the nature of economic activity in the form of capitalism and its relationship with Protestantism which emphasises hard work, frugality, and prosperity as a display of a person's salvation in the Christian faith. Weber's essay entitled *The Protestant Ethic and the Spirit of Capitalism* was influenced by his travels in the United States during 1904, and completed upon his return. His interest in the roots of modern capitalism motivated him to look for a connection between religious and economic developments, especially in the light of the economic advancement of places where Protestantism predominated. Referring to such places, Weber (1985:39-40) concludes that:

The explanation of these cases is undoubtedly that the mental and spiritual peculiarities of the environment, here the type of education favoured by the religious atmosphere in the home community and the parental home, have determined the choice of occupation, and through it the choice of professional career ... (the Protestants) both as ruling classes and as ruled, both as majority and as minority, have shown a special tendency to develop economic rationalism.

⁶⁰ Given the previous discussions concerning paradigms and traditions, it could well be argued that the Weberian tradition has become so influential in social science as to position itself at the core of disciplinary paradigms. This is particularly true of the discipline of sociology, where an entire field is dedicated to 'Max Weber Studies', accompanied by a semi-annual journal.

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Weber (1985:174) links this phenomenon to the development of economic rationalism and contemporary capitalism, claiming that the frugal and austere nature of the protestant ethic 'stood at the cradle of the modern economic man'. He describes the defining elements of this Protestant ethic thus:

This worldly Protestant asceticism ... acted powerfully against the spontaneous enjoyment of possessions; it restricted consumption, especially of luxuries ... On the side of the production of private wealth, asceticism condemned both dishonesty and compulsive avarice. What was condemned as covetousness, Mammonism etc., was the pursuit of riches for their own sake. For wealth in itself was a temptation ... the religious valuation of restless, continuous, systematic work in a worldly calling, as the highest means to asceticism, and at the same time the surest and most evident proof of rebirth and genuine faith, must have been the most powerful conceivable lever for the expansion of that attitude toward life which we have called the spirit of capitalism. (Weber, 1986:170-171)

Therefore, according to Weber (1986:172), at the core of the Protestant ethic rests the conclusion that: 'When the limitation of consumption is combined with this release of acquisitive activity, the inevitable practical result is obvious: accumulation of capital through ascetic compulsion to save'. This analysis of the Protestant ethic offers an explanation as to why certain states are more prosperous than others, particularly those in Western Europe with a tradition of Protestantism (e.g. Holland, Germany, as well as Scotland and England), Scandinavia (where a state such as Norway is almost exclusively protestant), and North America. Even though Weber's thesis has drawn sharp criticism, particularly from the Marxist tradition, it has remained prominent in social science for more than a century. Referring to the sustained and contemporary validity of the concept, Ferguson (2003) notes that: '... the experience of Western Europe in the past quarter-century offers an unexpected confirmation of it.⁶¹ To put it bluntly, we are witnessing the decline and fall of the Protestant work ethic in Europe'. Particularly in Europe, the reduction of working hours and the decline in productivity has coincided almost exactly with steep declines in religious observance, and may well provide insights into the unprecedented economic difficulty which Europe now faces as a result of the sovereign debt crisis of 2009. According to Ferguson (2003), in the pursuit of shorter work-weeks, longer holidays, and bloated social benefits the European economy will inevitably suffer, and: 'will continue to fall behind the United States in terms of its absolute annual output. The winner will be the spirit of secularised sloth, which has finally slain the Protestant work ethic in Europe – and Max Weber, whose famous thesis celebrates its centenary by attaining the status of verity' (Ferguson, 2003).

⁶¹ In this regard, see also *Civilization: The West and the Rest* (Ferguson, 2011)

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Huntington too points to the importance of the Protestant ethic in the development of the United States, noting that the 'American Creed is the unique creation of a dissenting Protestant culture'. (Huntington, 2004:68) In reference to this identity he explains that:

Protestant emphasis on the individual conscience and the responsibility of individuals to learn God's truths directly from the Bible promoted American commitment to individualism, equality, and the rights to freedom of religion and opinion. Protestantism stressed the work ethic and the responsibility of the individual for his own success or failure in life ... With its congregational forms of church organization, Protestantism fostered opposition to hierarchy and the assumption that similar democratic forms should be employed in government'. (Huntington, 2004:68-69)

Weber's analysis of the Protestant ethic therefore also implicitly provides a differentiation between types of states, and is therefore of peripheral interest for an evaluation of state dysfunction (although doing justice to its content is the scope of another study altogether). It is undoubtedly a feature of many of the world's 'strongest' or most functional states that they share a common heritage in the form of the Protestant ethic (even though this heritage appears to be waning). Yet, it is doubtful whether the Protestant ethic, which ostensibly contributed to the development of the now-developed world, can be located in the history of Africa, for example, at any stage of pre- or post-colonialism.⁶² Indeed, societies on the whole in the developing world, many of which host dysfunctional states, exhibit clearly the characteristics of neo-patrimonialism representing the antithesis of the Protestant ethic⁶³ (the concept of neo-patrimonialism is itself a development of a Weberian construct, and is discussed later in this chapter). That is not to say that the Protestant work ethic itself is essential to building functional economies, societies, and eventually states – however, the ethos of honest, hard work and industriousness most definitely is. These virtues appear to be conspicuously absent in many states in the developing world.

The goal of this brief section was not to reconstruct the contribution of Weber to the social sciences in its entirety, but rather to acknowledge the influence of the Weberian *tradition* in general terms and for this study in particular (given the meta-theoretical framework discussed in chapter 2). The scientific constructs developed by Weber are present in all of the contributions that will be discussed in the sections and chapters that follow, and it is therefore fitting to acknowledge such a prominent influence. The remainder of this chapter will introduce and contextualise the contributions that will inform the conceptualisation of the dysfunctional state.

⁶² An exception to this is the apartheid state in South Africa prior to 1994, which was strongly influenced by a religious and specifically protestant tradition that arguably approximated the status of ideology. The particular nature and aftermath of this 'mutation' of the protestant ethic in South Africa is considered in chapter 7.

⁶³ Neo-patrimonialism and its relation to state dysfunction are introduced in section 4.9 as the main contribution of Bratton & van de Walle (1998).

4.5 Migdal's Strong Societies and Weak States

This study's conceptualisation of the dysfunctional state will incorporate the influential work of Joel S. Migdal, specifically his 1988 book entitled: *Strong Societies and Weak States: State-Society Relations and State Capabilities in the Third World*. His work is of great utility for this investigation since, firstly, *Strong Societies and Weak States* investigates the phenomenon of weak states (in other words, dysfunctional states), and secondly, he conducts this investigation from a point of departure that emphasises the Weberian concept of statehood. Migdal (1988: xiii, xx) describes the purpose and theme of *Strong Societies and Weak States* as follows:

This book offers a set of tools – a model and a theory – for approaching the difficult question of why some states succeed more and some less in realising the visions of their leaders. Why have many Third World states had such difficulty in becoming the organisation in society that effectively establishes those rules of behaviour?

These two extracts respectively serve as the mission statement and problem statement to Migdal's book. Migdal investigates the factors which, presumably, have prohibited states in the developing world from becoming the dominant, functional and capable institutions that are encountered in the developed, so-called first world. His analysis focuses on the nature of state-society relations in Asia, Africa and Latin America, and how these two competing entities (state contra society) influence each other's capabilities to achieve their respective goals. To achieve this, Migdal employs a theoretical magnifying lens, focusing on the detailed social arrangements in the societies of the developing world, from prior to the arrival of Western civilisation (usually in the form of colonialism) until after the achievement of independence from colonial domination. This perspective which is almost sociological enables the reader to identify the societal patterns that maintain state weakness and which inhibit the development of state autonomy. Central to Migdal's analysis is the notion of *fragmented social control* in dysfunctional states, whereby various socio-political actors compete for primacy and allegiance. Thus, whereas the state should be the paramount wielder of social control and sanction, it has to share this function with other (sometimes equally influential) actors in society.

4.5.1 Migdal's view of the state

Migdal's specific view of the functional (ideal-type) state resides in the Weberian tradition. Migdal clarifies his view of the state as follows: 'Our view of the state, then, corresponds to Max Weber's notion of the state as institutional – an organisation – enforcing regulations, at

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least in part through a monopoly of violence. States vary in the degree to which they actually approach such an ideal type' (Migdal, 1988: xii).

This statement concurs with the assumptions underlying the ideal-typical state, which were developed in chapter 3. However, Migdal acknowledges that in reality states vary in their capabilities, such as enforcing regulations and maintaining a monopoly of violence. This would then underwrite the assumption held by this study that state functionality can be placed on a continuum, either approaching the ideal-type or terminal dysfunction (see Figure 1). Elaborating upon the variance in state capabilities and functionality, Migdal explains that understanding the phenomenon of state dysfunction requires more than a simple definition of the state as a political organisation that is the basis for government in a given territory. He explains that differences among states have related to the variations in certain key attributes of 'stateness', which represent the ultimate goals of the leaders of these states.

First, leaders aim to hold a monopoly over the principal means of coercion in their societies by maintaining firm control over armies and police forces, whilst eliminating challengers such as private armies, militias and gangs. Second, state officials have sought to act upon their own preferences through state autonomy from domestic and external forces, making decisions that reshape, ignore or circumvent the preferences of even the strongest actors in society. Third, state leaders have aimed for significant differentiation of its components, resulting in numerous agencies being tasked with governing inhabitants' lives. Fourth, state leaders have sought to clearly coordinate these components, resulting in coherence and a shared purpose for all governing authorities (Migdal, 1988:18-19). Thus, according to Migdal's view of the state, the most fundamental aspect one needs to comprehend regarding state dysfunction is that these attributes are not exemplified equally and consistently in all states. The state, therefore, is not something to be taken for granted. As a reiteration of his view of the state, Migdal (1988:19) explains that:

In short, following Max Weber, I use an ideal-type definition of the state: it is an organisation, composed of numerous agencies led and coordinated by the state's leadership (executive authority) that has the ability or authority to make and implement the binding rules for all the people as well as the parameters of rule-making for other social organisations in a given territory, using force if necessary to have its way. Real states, it is important to remember, vary considerably in how closely they fit the ideal-type.

However, Migdal (1997:208-231; 2001:3-38) warns against adopting the Weberian concept of statehood in isolation, arguing instead for an integrated analysis combining both the state and the society in which it exists – the so-called state-in-society approach.

4.5.2 The state-in-society approach

According to this approach, Migdal (2001:16) argues that a successful state in the Weberian mould is shaped by two key elements, namely *image* and *practices*.

First, the *image* a state projects relates to perception, in other words, how the state is perceived by members of society in general. A successful state projects the image of a dominant, integrated, autonomous entity that controls all rule-making in a given territory, and (importantly) is perceived by society as such. Maintaining this perception of dominance requires that the state is separated from society (the public/private divide) but also that it remains elevated and clearly distinguished from other entities in society (Migdal, 2001:18). State administrations that are corrupt and susceptible to undue influence are unable to maintain the status of being separate from – and elevated above – the interests of groups and individuals in society. Thus, compromising a state's positioning in society also compromises its autonomy.

Additionally, Migdal notes, *practices* serve to recognise, reinforce and validate state control as well as its separation from other organisations in society (Migdal, 2001:18). Ritual and ceremony serve as practices that reinforce the image of the state described above. The practice of conducting legal affairs in a courthouse, for example, reinforces the image of a state that is distinct from society. The courthouse represents the domain of the state, where adjudication of matters occurs on neutral ground and based on impartiality and rationality – an arena where the public/private divide is maintained and enforced. However, when practices fail to observe this divide or undermine this divide, it weakens the image of an elevated and dominant state. The practice of nepotism, corruption, using the power of public office for private gain, all contribute to the decay of the Weberian ideal-type state.⁶⁴ Such actions not only undermine the Weberian monolith which is distinctly public and impartial in the eyes of society (i.e. its image), but they also contribute to the state's constituent parts each pursuing separate agendas; agencies and institutions of the state often have competing and conflicting interests. In this regard, Migdal's perspective is complemented by Huntington's (1968:24-71) account of public institutions in conditions of political decay (as well as Bratton & van de Walle's). The state thus runs the risk of not being perceived as the only rule maker in society as it allows other actors in society to usurp that role and it turns on itself with each administrative agency (and its administrator) pursuing its own interests.

⁶⁴ Regarding the issue of practices undermining the cohesion of state administration, Gupta's (1995) article entitled *Blurred Boundaries* remains an influential contribution.

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Migdal (2001:22) explains that the understanding of the state-in-society approach requires the understanding that in certain instances the state may also be a contradictory entity which acts against itself:

The state-in-society model focuses on this paradoxical quality of the state; it demands that students of domination and change view the state in dual terms [and not] as if it were a single, centrally motivated actor performing in an integrated manner to rule a clearly defined territory [but also]... the practices of heaps of loosely connected parts or fragments, frequently with ill-defined boundaries between them and other groupings inside and outside the official state borders and often promoting conflicting sets of rules with [one] another and with 'official' Law.

Migdal's explicit articulation of the state-in-society approach, as recounted above, dates from the 2001 publication entitled *State in Society: Studying how States and Societies Transform and Constitute Each Other*. Nevertheless, the tacit beginnings of this approach are already present in *Strong Societies and Weak States* (1988). The state-in-society approach finds a good fit with Huntington's views regarding state dysfunction and political decay,⁶⁵ as well as perspectives on neo-patrimonial rule (Bratton & van de Walle, 1997:61), not to mention van Creveld's account (1991:57) of armed non-state actors⁶⁶ (all of which will be looked at in due course). Having clarified Migdal's view of the state, the next section considers his paradigmatic approach, evident in *Strong Societies and Weak States*.

4.5.3 Migdal's paradigm

Migdal clearly states that his view of the inner workings of political domination and change rests upon the axiom that no single, integrated set of rules for guiding peoples' lives exists anywhere; he posits that understanding political change is dependent upon understanding the conflict between different sets of rules competing for dominance (Migdal, 2001:11). What becomes clear from the preceding discussion of Migdal's view of the state and its concomitant state-in-society approach, is that the key to comprehending change (and by extension, state dysfunction) lies in viewing society as a melange of social organisations, rather than the dichotomous structure that practically all models of macro-political change employed up to that stage (for example, centre/periphery, modern/traditional, great tradition/little tradition, input/output). This approach therefore stands in contrast to the works of influential behaviourist authors such as Almond and Coleman (1960), Easton (1953) and Parsons (1951).

⁶⁵ In fact, Migdal (1997:220) credits Huntington with reintroducing to prominence the state in political science, and as such endorses much of his institutionalist perspective.

⁶⁶ Van Creveld (1991:49) employs the concept of 'nontrinitarian warfare' that denotes the absence of a distinction between state, civilians, and combatants (see section 4.8).

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Migdal (2001:4) describes his college years, during the 1960s, as the formative period of his lifelong preoccupation with how authority and power are established, maintained and transformed – not primarily for reasons of academic development as much as because of the tumultuous domestic and international climate of the period. During that period the domestic civil rights movement, the US involvement in Vietnam and colonial independence challenged established perceptions of power and authority in society, in addition to posing new problems to scholars of political science. His (2001:4) account of this period is worth quoting:

...I witnessed during my high school and college years an epic revolution in the world map. The crumbling of the great European empires led to the appearance of dozens of new states in Africa and Asia. New political leaders made all sorts of bold claims about the prospects for social change inside their borders as well as their intention to break the stranglehold of outmoded forms of authority internationally. It was a moment of great optimism.

Like many political scientists of his generation, Migdal's early work was influenced by the likes of D. Easton, G. Almond, T. Parsons and E. Shils. Yet, as mentioned earlier, the theoretical perspectives developed by these thinkers lacked an explanation for the deviant path of development that had become all too common in the postcolonial, developing world. Migdal's (2001:7) difficulty with these perspectives was that they obscured or overlooked the importance of the locus of authority in society, since notions of elites, institutions and shared values appeared to be taken for granted in these approaches. As a postgraduate student Migdal was influenced by the thoughts of scholars such as S.P. Huntington⁶⁷ and J.P. Nettles, who regarded the sources of power in society to be located in political institutions. The institutionalist perspective would eventually stimulate the resurgence of the study of the state in political science, and place it at the centre of questions regarding domination and change. Yet the Weberian concept employed by state oriented scholars left Migdal somewhat disillusioned, particularly as a result of his time spent in Israel where he taught at the Tel-Aviv University. He explains that 'Despite the almost mythical power of the Israeli state, especially after its resounding six-day victory against three Arab states in 1967, I found that the situation in the Palestinian villages that it occupied bore only slight resemblance to its carefully designed policies.' (Migdal, 2001:9)

Migdal posed the question to students during his seminars as to whether domination and change were indeed best understood in terms of the outcomes of a purposeful, goal-oriented state with overpowering resources and ideals (such as Israel) as found in prevailing theories of the time. Perhaps, he suggested, one should look at multiple sites to understand

⁶⁷ Huntington was Migdal's Masters dissertation supervisor at Harvard during 1967/68.

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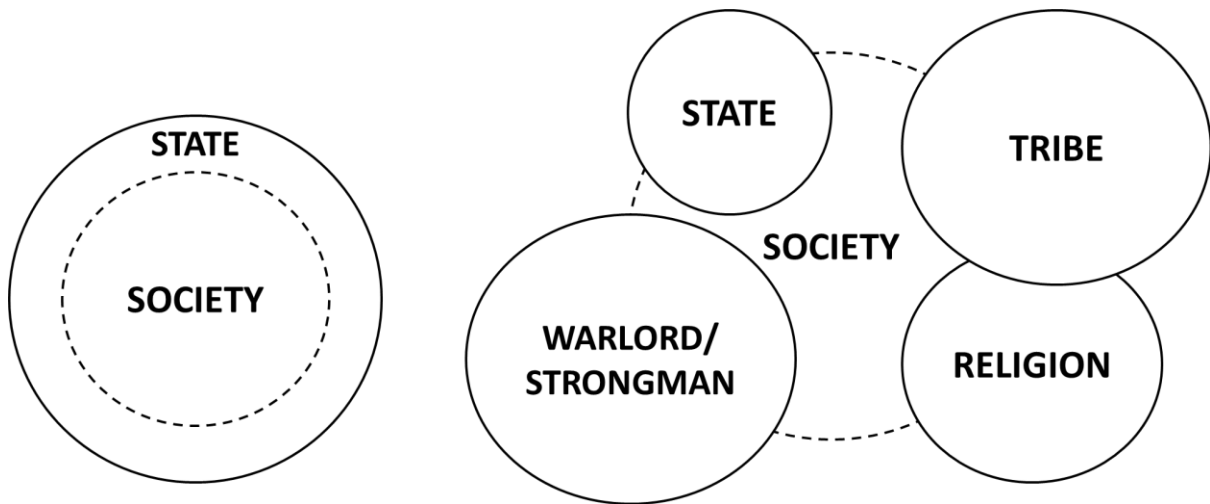
domination and change, as well as the failed outcomes of state action (such as the situation in Palestine and the West Bank, and conflict in Israeli society itself).⁶⁸ His fundamental conclusion was that: 'States (or any other integrated site of resources and ideas) engaged in pitched battles with other powerful figures and groups with entrenched ways of doing things. Sometimes, the power of these other social formations is obvious ... sometimes it is veiled ... In either case, the struggles over revenues, other goodies, and which ideas should prevail are fierce and real' (Migdal, 2001:10).

This notion matured into what became the state-in-society approach discussed previously, which also informs the reconstruction and evaluation of *Strong Societies and Weak States* in the next chapter. Migdal argues that a meaningful evaluation of the limited role states play in certain societies must combine the insights of institutionalism with a culturalist perspective (1997:231). In this regard, he draws upon the work of anthropologist Clifford Geertz (1973:310) who remarked that 'One of the things that everyone knows but no one can quite think how to demonstrate is that a country's politics reflect the design of its culture'.

It is with this sensitivity towards culture that Migdal attempts to combine the oft-separated analytical arenas of state and society. In his conceptualisation of state dysfunction, Migdal therefore evaluates how culture influences institutions, which in turn influence states. Such a nuanced perspective is a valuable asset to a thorough conceptualisation of state dysfunction.

Given this culturalist emphasis, Migdal describes society in the developing world as both highly *complex* and *fragmented*, from which he subsequently establishes two ontological points of departure for his investigation. First, the groups actually exercising social control in a society may be heterogeneous both in their form (for example, a small family or a sprawling tribe) and in the rules they maintain (for example, founded on personal loyalty or economic considerations). Second, the distribution of social control in society may be among *numerous* autonomous groups rather than being concentrated in the state (Migdal, 1988:28). Consider the diagram below, illustrating a traditional Weberian approach to state and society, compared to the state-in-society approach employed by Migdal:

⁶⁸ See *Palestinian Society and Politics* (Migdal, 1980) for his insights in this regard.



Source: Own construct

Figure 11: Societal control assuming state dominance vs. the state-in-society approach

The figure above demonstrates how *assuming* that a state is dominant in society (depicted left) can lead to a misconstrued perception of the relationship between state and society. This will render attempts to investigate state dysfunction fruitless. The reality in a given society (depicted right) is frequently that various social organisations (sometimes with web-like overlapping interests/identities) compete for dominance in society. Amongst these organisations, the state is neither the most dominant nor the most relevant.

Thus, according to Migdal's model, a high level of authority can exist in society but the exercising of that authority may be highly fragmented, with the state being only one such fragment, usually in conflict with others. Migdal notes that many approaches to understanding social and political change in the developing world have either downplayed the aspect of conflict (the modernisation theory approaches) or overlooked specific types of conflicts (as in Marxism, where conflict is usually assumed to be class-based). In some cases these have ignored domestic dynamics altogether (for example, dependency theory and much of international relations theory) (Migdal, 1988:31). Thus, he suggests that focusing on struggles within society, between the state and other societal actors such as clans, tribes and language groups, will provide new insights into the processes of social and political change which influence state abilities. The most significant patterns of socio-political change often emerge as a result of interaction and accommodation between the state and other powerful organisations in society, particularly in the developing world. Migdal (1988:32) subsequently states and demonstrates that the realpolitik of many underdeveloped countries is reflected in the state's inability to achieve predominance as a result of tenacious and resilient organisations present in society. Continuing the line of

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thought positing that state predominance is preceded by social control, Migdal (1988) argues that levels of social control are reflected by three important indicators:

- **Compliance:** The most fundamental requirement for maintaining a strong state is gaining conformance from the population. Compliance can be acquired and perpetuated through the use of force, provided the state maintains its monopoly on the use of force. Migdal notes that in many dysfunctional states, control of the local police force relates directly to compliance. The ability to bribe and manipulate the enforcers of state authority therefore erodes citizens' compliance to the wishes of the state. Furthermore, the ability to control the dispersal of an array of basic services and resources also determines the measure of compliance a state can demand from society.
- **Participation:** As mentioned previously, states consolidate their strength through organising a given population for specialised tasks, according to the requirements dictated by a state's administration.⁶⁹ Citizens must be taxed and armies conscripted to defend borders. Participation, however, extends this idea of state interaction with a given population. In this sense, participation denotes the repeated, voluntary use of state-run or state-authorised institutions. For example, rural communities should visit state clinics rather than traditional healers, and peasant farmers should sell their produce at the state co-operative.
- **Legitimation:** The most potent factor contributing to social control is an acceptance, and even endorsement, of the state's rules of the game. Compliance and participation by citizens should therefore occur not because of the ever-present threat of state force, but rather because from each individual's conviction that it is the right thing to do. Legitimacy therefore indicates a voluntary acceptance of the survival strategies offered by the state; it signals peoples' approval of the state as the dominant, and most desirable, form of social organisation in society⁷⁰ (Migdal, 1988:32-33).

The ability of states to achieve predominance in society (based on the elements of social control described above) has been problematic, and according to Migdal, an important cause of state dysfunction. He contends that the lack of state capacity, especially relating to the ability to implement policy and mobilise the public, can be attributed to the way in which society is structured (Migdal, 1988:33). The preceding discussion, which aimed to summarise Migdal's particular view of the state-society dynamic serves to highlight the necessity of first comprehending a society's broader social structure, of which a state is only

⁶⁹ The Huntingtonian approach similarly emphasises the crucial role of participation and the mobilisation of society, albeit in a slightly different idiom.

⁷⁰ This perspective underscores the cost-efficiency of legitimacy, as opposed to coercion, discussed in the previous chapter.

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one component. The diffuse (yet strong) nature of social control exercised by non-state organisations and affiliations in dysfunctional states contrasts starkly with the hierarchical and centralised structure of control encountered in, say, Western European states (where the state is positioned at the apex of power and more closely resembles the Weberian ideal-type). Migdal (1988:36) illustrates this point by referring to societies in the developing world as 'web-like':

Numerous third world societies have been as resilient as an intricate spider's web; one could snip a corner of the web away and the rest of the web would swing majestically between the branches, just as one could snip centre strands and have the web continue to exist. Although there certainly have been connections between the parts and some parts have obviously been more important than others, often no single part has been totally integral to the existence of the whole.

Web-like societies characteristically host a multitude of autonomous social organisations, making it difficult for state leaders to define the place and role of the state in such societies, in addition to establishing social control and predominance. This difficulty is largely due to the fact that even in places where the state is absent, people are frequently not ungoverned (indeed, the state as we know it is not yet 400 years old, and most of human existence has not occurred under its aegis). Other social organisations are dominant in such places, but the allocation of values is not centralised (as would be the case with a predominant state) and social control is highly fragmented. Migdal argues that scholarly analysis has, for a long time, been unable to realise that the absence of a state does not equate to the absence of governance. Such analyses have focused on politics of the capital city, in an attempt to discover who wields power while ignoring the reality that in strong societies, politics in the capital city bear little relevance in the external reality, and that often no single manager of power exists. In reality, such instances indicate that there has been very limited penetration of society by the 'national' centre.

From the preceding discussion, it becomes clear that Migdal's paradigmatic point of departure emphasises the study of societies as much as of states and, in this regard, he borrows equally from institutionalism and anthropological culturalism. This combination of traditions makes Migdal unique among the authors in his field and provides a differentiated insight into the conceptualisation of state dysfunction. Although subscribing to a Weberian conception of statehood, Migdal thus makes it clear that a state's viability will depend upon a receptive society, in other words, a society where the state can achieve predominance and realise social control. In many instances the nature of fragmented social control in society (i.e. a web-like society) relegates the state to one among many organisations vying for power. Furthermore, a state may also be in conflict with itself, as various agencies pursue

their own agendas rather than labouring for the common good. As the purpose of this section was only to provide a macro overview of Migdal's role and place in this study, these specific perspectives will be fully reconstructed in the next chapter. In the same manner, the following section will contextualise the next theoretical contribution to be employed in this study.

4.6 Huntington's Political Order in Changing Societies

Of the authors incorporated in this study, Huntington could arguably be considered the most influential in the discipline of political science (Putnam, 1986:837). Rising to prominence in the 1960s, Huntington became an influential scholar in the fields of political development and comparative politics, focusing on issues of (amongst others) power, revolution, political stability, political participation and corruption. In doing so, he presented important theoretical linkages and commonalities in these areas between states in Europe, Africa, Asia, Latin- and North America (Groth, 1979:203). The relevance and incisiveness of his work led to him being regarded as one of the foremost political scientists from the 1970s to his death in 2008.⁷¹ Huntington was one of few scholars in the discipline of political science who gained wider appeal beyond the academic fraternity after the publication of *Clash of Civilizations* (1996), a book which captured the public's imagination with a thesis for a new world order following the demise of communism.

Notably, during 1977 and 1978 Huntington worked at the White House as coordinator of security planning for the National Security Council, having conducted extensive research in the areas of civil-military relations, security and strategy. The influence of his exposure to the security establishment surfaces frequently in Huntington's writing, both explicitly⁷² and implicitly as demonstrated by his strong emphasis on political order and his views on praetorianism, discussed later, as well as his political conservatism.⁷³ The primacy of political order in Huntington's (1968: xi) thinking (as opposed to liberalist considerations of democracy or legitimacy) have often been criticised as condoning authoritarianism and the erosion of liberty (Kesselman, 1973; O'Brien, 1972). Nevertheless, his analysis of political decay and its causes are of acute importance to a conceptualisation of state dysfunction, as will become evident in this chapter and the next.

⁷¹ See Roettger (1978:7-12).

⁷² See *The Soldier and the State* (1957) and *The Common Defence* (1961). These works also influenced that of van Creveld (1991).

⁷³ This conservatism is evident from his earliest work in *Conservatism as an Ideology* (1957a) through to *Who Are We? The Challenges to America's National Identity* (2004).

4.6.1 Huntington's view of the state

Huntington does not explicitly define the conception of state to which he adheres however it would appear that implicitly he regards the Weberian conception of statehood as taken for granted by his readers. Huntington is certainly comfortable with the broad Weberian tradition, which he employs in several works spanning his scholarly career (for example, see 1971:292; 1991:47; 1996:47).

Central to the thesis of *Political Order in Changing Societies* is the notion that political violence and instability are in large part the product of rapid social change and the mobilisation of new groups into politics, coupled with the slow development of political institutions (Huntington, 1968:4). It therefore becomes clear in the early stages of his book that a functional state, one that is neither unstable nor plagued by violence, will possess viable political institutions, that is, high levels of *political institutionalisation*. Huntington notes that modernising states (those being states that exhibit symptoms of political instability and dysfunction as a result of change) suffer from 'a shortage of political community and of effective, authoritative, legitimate government ... where the political community is fragmented against itself and where political institutions have little power, less majesty, and no resiliency – where, in many cases, governments simply do not govern' (Huntington, 1968:2).

Several of the terms Huntington employs in the extract above point to his implicit views of the state. Requirements such as effective, legitimate government imply that (in Huntington's view) a good government is one that has capacity and is subsequently capable of achieving its desired outcomes in society, in addition to the requirement of legitimacy. Huntington's ideal-typical state is therefore a place where, more than anything else, there is order. He defines this order as the absence of violence, coups, insurrections and other forms of instability (Huntington, 1968:xix). Just as the Weberian ideal-type represents perfection in terms of states and their functionality, so too 'The "political order" referred to in the title of this book is a goal, not a reality' (Huntington, 1968: xix).

It is therefore reasonable to equate the Weberian functional state (as it is employed as a benchmark in this study) to Huntington's idealised state where order, functionality and effectiveness predominate. Conversely, in a Huntingtonian paradigm, a weak or failing state will be a polity marked by disorder, violence and instability (that is, increasing levels of state dysfunction). His subscription to the notion of a strong state as a functional state (a corollary of the assumption upon which this study is premised) is encapsulated in the very

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first sentence of *Political Order*: 'The most important political distinction among countries is not their form of government but their degree of government' (Huntington, 1968:1).

Huntington therefore emphasises the elements of functionality, institutionalisation, stability and, particularly, order. These are all hallmarks that are commensurate with the Weberian core of the ideal-typical state, as used in this study, supplemented by a strong (often controversial) emphasis on political order.

4.6.2 The primacy of political order

Just as it is possible for economists to analyse and to debate, as economists, the conditions and policies which promote economic development, it should also be possible for political scientists to analyse and to debate in a scholarly fashion the ways and means of promoting political order, whatever their differences concerning the legitimacy and desirability of that goal. (Huntington, 1968: i)

O'Brien (1972:352) explains that after World War II, and especially during the height of behaviourist dominance during the 1960s, political scientists (Huntington being a prominent example) were theorising according to the world that confronted them at that stage. During that period in history, the political agenda was topped first by political instability in postcolonial states, second by the US policy of active counter-revolutionary containment in the developing world, and third by the climate of domestic political instability in the US. The collective remedy for these circumstances was usually an increased emphasis on achieving *stability* and *order* in these politically troubled contexts, and O'Brien (1972:351) notes that '...democracy as a goal for developing polities has been gradually displaced by another ideal, that of institutional order.'

However, Kesselman (1973:142) points out that since (from a Huntingtonian vantage point) order prevails when established authorities exercise control effectively, the concept obscures the relationship between legitimacy and the means governments employ to maintain power. Thus, the danger is ignored of a government being too strong (perhaps repressive), whilst all 'disorder' is seen as deviant, even when that disorder is a reaction against state repression or authoritarian government institutions. In this regard, Kesselman notes: 'The concept political order is not neutral: it places the burden of disorder on subordinates who challenge elites. Decay refers only to disruptions of the status quo by subordinates' (Kesselman, 1973:143).

From this perspective it would appear that Huntington places great emphasis on the role of the state as the cumulative embodiment of institutions that ensure order in society. This

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gravitates towards a distinctly Hobbesian/Machiavellian *realpolitik* conception of society, where might makes right, and unless order is enforced from above (whether legitimate or not) a state of nature will re-emerge and plunge society into chaos. Huntington continually reinforces the primacy of state-imposed order, and it becomes clear that political order is considered *sine qua non* for the realisation of other political goods.⁷⁴ Huntington (1968:7) explains that 'Men may, of course, have order without liberty, but they cannot have liberty without order'.

Just as Hobbes argued for the creation of a viable, centralised government that could maintain order (a Leviathan state), so too in *Political Order in Changing Societies* Huntington propagates a highly institutionalised state capable of maintaining order and promoting political development against the disruptive backdrop of modernisation. Huntington furthermore creates a strong link between authority and order, particularly in dysfunctional states, stating that '...it is authority that is in scarce supply in those modernising countries where government is at the mercy of alienated intellectuals, rambunctious colonels, and rioting students' (Huntington, 1968:8). Subsequently, in reaffirming the primacy of order above other political goods, Huntington opines, regarding communist governments, 'They may not provide liberty, but they do provide authority: they do create governments that can govern' (Huntington, 1968:8).

In contrast to his contemporaries, Huntington (1968:137-138) regarded the organisational model of the Communist Party of the Soviet Union as effective and highly institutionalised and therefore well-suited to tackling the challenges of modernisation.⁷⁵ Whilst Huntington was no socialist, it is evident that he regards a functional and capable state, particularly one that is capable of maintaining order in society, as the basis of a strong state. This outcome corresponds to the Weberian core⁷⁶ (primary attributes) of statehood, which are:

- Maintaining a monopoly on the use of legitimate force.
- A defined territory.
- A compulsory association.
- Claiming binding authority.
- Possessing an organised and interconnected administrative order.

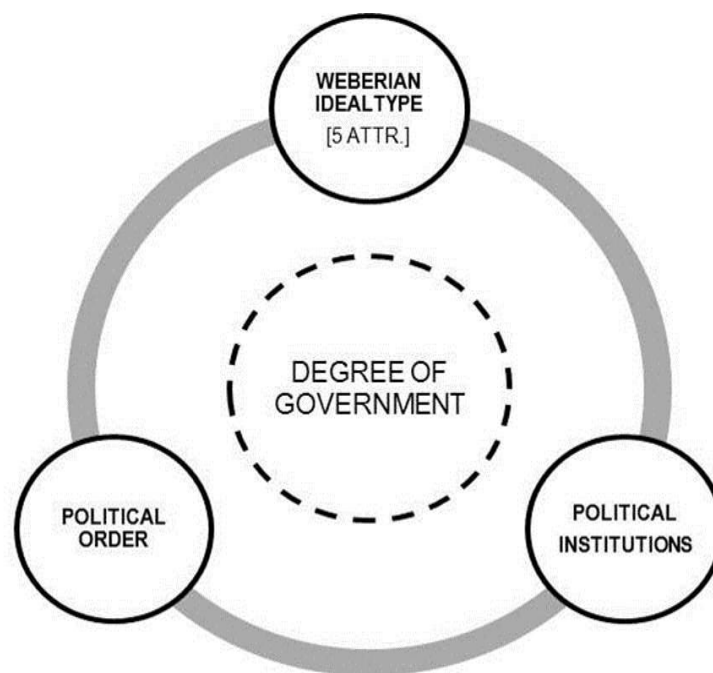
⁷⁴ Insightful in this regard is Huntington's (1968:7) paraphrasing of James Madison, who noted that: 'In framing a government which is to be administered by men over men, you must first enable the government to control the governed; and in the next place oblige it to control itself.' (Madison, 1788:1)

⁷⁵ However, it would appear that the level of political institutionalisation achieved by the Communist Party in the USSR and other Eastern European states has not been replicated by the various avowedly socialist governments and regimes of the developing world.

⁷⁶ See Chapter 2.

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The above-mentioned five attributes all contribute to constitute a state that is capable of realising the Huntingtonian ideal of political order. However, Huntington would most likely differ from this conception of state from the perspective that power alone (and not necessarily the legitimate use of force) can also create order, and that the condition of legitimacy is preferable, but not essential. Therefore, the primary attributes of statehood can guarantee the creation of political order in the short term, whilst the addition of legitimacy can reduce the effort required to maintain it. Huntington's conception of the state may be expressed through means of a triad of its most important elements, namely the Weberian ideal-type, effective political institutions and political order and stability. Together, the presence of these interrelated elements represents a high *degree* of government, and therefore constitutes a viable state, in Huntingtonian terms. Consider the diagram below:



Source: Own construct

Figure 12: Huntington's conception of the functional state

The purpose, however, of this preliminary discussion on Huntington's view of the state is not to elaborate in detail on the content of his conception of strong/weak and functional/dysfunctional states, but merely to demonstrate that his assumptions regarding statehood concur with those employed in this thesis. The substantive nature of Huntington's view of state dysfunction will become clear in the reconstruction, interpretation, and evaluation conducted in the next chapter.

4.6.3 The Huntingtonian paradigm

When *Political Order in Changing Societies* was first published in 1968, it had a momentous impact on the discipline of political science. Huntington's seminal work marked a departure from the dominant paradigm in two important aspects. First, the previously unquestioned political ideal of democracy was replaced with another ideal; that of political order (O'Brien, 1972:351). Second, effective political order was not viewed as the outcome of a consensual process, but rather the application of political power (Kesselman, 1973:141).

Prior to *Political Order*, the prevailing paradigm was that of the liberal-economic modernisation theory (for example Lipset, 1959). This school of thought was developed and refined by American political scientists during the Cold War, and was based largely on the fear that unless economic progress and stability were encouraged by the United States, many parts of the world would turn to communism. This doctrine dictated that foreign aid was essential in providing the developing world with a source of income and relative affluence, which would in turn obviate the necessity of courting the Kremlin.⁷⁷ Indeed, during this period, the notion of political development was understood to mean anti-Communist, pro-American political stability (Packenham, 1966:213). By adhering to the liberal-economic development paradigm, the work of authors such as Lerner (1958), Lipset (1960), Apter (1955), and Almond and Verba (1963) had achieved an untouchable status by the mid-1960s. These authors exhibited a strong consensus that development toward modernity was driven by political participation (democracy) on the one hand, and economic modernisation on the other (Duvnhage, 1993:7-8). It was assumed that in combination these two factors would produce, as an almost inevitable outcome, automatic political development and stability.

As the colonial era drew to a close during the 1960s, disturbing symptoms began to appear in the developing world, suggesting that economic and political development were not the foregone conclusions theorised by many political scientists. In many newly independent states the heady combination of foreign aid, rapid urbanisation and the dramatic expansion of state capabilities in the form of military and bureaucratic establishments all seemed to have the opposite effect to earlier predictions. Riggs (1970:3) sums up the discrepancy between political science and political reality at the time: '...the assumption that countries in the third World, in Asia, Africa and Latin America, were developing was as much a wish as an empirically determined fact.'

⁷⁷ Compare Jackson's analysis of negative sovereignty in the following chapter.

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The problem was promptly diagnosed as a lack of skilled administrative personnel in these troubled parts of the developing world, and the subsequent remedial focus came to constitute the field of development administration (Kesselman, 1973:140). Development administration focussed on how bureaucratic decisions were made, in addition to who made them (Kasfir, 1969:95). Consequently, this new focus largely ignored the fluid and unstable nature of political participation and the instability in the developing world which should have formed the main focus) in favour of a formalistic and administrative approach which, at best, provided one dimensional insight.

Political Order in Changing Societies represented a concern with the *generalised capacity of rulers*, thereby drastically expanding the scope of investigation into political instability in the developing world (Kesselman, 1973:14).⁷⁸ In stark contrast to the formerly held paradigm that political stability and development were outcomes of modernisation, Huntington suggested that first political development is distinct from modernisation, second that political development is not inevitable (as was previously contended), and third that modernisation in fact serves to impede political development in many cases (Fukuyama, 2006; Kesselman, 1973: 141). Huntington argued that: 'A theory of political development needs to be mated with a theory of political decay. Indeed...theories of instability, corruption, authoritarianism, domestic violence, institutional decline, and political disintegration may tell us a lot more about the "developing" areas than their more hopefully defined opposites' (Huntington, 1965:393).

He therefore emphasised that the process of modernisation did not necessarily develop in an automatic fashion towards the normatively 'good' endpoint of modernity, particularly the increased degree of social mobilisation that modernising societies experienced. The accompanying inability of political institutions to accommodate participation led Huntington to the conclusion that the modernisation theory was conveniently ignorant of the real political circumstances in developing states.

Huntington initiated a shift in focus from the developmental administration approach, being less concerned with the ability of authorities to successfully complete projects than with their ability to successfully maintain hegemony and limit political demands by their subordinates and society in general. Whilst his analysis still rested upon institutions in society, Huntington differed from earlier historical institutionalists in contending that historical progression will not

⁷⁸ Another notable work which appeared shortly after *Political Order and Changing Societies* was that of Binder, Colman, LaParombara, Pye, Verba and Weiner entitled *Crises and Sequences in Political Development* (1971), which also prominently contributed to a reconceived analysis of political change in the developing world.

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necessarily conclude with development as its outcome⁷⁹ (for example democracy) but could deviate and conceivably regress from expected outcomes. *Political Order in Changing Societies* could therefore be viewed as a precursor to a new institutionalist tradition⁸⁰ in political science, which is interested less in describing formal structures and constitutions, and more in exploring the deeper structures that dictate the 'rules of the game' which influence political behaviour, whilst still exhibiting a respectful deference to the historical (Lowndes, 1996:182). This notion of unpredictable progress (that is, open to influence) differed markedly from the unilinear approach prevalent at the time, prompting Huntington to substitute the loaded term of 'political development' with a more neutral and open-ended description of 'change', as prominently reflected in the title of his book (Kesselman, 1973:141). Huntington argued that, political *order* (not necessarily legitimately attained through means of consensus) is crucial to achieving positive economic and social development in modernising societies. Societies that lacked sufficient political order would instead suffer from decay, from which a condition of praetorianism would emerge leading to insurgencies, military coups and eventually revolution. Herein lays the acute relevancy of Huntington's contribution to this study. As Fukuyama explains, '*Political Order* was clearly prescient in focusing on political decay as a special object of study. The post-Cold War world has been subject to substantial political decay, from the collapse of the former Soviet Union to a series of weak and failing states such as Haiti, Liberia, Sierra Leone, Somalia, Sudan and Afghanistan' (Fukuyama, 2006:xv).

Thus, Huntington's account of political decay, as contained in *Political Order in Changing Societies*, serves as a synonym for the process of state dysfunction, which is central to the process of conceptualisation conducted in this study.

4.6.4 Political order and decay

Huntington notes that many of the most economically underdeveloped and politically unstable states are to be found in Asia, Latin America and Africa, referring to them as 'modernising countries'. Most of these states were grouped into the three worlds' typology under the 'third world' during the Cold War, after which the term 'developing world' became more acceptable. Some of the circumstances of Huntington's modernising countries have improved markedly since *Political Order in Changing Societies* was published in 1968. States like Thailand, Vietnam, India, South Korea and China have progressed toward

⁷⁹ In this sense, Huntington's treatment of history also differs from the Marxist tradition, which dictates that history develops along a predetermined trajectory driven by dialectical factors in order to reach an inevitable outcome.

⁸⁰ Along with other influential works such as *Social Origins of Dictatorship and Democracy* (Moore, 1967) and later *States and Social Revolutions: A Comparative Analysis of France, Russia and China* (Skocpol, 1979).

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relative political stability in the last forty years, aided in no small measure by extraordinary economic growth between the 1970s and the 1990s (the so-called Asian Miracle). Yet other states typified by Huntington as 'modernising' have arguably remained stranded at the starting gate in the progress toward socio-political modernity. Here one encounters states such as Uganda, the Congo (as it was then known), Burundi, the Sudan, Ruanda, Haiti, in addition to several names that no longer appear on atlases, such as Upper Volta (now known as Burkina Faso) and Dahomey (Benin). Whilst the names of some of these states might have changed, empirically they remain the dysfunctional states Huntington connoted with his concept of political decay.

The years immediately following colonial independence proved to be a tumultuous period for the developing world. Huntington explains that: 'During the 1950s and 1960s the numerical incidence of political violence and disorder increased dramatically in most countries of the world ...in 1965, 42 prolonged insurgencies were underway; ten military revolts occurred; and five conventional conflicts were being fought'. (Huntington, 1968:3-4) Indeed, the issues surrounding decolonisation are highlighted by all five contributions included in this study. These contributions have stressed both the disruption that colonisation and its demise caused on a social level domestically, as well as in the international community of states. Huntington concurs that during the period after decolonisation: 'Throughout Asia, Africa and Latin America there was a decline in political order, an undermining of the authority, effectiveness, and legitimacy of government ... Not political development but political decay dominated the scene' (Huntington, 1968:4).

Assuming a line of argumentation not far removed from that of Migdal, Huntington posits that the violence and instability experienced by the developing world was in large part the product of rapid social change and the rapid mobilisation of new groups into politics coupled with the slow development of political institutions (Huntington, 1968:4). He explains that social and economic change (characterised by urbanisation, expansion of the media, industrialisation, increases in literacy and education) serve to extend political consciousness, multiply political demands and broaden political participation. Such changes undermine existing sources of political authority and traditional political institutions (as accounted for by Migdal). They furthermore complicate the challenge of creating new bases of political association and new political institutions that combine effectiveness and legitimacy. Simply put, the rates of social mobilisation and the expansion of political participation are high, whilst the rates of political organisation and institutionalisation are low. These two ingredients can yield only one result, namely political instability that promotes political decay (Huntington, 1968:5). Huntington regards institutions as the most significant factor in

determining the nature of a changing society's modernising trajectory, leading to either political development or political decay and state dysfunction. Whereas this contribution of Huntington will be thoroughly reconstructed in the chapter that follows, the next section contextualises the third theoretical influence in this study's conceptualisation of the dysfunctional state.

4.7 Jackson's Quasi-states

Whereas Migdal and Huntington analyse the colonial and postcolonial features of the developing world at societal and institutional levels, respectively, Robert Jackson sets his sights on the arena of international relations in assessing state dysfunction. Therefore, with his contribution the conceptualisation of state dysfunction shifts from the domestic sphere to the international community of states. In *Quasi-states: Sovereignty, International Relations and the Third World* (1993) Jackson essentially provides an account of the emergence of dysfunctional states in the international community following World War II and decolonisation. His work is of particular relevance since, amidst the theoretical perspectives on state dysfunction 'Nowhere ... is much attention given to international legitimacy and law.' (Jackson, 1993:2).

As a result, Jackson develops a typology for assessing the phenomenon of state dysfunction in the context of international law, with a particular focus on its most sacrosanct institution – sovereign independence. His typology consists of two types of sovereignty, namely negative and positive. Corresponding to each type is a set of rules, according to which sovereignty 'games' are conducted in the international sphere. Historically, the positive sovereignty game was dominant in shaping states and their capabilities. However, in the last fifty years the rules of negative sovereignty have come to characterise international relations in a postcolonial world.⁸¹ These rules of negative sovereignty, so Jackson argues, are instrumental in sustaining the existence of contemporary dysfunctional states. Jackson coined the term 'quasi-states' in referring to those entities characterised by negative sovereignty.

Jackson's book essentially redefined the notion of sovereignty in the discipline of political science and is noted as a landmark of literature on the developing world (Harshe, 1995:85). At the time of its publication, certain commentators described the work as pessimistic (Pierre, 1991:182) and reactionary (Nardin, 1991:887). The central thesis in *Quasi-states*

⁸¹ A complete account of negative and positive sovereignty is provided in the next chapter.

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has, however, since been vindicated by continued postcolonial state dysfunction and remains a much-cited theoretical source in assessing the nature of state sovereignty in the developing world.⁸² The durability and versatility of his insights regarding statehood in the developing world are perhaps best demonstrated by the fact that his views have permeated other academic disciplines, notably law (for example, Kreijen, 2004). Currently, Robert Jackson is a professor of International Relations at Boston University, and was previously attached to the University of British Columbia in the same capacity.⁸³

4.7.1 Jackson's view of the state

Jackson explains that the primary notion which underlies *Quasi-states* is the realisation that postcolonial states of the developing world are creatures of a particular time in history, characterised by a particular international morality (Jackson, 1993: ix). Thus, states in the developing world were created through a revolutionary process, as opposed to emerging and consolidating through political evolution, as was predominantly the case in Europe (it is worth noting that political institutionalisation is generally also an evolutionary process). This notion was first theoretically charted in 1982 by Jackson and Rosberg in an article entitled *Why Africa's Weak States Persist: The Empirical and the Juridical in Statehood*,⁸⁴ which culminated in the eventual publication of *Quasi-states* in 1993.

Analysing Jackson's view of the state is essential to understanding his interpretation of state dysfunction, since the variable nature of modern statehood stands centrally in the distinction between states and quasi-states. Jackson's conceptualisation of statehood resides in two different but complementary spheres. The first sphere concerns the sociological conception of the state. This conception rests upon the definition of state posited by Weber (Kreijen, 2004:44), and is essentially the same conception of statehood developed in chapter 3 of this study. Jackson reaffirms that Weber's definition is one of *means* and not *ends*, and that the particular means of a state resides in its monopoly of force in a given society (Jackson & Rosberg, 1982:2). Consequently, because this monopoly of force represents the defining hallmark of a functional state, the Weberian conceptualisation is firmly grounded in the empirical realm (that is, the realm of means). According to Jackson, it is this empirical anchor that has made Weber so popular with political scientists in particular, since his

⁸² Jackson's concept of 'quasi-states' is employed in many introductory and advanced books in the field of International Relations. Recent examples include Chandler (2010:47), Lake (2009:39), Nexon (2009:58) and Thomson (2010:177).

⁸³ During 1968-1970, Jackson was a Junior Research Fellow at the Institute for Development Studies in Nairobi, Kenya.

⁸⁴ The two authors later again collaborated on *Sovereignty and Underdevelopment: Juridical Statehood in the African Crisis* (Jackson & Rosberg, 1986).

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definition focuses on the 'furniture and equipment of statehood', for example, institutions which lend themselves to empirical analysis (Kreijen, 2004:46; Jackson and Rosberg, 1982:2). Migdal and Huntington's analysis of state dysfunction is also predominantly situated within this tradition.

The second sphere concerns a conceptualisation of state that gives priority to juridical rather than empirical attributes of statehood, that is, a normative conception of the state. Normative scholars such as Kelsen (1945:181) argue that the state is the personification of the national and therefore a purely legal phenomenon, not an empirical manifestation. He argues that, because Weber's sociological concept of state is predicated upon the oriented actions of individuals,⁸⁵ the true nature of the state lies not in the action itself, but rather the normative framework that guides that action. According to Kelsen, this guiding normative framework is a juristic legal order: 'The state is that order of human behaviour that we call the legal order, the order to which certain human actions are oriented, the idea to which individuals adapt their behaviour. If human behaviour oriented to this order forms the object of sociology, then its object is not the state. There is no sociological concept of the state besides the juristic concept' (Kelsen, 1945:188).

Therefore, at one extreme of the normative tradition the idea of an empirical state in the sociological sense is wholly rejected. Scholars in the Weberian tradition challenge this position on the grounds that any set of rules, or legal order, must emanate from a given human context and are therefore essentially sociological.⁸⁶ However, most adherents of the normative tradition concede that a conception of state must account for empirical attributes and therefore adopt a more moderate normative view of state. For example, noted legal scholar Ian Brownlie (1979:73-76) describes the state as a legal person, recognised by international law, with the following attributes: (a) a defined territory, (b) a permanent population, (c) an effective government, and (d) independence, or the right to enter into relations with other states. Although this definition is largely legal-formalistic, it makes reference to the requirement of effective government, which is not a legal fact but rather an empirical variable.⁸⁷ This reinforces an assumption central to this study, namely that statehood in the developing world cannot be taken for granted. It would also, once again, underscore the durability of Weber's concept of statehood.

⁸⁵ It is also this notion of *action* which underscores state *function*, and accordingly the wrong type of action or no action whatsoever underlies state *dysfunction* – at least in the Weberian concept of state.

⁸⁶ Similarly, Migdal would argue that a dysfunctional state (as a legal order) emanates from a dysfunctional society (web-like/fragmented), underscoring a sociological conception of state.

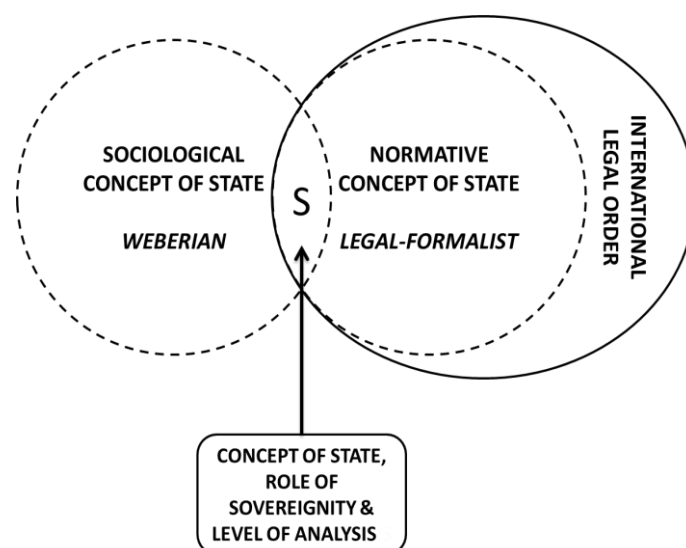
⁸⁷ In the vocabulary of this study, the requirement of *effective government* may be interpreted as a compulsory association with binding authority achieved through means of a coordinated administration.

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In his analysis of state dysfunction, Jackson positions his conception of state in the overlapping area of the above-mentioned sociological and normative spheres. He explains that the Weberian sociological concept of state that emphasises empirical attributes is informed exclusively by European history and experience: 'The modern states of Europe, and their successors elsewhere, were built with the use of force under strong pressure for disintegration – both domestic and international. Even after internal consolidation and the subordination of regions to the centre, external pressures from other states remain' (Jackson & Rosberg, 1986:4).

Subsequently, from these empirically viable and powerful states, there emerged a formal-legal system to regulate and govern interaction between them. Rules, practices and conventions were created and observed by political leaders as long as it was to their states' mutual advantage. Thus, according to Jackson's view of the state, 'The law of nations complemented the balance of power [between states], but was never a substitute for it' (Jackson & Rosberg, 1986:4).

Jackson's particular view of state therefore incorporates both the sociological (Weberian) and normative (legal-formalistic) conceptions of statehood, and accordingly emphasises the importance of sovereignty as the focus of investigation. As with Migdal, Jackson's concept of state is well suited to the level of analysis at which he investigates the perpetuation of state dysfunction. Where Migdal's societal focus was well-served by his state-in-society approach, so too Jackson applies his particular conception of state to the international-legal realm. This conceptual relationship is depicted in the diagram below:



Source: Own construct

Figure 13: Jackson's concept of state and sovereignty

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In the illustration above, the sociological and normative conceptions of state are represented, in addition to the ambit of the international legal order. Jackson's conception of state, as well as his theoretical level of analysis, is located in the area of overlap between these spheres, which constitutes the aspect of sovereignty – represented diagrammatically by the *S* symbol. Sovereignty becomes a significant intersection in the quantitative and qualitative study of statehood, since it is the fundamental building block of the international politico-legal order, a manifestation of constitutionally independent⁸⁸ normative statehood and an empirical attribute achieved through state capacity. The aspect of sovereignty is therefore a keystone in Jackson's view of the state and the typology he employs in analysing state dysfunction. According to Jackson (1993:1), 'I am concerned not with all aspects of Third World states or even most aspects but only with one: their sovereign aspect'.

Consequently, a discussion and analysis of sovereignty is conducted later in the chapter that follows. Having identified Jackson's conception of state as taking account of sociological and normative approaches to the state, with particular reference to sovereignty and the international legal order, the next section will account for his paradigmatic points of departure.

4.7.2 Jackson's paradigm

It is evident that Jackson adheres to a broadly orthodox paradigm characterised by Weberian, liberal and constitutional elements prevalent in the history of Western political scholarship. However, despite the overarching orthodoxy of Jackson's scholarly foundations, his paradigm is nuanced to differentiate itself from being a stereotypical frame of reference. In this regard, Harshe (1995:77) notes that Jackson's paradigm, evident in *Quasi-states*, signifies a trend away from the two dominant paradigms of enquiry that characterised political science at the time, namely behaviourism and radicalism (the latter mainly influenced by neo-Marxism). Towards the end of the twentieth century, behaviourism (and eventually post-behaviourism in the tradition of Huntington and, to a certain extent, Migdal) and neo-Marxism (particularly in the form of dependency theory) had dominated the academic discourse centred around postcolonial states and societies.

The behaviourist paradigm (mentioned previously) was promoted by modernisation theorists, who endeavoured to analyse and interpret the progress of traditional societies (the developing world) towards modernity. Modernisation theory borrowed several important

⁸⁸ Constitutionally independent in the legal sense that a state's constitution does not form part of, nor is it subservient to, that of another sovereign state (i.e. sovereign independence).

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theoretical perspectives from sociology, which it applied to the political study of state and society (Bealey, 1999:215), and it is likely that the Weberian ideal-type (being originally a sociological construct) owes its prominence at least in part to the period of behaviourist hegemony. Later, the inadequacies of behaviourism were identified and analysed by the likes of Huntington (1968) and Easton (1971), prompting the emergence of post-behaviourism. Post-behaviourism claimed, amongst other things, that behaviourism's bias towards measurable phenomena meant that too much emphasis was being placed on easily studied trivial issues, at the expense of more important topics that may be of real value to society (Shafritz, 2004:20).

In the quest towards understanding underdevelopment in the developing world, neo-Marxism represented a contending paradigm of academic thought. Dependency theorists diagnose underdevelopment (and concomitant dysfunction) as the result of an economic imbalance between wealthy industrialised states and the developing world, whereby wealthy states are dominant and often exploitative in the course of North-South state relations (Bealey, 1999:101). As a result, the underdevelopment of states in the developing world can be attributed to the historically dominant states of the developed world.

Neither the behaviourist/post-behaviourist nor neo-Marxist paradigms are definitive of Jackson's analysis of state dysfunction contained in *Quasi-states*. However, this is not to say that the issues central to these paradigms are not relevant to his analysis, but rather that his particular conceptualisation of state dysfunction emphasises other factors. Having established, in the preceding section, that the aspect of sovereignty is central to his view of the state, Jackson explains that (in reference to the dominant paradigms): 'Nowhere in these schemes is much attention given to international legitimacy and law, however. For Marxists this is a second order phenomenon denoted by the term "superstructure" while for behaviourists it is merely "formal legality"... Neither can say whether or not sovereignty is important because it is insignificant by definition and excluded from analysis by and large' (Jackson, 1993:2).

Instead, Jackson propagates a paradigmatic mode of analysis that calls attention to the international normative and legal order that sustains contemporary state dysfunction (Jackson, 1993:2). It is this paradigm which Jackson employs in *Quasi-states*, and which he delineates according to three main tenets.

First, continued from the preceding section, the aspect of sovereignty is central to Jackson's mode of analysis, and is viewed in dual terms, namely sociologically (empirically) and normatively (legally). The inclusion of a normative conceptualisation of statehood, and

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sovereignty in particular, is justified on the grounds that the international realm of states is, to a significant degree, governed by rules. These rules include formal law, but also principles, standards, conventions, practices and customs that constitute and perpetuate international 'community' or 'society'⁸⁹ as an institution (i.e. *ius cogens*). Yet, Jackson notes, 'Institutions and the rules and offices of which they consist do not have the ontological status of natural facts: they are made and manipulated by men. Convention and nature are different categories' (Jackson, 1993:3).

This perspective forms the lynchpin of Jackson's arguments in *Quasi-states*, namely that the state and the expression of statehood, in addition to interaction between states in the international realm, are all activities guided by human conception and human action. In contrast to the neo-Marxist tradition, Jackson explains: 'My approach...is accordingly based in human will and not structural-functional analysis, class analysis or any other methodology which discounts choices and their consequences or suggests that international relations somehow operate over the heads of statesmen' (Jackson, 1993:4).

Jackson therefore views politics as an activity conducted through human volition and not a process resigned to the dictates of deterministic dialectical change. This perspective represents the common denominator in the perspectives of all five of the contributions introduced in this chapter, and is therefore a fundamental component of this study's conceptualisation of state dysfunction. Thus, rules are created, maintained and broken by man. One either chooses to abide by a community's normative framework or one chooses to ignore it, whether the context be domestic or global. Such a paradigmatic orientation holds political decision makers accountable for their actions and would suggest that state dysfunction is, at least partially, the result of specific actions and omissions by state leaders, and therefore not the result of unfortunate happenstance.⁹⁰

Closely related to the perspective described above (that normative factors such as rules guide political action, and that such action is the product of human will) is a second tenet of Jackson's paradigmatic frame of reference, namely idealism. Jackson describes this notion of idealism, not as being the opposite of rationalism (a conventional interpretation), but rather that ideas and realities are not separate categories, but form a single indivisible whole

⁸⁹ Both the concepts of community and society are underscored by common *customs* and *rules* which ensure their existence hence the application of these concepts to the international arena, where rules and customs ensure the stability and continuing of an international system of states.

⁹⁰ Compare this perspective with the background and orientation (chapter 1) of this study.

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(Jackson, 1993:6).⁹¹ According to this approach, reality is shaped by ideas, since empirical reality is the result of human action (which is by their nature idea-driven). Thus, Jackson would argue, in order to understand aspects of reality, one must comprehend the ideas that underlie them. Similarly, if one wishes to understand the phenomenon of state dysfunction and its perpetuation in the developing world, one must understand the ideas that sustain the international status quo. According to Jackson (1993:8), 'The human world is composed significantly of ideas and the world of state is no exception. We cannot meaningfully study international relations without investigating the operative ideals which gave shape to them whether intentionally or inadvertently' Jackson (1993:8). Hence the importance Jackson accords to sovereignty (and his subsequent analysis of the concept) as an idea of both state and the international system since it is a concept of fundamental importance to understanding both spheres.

Third, Jackson explains that, concerning the international community of states, his analytical frame of reference is essentially that of liberalism (Jackson, 1993:10). However, this orientation is not motivated by subjective value judgements on the part of the author, but rather the inherent architecture and evolution of the international system. The cardinal value of this system is sovereign independence which forms the foundation upon which the entire scheme rests, and virtually all practices and principles (including the rules discussed earlier) derive either directly or indirectly from this fact. According to Jackson (1993:10), 'The logic of such a system is the international expression of liberalism: sovereign states are the equivalent of free individuals.'

Thus, the author argues, an analysis of liberalism is implicitly present in any analysis of the international system of statehood, and does not constitute an explicit paradigmatic or ideological outcome. Jackson's (often critical) appraisal of the liberal virtues that uphold the order of international statehood (his critiques are discussed extensively in the next chapter) may thus appear to be anti-liberal, or paternalistic. He disclaims any such motivations and argues for strict value neutrality which, according to him, has been conspicuously absent in evaluations of postcolonial states in the developing world.⁹² It is from this position of objective value neutrality that Jackson asks the most incisive questions which contribute toward this conceptualisation of state dysfunction. Nevertheless, the forthrightness with

⁹¹ This concurs with the meta-theoretical exposition conducted in chapter 2 of this study, and serves as a guiding principle in this conceptualisation.

⁹² In fact, Jackson argues that rigorous analysis of the failure of states in the developing world has been obstructed by doctrines such as cultural relativism, socioeconomic determinism and antiracism, indicative of the neo-Marxist paradigm (Jackson, 1993:11).

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which he approaches the issue of accountability of dysfunctional states has led some to lament his 'ironic' and at times 'disparaging' tone (Thornberry, 1992:730).

Therefore, in conclusion, Jackson's paradigmatic point of departure emphasises the confluence of human ideas and human conduct, as they pertain to politics. Neither of these two aspects occurs spontaneously, as they are subject to human conception and interpretation. Noting the prominence of colonialism and subsequent liberation in the works of the three authors discussed thus far, it is fitting to introduce and contextualise Jackson's theoretical approach to state dysfunction by discussing the period of international change during which most of the world's currently dysfunctional states achieved self-determination and independence.

4.7.3 International change during the 20th century

Certainly, it would have been almost inconceivable prior to World War II that the colonial empires of the Western imperial powers would be completely dismantled before the end of the twentieth century. Several reasons may be put forward for the rapid demise of colonialism. It could be argued that the war severely weakened the military capabilities of both France and Britain, which were the two major colonial powers at the time. Additionally, the post-war rivalry between the USA and the USSR significantly hampered the ability of the colonial powers to maintain their empires amidst a 'cold war' (Hobden, 2005:45). During that period in history, the international environment became receptive to the ideas of anti-colonial ideologies (spurred on by the success of the Civil Rights Movement in the United States) amongst which the notion of self-determination featured prominently (Jackson, 1993:16). The United Nations, in particular, played a pivotal role in discrediting the premise of colonialism through the promulgation of its Charter (1945), and documents such as the Universal Declaration of Human Rights (1948), which acquired significant moral and legal momentum. As a result, European colonial powers were unable to sustain widespread belief in the legitimacy of colonialism. The growing tide of international criticism and resentment forced these powers to begin a process of decolonisation that, once initiated, snowballed as dozens of colonies clamoured for immediate independence, citing the newfound international morality.

The pre-war framework of international law and legitimacy drew a sharp distinction between Europeans (or people of European descent) and non-Europeans. It was taken for granted that only Europeans were entitled to rule themselves via sovereign statehood. Non-Europeans and colonial subjects were assumed not able to govern themselves effectively,

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and the burden rested on them to prove otherwise, in terms of the standards upheld by Western civilisation (Jackson, 1993:16). Therefore, sovereign (Western) states shared equal relations with other sovereign states, whilst manifestly unequal relations were the norm between the metropolitan powers and their colonial possessions. The post-war normative framework radically changed this arrangement and assumed the exact opposite of its pre-war configuration, namely that all colonial peoples are entitled to be independent regardless of their culture, race, wealth, geography or any such criterion (Jackson, 1993:16). Put differently, no prerequisite of *political viability* prevented colonies from attaining independence, since self-determination became a fundamental norm, that is, a right. Where there previously existed a clear distinction between sovereign states and dependencies, the current world order is levelled into only one constitutional category, that of sovereign states, inspired by the doctrine of equal rights and equal dignity of all humans. Jackson summarises this shift in the international order by adding that 'The crucial principle of the contemporary international constitution as it applies to formerly dependent areas of the world is universal and categorical self-determination of the indigenous people' (Jackson, 1993:17). States who refused to accede to these new values faced ostracism and sanction, as evidenced by the cases of Israel (Zionism) and South Africa during apartheid.

However, the abolition of the international hierarchy of states and its subsequent replacement with egalitarianism has failed to bring an end to differentiation between states. The persistent stratification of states, decades after colonialism, is most acutely emphasised by the different adjectives that have emerged to describe various tiers of state *capacity*. Formerly, the world was divided into metropolitan powers and colonies or dependencies. These two categories have largely continued to exist (albeit clad in the vocabulary of political correctness) as developed, developing and less-developed states. The sphere of less-developed states also harbours a significant number of weak- and failed states. Jackson explains, 'Today in addition however there is a North-South gap between states disclosed by profoundly unequal standards of living which cannot be altered fundamentally by international agreements and diplomacy. The division is likely to persist indefinitely regardless of international decisions to the contrary because it is rooted in deep-seated cultural, material, and even psychological conditions of sovereign states' (Jackson, 1993:18). Jackson's opinion is corroborated by Migdal's analysis of social fragmentation and control in dysfunctional states, discussed in a previous section. One need only conduct a cursory comparison of developed and developing states, using statistical data supplied by institutions such as the World Bank or the United Nations, to realise the vast size of this North-South divide. At the 'good' end of this spectrum the modern, developed and industrialised states of the West predominate. Their position is juxtaposed by the poor

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performance of former colonies, many of which were decimated in the process of modernisation and subsequently exhibit signs of severe dysfunction. As a result, even though the formal hierarchy between states has been abolished (in principle), an informal ranking of a very significant kind (in practice) has been established:

In one respect everything has changed: there are no longer any significant dependencies in the world but only equal sovereign states. In another respect, however, there has been far less change: the world's population remains divided along more or less the same North-South lines as previously. What has basically changed therefore are the international rules of the game concerning the obligation to be a colony and the right to be a sovereign state. (Jackson, 1993:21)

This, then, is the central premise of Jackson's viewpoint: the notion that an international order of strong and weak states is being perpetuated, with little *substantive* change in state capabilities and government, merely repackaged in an egalitarian manner.

The notion of a postcolonial international order contributing to the alleviation and eradication of state dysfunction in the developing world must therefore be fundamentally reconsidered. This forms the focus of the reconstruction, interpretation, and evaluation conducted in the next chapter. However, this chapter now moves on to the introduction and contextualisation of a fourth theoretical contribution, that of Martin van Creveld.

4.8 Van Creveld's The Rise and Decline of the State

The three authors that have been introduced thus far exhibit three differentiated foci in the nature of their contributions. Migdal's evaluation focuses on the nature of *society* in dysfunctional states, and Huntington on the *institutions* in such states. Jackson, on the other hand, approaches the phenomenon of state dysfunction on an *international* level. Martin van Creveld's insights pertain to the *military-strategic* dimension of state, and particularly its place and role in the context of an international order where conventional statehood appears to be on the retreat: 'The state, which since the middle of the seventeenth century has been the most important and most characteristic of all modern institutions, is in decline. From Europe to Africa, either voluntarily or involuntarily, many existing states are either combining into larger communities or falling apart'(van Creveld, 1999:vii). Indeed, the previously noted distinction between developed and developing states is fitting, since regional phenomena such as the creation and integration of the European Union are voluntarily and purposefully pursuing goals based on a notion of common good. This is in sharp contrast to the 'decline of the state' in the developing world, particularly Africa, where it is characterised by varying degrees of dysfunction – a phenomenon that resides at the core of this study.

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States that are commonly described in the media and popular discourse as weak, failed, or collapsed usually share a common feature in the form of civil strife (Iqbal & Starr, 2009:36). However, the term 'civil strife' may be a loaded phrase, designating violent conflict within a state's borders that does not necessarily involve the actions of another sovereign state. Such domestic conflict may range from civil disobedience, such as sit-ins and strikes, to civil war and even genocide. Accordingly, an analysis of the role of armed conflict in dysfunctional states is a necessary component to this study, which will be achieved through a reconstruction, interpretation and evaluation of Martin van Creveld's contribution.

4.8.1 Van Creveld's paradigm

Van Creveld is a scholar in the fields of military history and strategy, and has authored extensively on the history of armed conflict and its future (e.g. *The Changing Face of War*, 2007). In 1991, he produced *The Transformation of War* in which the future of conflict was evaluated against the context of a post-WWII nuclear age, where conventional conflict was predicted to decline as time progressed. Van Creveld has taught at the Hebrew University of Jerusalem since 1971, and, as such, has gained extensive insights in the sphere of modern defence from the Israeli context (essentially a state that has been at war for more than six decades). The reconstruction of van Creveld's paradigmatic orientation, particularly for the purposes of his contribution to this study's conceptualisation of the dysfunctional state, requires an evaluation of his views on contemporary war. For a century and a half, military theory has been dominated by the perspectives of Carl von Clausewitz, as articulated in his singular and seminal contribution *On War* (1832: 1976). Indeed, it is a 'huge and most impressive work, whose theoretical sophistication seemed indisputable' (Gat, 2001:126) and which has proved to be enduring.⁹³ It is perhaps best illustrated through its most frequently quoted passage, namely that 'war is nothing but the continuation of policy with other means' (von Clausewitz, 1976:87). At the core of the Clausewitzian doctrine lays the *Wunderliche Dreifaltigkeit* of war, which denotes war as:

... a wonderful trinity, composed of the original violence of its elements, hatred and animosity, which may be looked upon as blind instinct; of the play of probabilities and chance, which make it a free activity of the soul; and of the subordinate nature of a political instrument, by which it belongs purely to the reason. The first of these three phases concerns more the people, the second, more the General and his Army, the third, more the Government. (von Clausewitz, 1976:89)

⁹³ *On War* is, more than 150 years after its publication, still required curricular reading at establishments such as the United States Military Academy at West Point.

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Thus, von Clausewitz defines the constituent elements of war as three actors that share a dynamic interrelationship, namely the people, the army, and the government – all of which are contained within, and represented by, the state. Van Creveld identifies this doctrine as the foundation of *trinitarian war*. He notes that since the inception of formalised statehood, it was not people who made war, or armies on their own, but rather governments (van Creveld, 1991:36). War in the Clausewitzian paradigm is therefore an act of organised violence conducted by the state, in the interest of the state, and against another state. It is against this background of a juridical-theoretical outlook that conflicts, in which both parties are not states, are still often referred to (with implicit condemnation) as rebellions, uprisings, or insurgencies, rather than war. War (as legitimate, organised violence) is therefore the preserve of states, steered by governments pursuing the national interest. The second component of Clausewitzian trinitarian war is the armed forces, which are tasked by government to fight on behalf of the state. Armies are considered the instruments of war, and are by definition organisations that serve government (i.e. its coercive apparatus, in Weberian terms) whether monarchical, republican, or imperial (van Creveld, 1991:38). It is noted that armies were:

... made up of soldiers; that is, personnel who were drafted into the organisation at the beginning of their career and formally discharged when it ended. Contacts between soldiers were generally discouraged ... The military had their own separate customs, such as drill, the salute, and – for officers – honour and the duel. They swore to obey their own separate laws and dressed in their own separate costumes. (van Creveld, 1991:38)

It is therefore clear that the armed forces are an explicitly designated and defined institution in their own right (and usually the most powerful coercive institution of state). The third element of war as postulated by Clausewitz consists of the people, who are to be excluded from conflict as far as possible (van Creveld, 1991:39). Civilian populations are accorded protection as long as they refrain from combat, and, should they choose to engage soldiers, they can expect reprisals when captured (often brutal, as in the case of captured members of the French Resistance during WWII).

Van Creveld (1991:40-41) explains that a long series of international agreements (which started with the founding of the Red Cross after the Battle of Solferino in 1859) has codified the distinction between governments, soldiers, and the population, with the result that trinitarian war has been converted into a phenomenon circumscribed in law, and subsequently attributed with legality – he posits:

To distinguish war from mere crime it was defined as something waged by sovereign states and by them alone. Soldiers were defined as personnel licensed to engage in armed violence

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on behalf of the state ... They were supposed to fight only while in uniform, carrying their arms 'openly', and obeying a commander who could be held responsible for their actions ... The civilian population was supposed to be left alone, 'military necessity' permitting. In return, they were supposed to let the soldiers fight it out among themselves.

The passage quoted above also encapsulates the essence of trinitarian war, the parameters of which have served inter-state conflict since the seventeenth century. However, the successful continued application and validity of this paradigm is dependent upon the waging of war between sovereign states, their governments, and armies. Historically, this produced the consequence that non-European populations (or peoples unfamiliar with the state as political configuration) were *ex facie* considered bandits or brigands. In modern times, the doctrinal adherence to trinitarian war has resulted in, at best, poor assessment and strategy, but has often lead to costly and prolonged military defeat – experienced by the Soviet Union in Afghanistan (1979-1989), and the United States in Vietnam (1955-1975). So-called 'peoples' wars' waged through unconventional and guerrilla warfare succeeded in wearing down even the most advanced conventional armed forces. Thus, according to van Creveld (1991:52) 'to speak of war in modern Clausewitzian terms as something made by the state for political ends is to misrepresent reality'. This statement is certainly validated by the numerous past and present conflicts in dysfunctional states, particularly in Africa where unconventional revolutionary warfare is far more prevalent than its conventional counterpart. Van Creveld suggests a more general approach to analysing the nature of warfare, which centres on five key issues that describe the critical factors present in war. Accordingly, in analysing contemporary warfare, the following questions should be considered (van Creveld, 1991: ix):

- By whom is war fought? Examines the relationship between participants such as states and armies, as well as organisations that are neither of the former, such as armed non-state actors.
- What is war about? Examines the contingencies of war, such as the place of civilians, surrender, prisoners, war crimes, and the weapons that are used.
- How is war fought? Examines the role of strategy in the conduct of war.
- What is war fought for? Examines the many ends for which collective force is used.
- Why is war fought? Examines the individual, often irrational, motivations behind fighting.

A discussion of the first issue, the participants of contemporary war, will be conducted in the next chapter, as an aspect with acute relevance in the context of dysfunctional states. For the purpose of orienting the reader with regards to van Creveld's paradigmatic assumptions, the key insight is that contemporary warfare bears witness to the fact that the orthodoxy

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regarding states (exclusively) engaging in combat is now out-dated. In turn, this raises fundamental questions regarding the state, since its original function was as an organisation tasked with *collective protection* (as argued in the preceding chapter).

4.8.2 Van Creveld's view of the state

From the discussion of van Creveld's perspective on warfare, it is evident that the state, as a concept, figures prominently in his paradigmatic makeup. According to his evaluation of trinitarian warfare, the state was the dominant agent of international change, which was brought about through armed conflict between states, up to the post-WWII period. In conventional war the state, as an overarching identity, was constituted by government, the armed forces, and the people. After the Total War of 1939-1945 was concluded, instances of low-intensity conflict proliferated globally, and in the developing world in particular, following distinctly *non-trinitarian* patterns. As van Creveld rightly points out:

The news that present day armed violence does not distinguish between governments, armies, and peoples will scarcely surprise the inhabitants of Ethiopia ... Nor will it astonish the inhabitants of, say, Peru, El Salvador, and other Latin American countries who over the last few years have fought civil wars costing perhaps 70,000 dead alone. (van Creveld, 1991:58)

Thus, it is clear that van Creveld closely identifies the concept of state with warfare and armed conflict. Indeed, as established previously, the state was the sole entity granted the privilege of conducting legitimate acts of violence – a position that is still largely maintained by international law. This relationship between state and violence is, of course, the most prominent feature of the Weberian concept of state, as discussed in the previous chapter where it was noted that: 'the relation between the state and violence is an especially intimate one ... a state is a human community that (successfully) claims the monopoly of the legitimate use of physical force' (Weber, 1947:78). Accordingly, van Creveld's concept of state is closely aligned with that of Weber (as it is employed in this study), even though the former voices concern over the ability of states to maintain a monopoly of violence, since war making is no longer the exclusive preserve of states. This perspective is also supported by the empirical history of state formation in Europe, where state institutions first emerged as a means to collect tax in order to raise armies (see Tilly, 1992).

Grounded in van Creveld's military-strategic paradigm, and subsequently accentuated by the Weberian tradition, a Hobbesian view of reality and conflict figures prominently. In referring to the true nature of non-trinitarian, low-intensity conflict, van Creveld notes that: '... what we are dealing with here is neither low-intensity nor some bastard offspring of war. Rather, it is

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warre in the elemental, Hobbesian sense of the word, by far the most important form of armed conflict in our time' (van Creveld, 1991:22). The twofold importance of this perspective is firstly underscored by the earlier discussion surrounding the original purpose of the state, namely the universal drive for protection (see section 3.2). It was noted that in the absence of the state, 'The condition of Man ... is a condition of warre of every one against every one' (Hobbes, 1851:598), and it is precisely this 'condition of warre' which manifests in instances of sustained non-trinitarian warfare (i.e. where war is not waged between states via governments and professional armies, as an extension of policy). This would confirm the assumption that states are, in fact, bulwarks against disorder (although it would be ambitious to posit that they are guarantors of order) through the maintenance of the monopoly of violence. Indeed, the central thesis behind van Creveld's *The Transformation of War* (1991), is that states are ill-equipped to deal with the challenges arising from non-trinitarian war, and that their very existence is threatened as a result:

Unless the societies in question are willing to adjust both thought and action to the rapidly changing new realities, they are likely to reach a point where they will no longer be capable of employing organised violence at all. Once this situation comes about, their continued survival as cohesive political entities will also be put in doubt. (van Creveld, 1991: ix)

Surely, a more accurate summation of state dysfunction as a result of the deficiency of the core attribute of statehood cannot be stated, particularly since it applies to the situation in so many states, both in the past and currently (Huntington's later analysis of praetorianism is of particular relevance here).

Finally, van Creveld's own definition of the state is also a derivative of that of Weber's, namely that:

... the state, being separate from both its members and its rulers, is a corporation, just as universities, trade unions, and churches inter alia are ... The points where the state differs from other corporations are, first, the fact that it authorises them all but is itself authorised (recognised) solely by others of its kind; secondly, that certain functions (known collectively as the attributes of sovereignty) are reserved for it alone; and, thirdly, that it exercises those functions over a certain territory inside which its jurisdiction is both inclusive and all-embracing. (van Creveld, 1999:1).

From this definition, it is clear that van Creveld aligns well with the three contributors introduced in the preceding sections, regarding a Weberian conception of state as a theoretical point of departure. The exposition of his paradigmatic grounding also demonstrates the centrality of the state in his views on armed conflict, as well as the changing nature of contemporary warfare. It is also clear that the state is a temporal phenomenon, which may have begun its decline in certain locations, not because of

voluntary supra-national integration, but rather because of dysfunction. It is in light of the latter, that van Creveld's theoretical contribution is deemed important for this study's conceptualisation of the dysfunctional state. Accordingly, the relevant aspects of his contribution will be concisely reconstructed, interpreted and evaluated in the chapter that follows.

4.9 Bratton and van de Walle's *Democratic Experiments in Africa*

The final contribution to be introduced for the purpose of this study's conceptualisation of the dysfunctional state is that of Bratton and van de Walle (1997). The treatment accorded to this contribution corresponds with that of van Creveld's, since it focuses on a single concept, namely that of neo-patrimonial rule (Bratton & van de Walle, 1997:61-89). This aspect is included in *Democratic Experiments in Africa*, as a component of a more general evaluation of regime transitions and democratisation on the African continent (as a region where state dysfunction is particularly prevalent).

The work is a comprehensive review of political transitions in African states in the period 1988 to 1994, when 23 of the continent's 42 one-party states held competitive elections. The study is a generally quantitative-driven evaluation of this political shift, which stimulated new debate surrounding the process of democratisation, particularly in Africa (Gerhart, 1998:167). Through a comparative, cross-national perspective, the authors attempt to explain democratic transitions in certain states, as well as predicting the viability of democracy in such cases. Although prevailing theories of democratisation are referenced, Bratton and van de Walle demonstrate that economic and international factors alone are not sufficient to explain the generally flawed dynamics of democratisation in Africa. More powerful explanatory factors include the extent to which political participation and political competition are institutionalised, as well as disruptive occurrences in the form of mass protest and military intervention – also argued by Huntington (Bratton & van de Walle, 1997:i). The authors evaluate these factors against a theoretical framework which accounts for Africa's heritage of *neo-patrimonial rule* – the specific aspect of their contribution which is relevant to this study, and will be reconstructed in the next chapter.

4.9.1 Paradigm and view of the state

Since this study will employ only a selected theoretical aspect of *Democratic Experiments in Africa* for the purposes of conceptualising the dysfunctional state, a comprehensive

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reconstruction of the authors' paradigmatic points of departure will not be conducted here. It is, however, worth noting that Bratton and van de Walle (1998:9,16) employ Fishman's (1990:428) distinction between regimes, governments, and states, namely that:

A regime may be thought of as the formal and informal organisation of the centre of political power, and of its relations with the broader society. A regime determines who has access to political power, and how those who are in power deal with those who are not. The distinction between democracy, totalitarianism, and authoritarianism thus deals with the question of regime type ... Regimes are more permanent forms of political organisation than specific governments, but they are typically less permanent than the state. The state, by contrast, is a (normally) more permanent structure of domination and coordination including a coercive apparatus and the means to administer society and extract resources from it.

This represents a useful distinction between three interrelated concepts in political science, of which all three are relevant in a conceptualisation of the dysfunctional state. In particular, the conceptualisation of state is essentially Weberian (as Fishman acknowledges (1990:428)), and therefore concurs with the conceptualisation developed in the previous chapter, as well as those of the contributions introduced earlier in this chapter. Additionally, the concept of *regime* is of particular value in delineating the dynamic between the institutions of government, state, and the ruling party – as will become evident in chapters 6 and 7.

It is telling that the most significant aspect of Bratton and van de Walle's contribution to this study is a construct that is *also* directly rooted in the Weberian tradition. According to Bratton and van de Walle (1998:61), an institutional hallmark of postcolonial regimes in Africa is *neo-patrimonialism* – a term derived from Max Weber's concept of patrimonial authority, used to designate the principle of authority in the smallest and most traditional of polities. Bratton and van de Walle (1998:61) explain that: 'In patrimonial political systems, an individual rules by dint of personal prestige and power; ordinary folk are treated as extensions of the "big man's" household, with no rights or privileges other than those bestowed by the ruler'.

Historically, patrimonial authority has been adapted to various political communities, from Asia to the West during medieval times. The principle purpose of its adoption is to provide for the needs of a ruler's personal household, however large that 'household' may eventually grow (Bendix, 1960:334). Patrimonialism is closely linked with traditional authority as a form of legitimacy, which was discussed in chapter 3. Weber (1947:346-347) explains the concept as follows:

Patriarchalism is the situation where, within a group, which is usually organised on both an economic and a kinship basis, as a household, authority is exercised by a particular individual

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who is designated by definite rule of inheritance ... With the development of a purely personal administrative staff, especially a military force under the control of the chief, traditional authority tends to develop into 'patrimonialism'.

Weber notes that in a *patriarchal* unit, the ruler (chief) exercises authority as the collective will of all members of that unit. Thus, authority is 'exercised in the interests of the members and is thus not freely appropriated by the incumbent' (Weber, 1947:346). The ruler is therefore to a large extent dependent on the willingness of the group members to respect his authority, since he has no means to enforce it. However, with the acquisition of a personal staff, the shift towards patrimonialism occurs, whereby the ruler no longer stands alone, but has at his disposal a complement of manpower, enabling coercion. According to Weber, the power relations within the group now change as: 'the "members" are now treated as "subjects". An authority of the chief which was previously treated principally as exercised on behalf of the members now becomes his personal authority, which he appropriates in the same way as he would any ordinary object of possession' (Weber, 1947:347). The modification in the nature of traditional authority described above occurs as the scope of an individual's leadership increases, and new demands are placed upon him to provide/preserve political goods. However, it is self-evident that this type of authority and leadership is only viable in the smallest, most undeveloped of polities, as demonstrated by Weber's analysis:

In the pure type of traditional authority, the following features of a bureaucratic administrative staff are absent: (a) a clearly defined sphere of competence subject to impersonal rules, (b) a rational ordering of relations of superiority and inferiority, (c) a regular system of appointment and promotion on the basis of free contract, (d) technical training as a regular requirement, (e) fixed salaries, in the type case paid in money. (Weber, 1974:343)

Given these characteristics, the ability of such an 'administration' to achieve either effectiveness or efficiency in government is highly unlikely, particularly since in patrimonialism rule, *all* power flows directly from the leader personally (Weber, 1947:341). Whilst patrimonialism as a mode of governance may be suited to primitive polities, it is certainly not compatible with the purpose, goals, and attributes of modern statehood, as discussed in the previous chapter. In fact, in comparing the nature of the state's administrative order (section 3.4.1, also taken from Weber) with the description of patrimonial bureaucracy (quoted above), *patrimonialism may be seen as the antithesis of a modern institutionalised administrative order*. Thus, the re-emergence of patrimonial tendencies in the context of the modern state, in the form of neo-patrimonialism, is a feature that undermines the nature and functions of statehood, and can contribute to state dysfunction, as will be demonstrated in the next chapter. By means of summary, it is therefore clear that Bratton and van de Walle's contribution is paradigmatically consistent

with others employed in this study. This is particularly true of neo-patrimonialism; an element that represents *Democratic Experiments in Africa's* main contribution to this study.

4.10 Conclusion

This chapter presented the reader with a literature survey on the theme of state dysfunction, which demonstrated the current lack of conceptual unanimity regarding the phenomenon. It was noted that, before any empirical case study can be attempted, clear and unambiguous conceptual parameters must be defined. Accordingly, a conceptualisation of the dysfunctional state is conducted, grounded in the Weberian concept of state, which was reconstructed in chapter 3. Furthermore, it was noted that the conceptualisation of the dysfunctional state conducted for the purposes of this study will be inter-paradigmatic in nature, through the reconstruction, interpretation, and evaluation of theoretical perspectives from divergent paradigms, and subsequently integrating those contributions through means of synthesis. These theoretical perspectives were subsequently introduced, in the form of five contributions, each contextualised according to their paradigmatic departure points, and view of the state.

In this process, it was established that all the contributions, notwithstanding their paradigmatic diversity, share a common view of state, namely that of the Weberian ideal - type. Additionally, the reader will note that the contributions also utilise other important scientific constructs from Weber's work. First, this concurs with the conceptualisation of state conducted in chapter 3 and, second, reaffirms both the scientific utility of Weber's insights and the theoretical consistency of this study.

In the process of contextualising the contributions, each may be characterised according to a discernable focus on a particular sphere of application. This is particularly true of the first three contributions, which, respectively, exhibit a *societal* (Migdal), *institutional* (Huntington), and *international* (Jackson) focus. Van Creveld's contribution could be said to span all three foci, since armed conflict is a phenomenon that often includes societal, institutional, and international arenas, particularly in the developing world, where intra-state conflict is at least as prevalent as inter-state conflict. In turn, Bratton and van de Walle's insight into neo-patrimonialism bears relevance in both societal and institutional contexts, since traditional power relations (as demonstrated by Migdal) often permeate political institutions (analysed by Huntington) as a possible symptom and cause of state dysfunction.

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Given this differentiation amongst the contributions discussed thus far, the following illustration clarifies their relation and cohesion:

Table 6: The place and role of different theoretical contributions in conceptualising the dysfunctional state

DIMENSION OF STATE DYSFUNCTION	LEVEL OF APPLICATION	RELEVANT CONTRIBUTION/S
INTERNAL	SOCIAL	Migdal Bratton & v.d. Walle Van Creveld
INTERMEDIATE	INSTITUTIONAL	Huntington Bratton & v.d. Walle Van Creveld
EXTERNAL	INTERNATIONAL	Jackson Van Creveld

The figure above designates three dimensions of state dysfunction, namely the internal, intermediate, and external dimensions. Each dimension of state dysfunction possesses a corresponding level of application, namely the societal, institutional, and international levels. The five contributions discussed in this chapter each bears relevance to one or more of these dimensions of state dysfunction and levels of application. The contributors indicated in bold will constitute the theoretical underpinning of an evaluation of each dimension/level, whilst additional contributions will be utilised in a supplementary role, where relevant.

Having achieved the research goal of this chapter, the study can progress toward the next step in its conceptualisation of the dysfunctional state. The goal of the next chapter is to concisely reconstruct, interpret, and evaluate the self-same contributions introduced in this chapter, culminating in a conceptualisation of the dysfunctional state (in the form of a definitional statement), informed by both the Weberian concept of state, as illustrated in table 4, and the dimensions of state dysfunction, rendered above. Therefore, whereas the role of this chapter was to open up and expose the literary landscape concerning state dysfunction, the next chapter will commence in progressively refocusing the theoretical contributions with the purpose of developing a distilled concept and definition of state dysfunction.

Chapter Five: State dysfunction: Defining the phenomenon and constructing a theoretical framework for this study

5.1 Introduction

As noted, the preceding chapter served the purpose of orienting the reader in terms of the corpus of literature on state dysfunction in general, as well as the particular theoretical contributions that will be utilised in this study with the goal of conceptualising the dysfunctional state. In addition to a brief orientation regarding the influence of the Weberian tradition in social science, and to this study in particular, five theoretical contributions were also introduced. Each of these contributions was contextualised according to two features, namely their *paradigmatic departure points* and their *view of the state*. It was established that the contributions represent a divergence of paradigmatic orientations (in accordance with the inter-paradigmatic research design of this study, see figure 10) being linked by a generally shared Weberian view of the state. Furthermore, it was established that the contributions cover a comprehensive theoretical spectrum, enabling a conceptualisation according to three dimensions of state dysfunction, each accompanied by a specific level of application (see table 6).

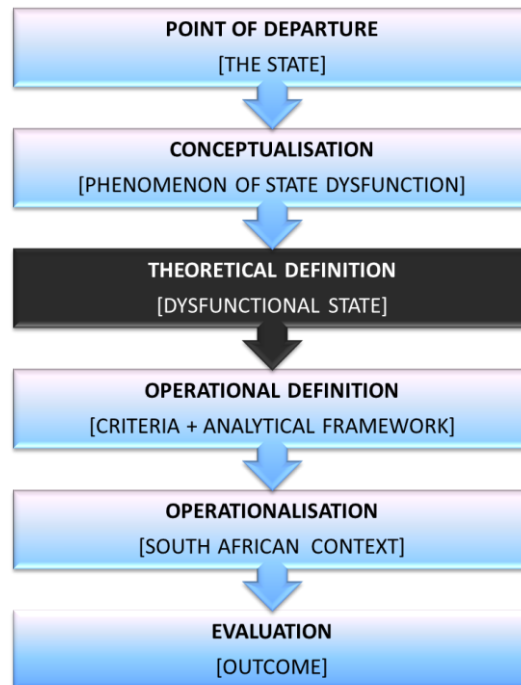
The purpose of this chapter is to continue the appraisal of the theoretical contribution which began in the previous chapter, in order to identify salient aspects which may contribute to a conceptualisation of the dysfunctional state. Each contribution will be concisely reconstructed, interpreted, and evaluated for this purpose. As such, this chapter is a meta-theoretical progression from the previous chapter's *paradigmatic focus* (which also included traditions in the discipline of political science) towards a focus on *scientific constructs*. Thus, having already introduced and contextualised several contributions, this chapter can consider each analysis of state dysfunction according to the various concepts, typologies, models, and theories employed by each author. Accordingly, every theoretical contribution will be evaluated according to:

- A reconstruction of the respective scientific constructs employed
- An interpretation of those constructs according to the analytical tool developed in chapter 3.

The outcome of this process will be a definitional statement describing the phenomenon of state dysfunction (as an outcome of *conceptualisation*) and the integration of all five contributions, into a theoretical framework for this study (which will facilitate

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operationalization). The latter outcome will be rendered diagrammatically in the form of an expanded analytical model. Accordingly, the place and role of this chapter in relation the rest of the study is represented as follows:



The next section will commence with the reconstruction, interpretation, and evaluation of the first contribution to be considered, namely that of Joel S. Migdal.⁹⁴

5.2 Migdal - States in the developing world

In the previous chapter, Migdal was introduced as one of the main contributors to this study's conceptualisation of the dysfunctional state, with particular reference to his work *Strong Societies and Weak States* (1988). It was noted that his contribution centres on the internal dimension of state dysfunction (with society being its level of application), employing the state-in-society approach and the constructs of fragmented social control and web-like societies.

After former colonial states shrugged off the shackles of servitude imposed by their European masters, many newly formed governments and administrations had high expectations about what could be achieved through means of the state. Coinciding with this spirit of anticipation in the developing world, the social science of the 1950-1960s thought of

⁹⁴ An attempt was made to concisely convey the theoretical essence of each contribution considered in this chapter. For an expanded evaluation of Migdal, Huntington and Jackson's contributions, see Greffrath (2012).

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politics (or policy and planning, reflecting the discipline's predominant subject matter) as a subject of almost boundless possibilities (Migdal, 1988:10). Policy interventions and planning, true to the empiricist spirit of the time, dominated political scientific discourse and there was a tacit conviction that any society could be remedied through the proper implementation and operationalisation of planned policy. According to Migdal (1988:11), this fervent optimism resulted in the capable limits of states becoming blurred, as scholars lost sight of what states could, and could not, effectively achieve. There was a confidence in the decade following the wave of decolonisation that state institutions would consolidate and develop into modern national societies. This excitement about policies, planning, political engineering and institutions that were put forth as cure-alls, created a great sense of expectation surrounding the capabilities of what states could achieve, not only in the West but also in the developing Third World.⁹⁵

Also contributing to this optimistic postcolonial *zeitgeist* was a collection of influential international norms and institutions (Migdal, 1988:12). The United Nations in particular enumerated various goals for the transformation of society in newly independent states.⁹⁶ These agendas of social change and transformation explicitly cited the state as vehicles of development, and were increasingly regarded as norms for states. The Charter of the United Nations and the Universal Declaration of Human rights both cite lofty objectives, such as the promotion of social progress and better standards of life for the citizens of member states. Subsequently, the constitutions of newly independent states also began to reflect this emphasis. Whereas earlier, independence documents and constitutions of the developing world focused on the formal arrangements of power and authority and the relationships with former colonial rulers, new postcolonial constitutions began to stress substantive issues such as development and social justice. The implementation of these goals, inspired by the influence of the UN, was always going to depend on strong state capabilities. The UN obliged, with endless streams of resolutions and actions that specified norms for states in the international community, intent on strengthening the domestic and international role of newly independent states (Jackson, 1990:102-108). According to Migdal (1988:13):

The United Nations, it can be said, canonized the paradoxical view of change in the contemporary world. On the one hand, it hallowed the status quo by making the large territorial state, a political form of a limited period of human history, inviolable. States were to be the building blocks of the United Nations, while the United Nations, in turn, would attempt

⁹⁵ Migdal employs the term 'Third World' consistently throughout *Strong Societies and Weak States*. For the purposes of this chapter the terms 'Third World' and 'developing world' are used synonymously.

⁹⁶ A discussion of the international legal and diplomatic climate during the era of African independence is conducted in section 4.7.

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to safeguard them from aggression. At the same time, the United Nations was elaborating comprehensive plans for undermining the status quo through economic and social programs promoted by states. Little concern was exhibited for the near impossibility of undermining the status quo in one realm without also disturbing it in the other and the very real possibility of social and economic change bringing domestic and international political instability.

This 'paradoxical view' regarding postcolonial statehood forms the core of Robert Jackson's (1990) evaluation of state dysfunction, which is thoroughly discussed later in this chapter. The UN assumed that its state driven goals were the 'right thing to do', and therefore also assumed that populations in newly independent societies would embrace the ever growing presence of the state. This assumption of the normatively good role of the state has culminated (over several hundred years) in the acceptance that the state should provide the predominant set of 'rules of the game' for each society. These rules include much more than overarching constitutional principles; they include written and unwritten laws, regulations and decrees, which the administration of the state enforces through the coercive means at its disposal (Migdal, 1988:14). Migdal suggests that the assumption that all states have such potent capabilities is symptomatic of the Western experience where, unlike the developing world, the state has evolved to be the single dominant force of rule in society: 'The danger in taking the state for granted is that we begin to assume states in all times and places have had similar potential or ability to achieve their leaders' intentions; the varying roles states have played in different societies may be lost' (Migdal, 1988:17).

This realisation undoubtedly acts as an influence toward the state-in-society approach that suggests that the dominant role of the state should be viewed with a measure of circumspection. Therefore, even though the goal of creating a state organisation that makes all the rules in society has been universal among state leaders, the ability to achieve such a goal has been varied and in many instances marked by failure. Migdal explains that this universal drive for state predominance emerged from a state system where, historically, threats to stability emerged both from within and without. Therefore, by asserting state dominance through the 'rules of the game', state leaders ensured that internal populations (society) were controlled and threats eliminated (that is, warlords, militias and gangs). Equally important is the fact that, because of these imposed rules, the state has a significant advantage over any other political entity in mobilising and organising men and resources for war, offering defence from external threats by other states: 'A prime motivation for state leaders to attempt to stretch the state's rule-making domain within its formal boundaries, even with all the risks that has entailed, has been to build sufficient clout to survive the dangers posed by those outside its boundaries' (Migdal, 1988:21).

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Returning to the guiding question of *Strong Societies and Weak States*, namely why many states in the developing world had such difficulty in becoming predominant in their respective societies, Migdal turns his attention to state-society relations, which would later mature into his state-in-society approach. This approach in itself is a departure from many previous traditions, which focused on a 'perfect' course of events through which societies would evolve from traditional to modern political organisations. Such approaches were often linear, one dimensional, and oversimplified complex issues of political reconfiguration in societies. Writers such as Shils (1975), Rostow (1959) and Lerner (1958) assumed an almost automatic progression to modernity.⁹⁷ These approaches ignored the forces that resisted change in society, perhaps on the assumption that they were irrelevant or too insignificant to stem the growth of modern statehood. Migdal argues that this ignorance of resistive forces (that is, the elements that precluded fledgling states from achieving predominance) prevented scholars and policymakers from understanding how strong societies perpetuate the maintenance of weak states.

Migdal's (1988:25) premise for modelling state-society relations is that *all* the organisations that exercise social control should be accounted for, as these are often significant bastions of resistance to the state:

Informal and formal organisations are the settings within which people have had structured, regularised interactions with others. These organisations have ranged from small families and neighbourhood groups to mammoth foreign-owned companies. These organisations – all the clans, clubs, and communities – have used a variety of sanctions, rewards, and symbols to induce people to behave in their interactions according to certain rules or norms, whether those were interactions between father and son, employer and employee, landlord and tenant, priest and parishioner, and so on. These rules may include what age to marry, what crop to grow, what language to speak, and much more.

These traditional organisations commanded loyalty and support (notwithstanding state expansion) because for centuries they had offered *strategies of survival* to groups and individuals. The basic needs, from food and shelter to a blueprint for belief and action, amidst a Hobbesian state of nature, are all provided by survival strategies. Migdal explains that these strategies provide not only a basis for personal survival, but also a link for the individual from the realm of personal identity (a personal political economy) to the sphere of group identity and collective action (Migdal, 1988:27). Social control therefore depends on a political organisation's ability to deliver the key components of an individual's survival strategy. In this respect formal statehood clashed with traditional and archaic forms of political organisation, particularly in the developing world.

⁹⁷ This assumption was first challenged by Huntington in *Political Order in Changing Societies*, introduced in the previous chapter.

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The reality is that through most of human history a multitude of strategies has been at work in areas today presided over by single states. Territories have hosted a diversity of 'rules of the game' (one set for this tribe and another for an opposing tribe). Social control prior to the state was rarely unified, rather being highly fragmented throughout a given territory:

The central political and social drama of recent history has been the battle pitting the state and organisations allied with it (often from a particular social class) against other social organisations dotting society's landscape. Although state leaders have aimed for ultimate uniform social control inside its boundaries, diverse heads of these other organisations have striven fiercely to maintain their prerogatives. (Migdal, 1988:28)

In certain instances, such conflicts emerged during the period of colonisation. However, it was in the postcolonial era that the struggle for state predominance in society became a hallmark of most newly independent states in the developing world. Many state leaders have been unable to emerge as dominant from these struggles, leading to state dysfunction. Whilst there can be no doubt that the state has struggled to maintain a foothold in postcolonial societies, an investigation into the roots of state dysfunction must delve deeper than 20th century independence. In many regions of the developing world, the strong societies and non-state actors that challenge state predominance have existed for much longer than the state. In attempting to explain when and how such non-state societal actors established their social control in opposition to the state, Migdal points to two sets of related forces.

One set involves the expansion of the world economy out of Europe, and its penetration to all levels of societies in the developing world. This process contained both economic and political dimensions, as it involved policies that undermined existing strategies of survival and social control in societies. The expansion of the world market, therefore, toppled existing social arrangements in the regions it penetrated. The second set of factors centres on the establishment and maintenance of political hegemony in such regions, mostly through means of colonialism. Through foreign political intervention, attempts were made to reconstitute fragmented social control in colonial societies (Migdal, 1988:51). Explaining how these forces influenced social control and the actors involved, Migdal remarks: '...they were revolutionary in the sense of creating sudden, disruptive types of political and social change and transforming substantially the character of social control in these societies' (Migdal, 1988:51). The economic and political dimensions are considered in the sections that follow.

5.2.1 Global economic expansion and change

The development of social structures in a particular society can be attributed largely to the unique culture, history and environment of that society. Yet, influential external forces also dramatically reshaped societies in the developing world. Since the expansion of trade routes centuries ago, the remotest corners of the globe gradually became integrated into a global economy as sturdier ships and adventurous sailors took Europeans increasingly farther from their native ports. However, up to the 19th century, European influence in Africa, Asia and South America was mostly limited to coastal settlements and colonies. Penetration into the hinterland was limited and trade was mostly conducted through intermediaries such as tribal chiefs or strongmen (Meredith, 2006:1). Because of these sporadic interactions with the world economy, existing social organisations and strategies for survival remained largely intact: ‘...many non-Europeans were able to insulate themselves somewhat from the European economy through the mid-nineteenth century – able to keep the market at arm’s length... Existing patterns of social control and strategies of survival adapted in varying degrees to the new circumstances of European expansion, but it is striking how much existing social structure endured’ (Migdal, 1998:54).

However, this state of affairs changed around the globe in a short space of time as, during the latter part of the 19th century, capitalist production increased exponentially, escalating the demand for raw materials and foodstuffs and creating a vastly expanded world market. Traders and industrialists strengthened their intermittent ties with the developing world, intent on extracting maximum raw materials and produce to feed Europe’s seemingly insatiable industries. Migdal argues that these rapid and deep transformations brought about by the Industrial Revolution have had an enduring impact on state-society relations today. Therefore, in order to contextualise the current difficulties states experience in establishing social control, one must first understand the disruptive changes that began to occur in the middle of the 19th century (Migdal, 1988:55). Historians have dealt with the technological and administrative achievements that accounted for the Industrial Revolution at length, yet according to Migdal ‘...less frequently examined is the means by which European traders, industrialists, and investors achieved two primary goals: (1) guaranteeing access to distant markets and suppliers who could provide raw materials vital for European food needs and industry; and (2) assuring that the commodities most needed in Europe (rather than commodities simply for local consumption) would be produced, and in sufficient quantity’ (Migdal, 1988:56).

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In this regard, he points to the policies of Western powers, epitomised by Great Britain, and the critical role these policies played in gaining access to peasant producers in Asia, Africa and Latin America, ensuring that they produced to the demand of the international market. These policies subsequently facilitated the rapid, almost universal penetration by the European market, leaving practically no rural peasant or gatherer untouched. Migdal (1988:56) identifies three types of policy that underlay this rapid and widespread penetration, resulting in the weakening of old social and political arrangements:

- Effecting important changes in land tenure patterns.
- Adopting new forms and methods of taxation.
- Instituting new modes of transportation.

The drastic economic changes that swept across the developing world were later augmented by political arrangements of domination, resulting in the period of colonialism.

5.2.2 Political domination and change

It is often an overlooked fact that the strategies of governance such as colonialism would be unviable were it not for the active involvement of the colonised. Locals were co-opted or manipulated as integral parts of the Western structures of rule in the African colonies. Employing this strategy the British, at one time, managed to rule ten million Nigerians with a staff of nine administrators, and France administered the entire French Equatorial Africa with only 206 officials (Meredith, 2006:5). Accordingly, the British colonial administration in Africa was often referred to as a 'thin white line', albeit one that was 'tipped with steel' (Kirk-Greene, 1980:26). The comprehension of this relationship between the coloniser and the colonised is of crucial importance in understanding enduring postcolonial attitudes and the emergence of weak states in the developing world (see, for example, the works of Fanon 1966; 1967 and Biko, 1978). Therefore, the nature of social control in weak states is related strongly to which particular indigenous elements *benefitted* from conditions of greater European expansion, and were subsequently in a position to determine new rules of social relations (Migdal, 1988:100, 103). These changes greatly affected, until this very day, the salience of terms such as 'class', 'tribe' and 'ethnicity' both within and between states in the developing world in general.

Migdal describes colonialism as an intense form of political hegemony, involving the appropriation of the key decision-making posts in a society. However, no colonial regime

ruled without the significant participation and assistance of the indigenous people, who in turn benefited from the modicum of authority they gleaned from the colonial state. The colonisers could allocate the right to disburse resources, opportunities, and sanctions to various indigenous groups. These groups could in turn fashion new strategies of survival for peasants in their sphere of power. In the same manner, certain groups were denied opportunities and withheld resources.⁹⁸ These differences in privileged access to resources had an enduring impact: 'They determined who could offer components as people sought to reconstitute viable strategies of survival – organisations broad and strong enough to be incipient states or scattered local organisations that could never hope to achieve countrywide control' (Migdal, 1988:105).

Western states therefore played an instrumental role in influencing patterns of social control, patterns that often remained intact even after their own rule and influence had ended. They dictated who would have the resources and authority to offer viable components for strategies of survival to a dislocated population. These could either be local strongmen or alternatively, groups and individuals who could create the basis for an eventual centralised, indigenously ruled state. The goals of colonisers, such as the maintenance of secure rule and the effective exploitation of natural or human resources, determined such relations. The result is what Migdal (1988:36) terms 'web-like societies' (see section 4.4.5). Having considered the colonial provenance of strong societies and weak states, the next section explores a construct related to postcolonial power dynamics.

5.2.3 The politics of survival

It has been demonstrated how web-like societies which contain fragmented social orders are inimical to the creation of an institutionalised state able to achieve predominance in society (i.e. approximating the Weberian ideal-type). But what are the political dynamics that perpetuate this state of affairs? In this regard Migdal identifies the practice of the 'politics of survival' (Migdal, 1988:206) in explaining why state leaders have been unable to effect a turnaround in state capabilities, or at the very least maintain stability and a modicum of functionality within state institutions. He argues that in societies that host dysfunctional states, an environment of perpetual conflict has dictated a particular pathological set of relationships within the state organisation itself, between the state leadership and the

⁹⁸ For example, in Nigeria ethnic marginalisation and persecution soon emerged after independence, which prompted the Igbo people to secede and proclaim the Republic of Biafra (1967), leading to the Nigerian Civil War of 1967-1970 (see Chinua Achebe's *When Things Fall Apart* (1958)). A similar dynamic emerged in Rwanda, where the Tutsi minority was oppressed by the Hutu majority after independence (this culminated in the genocide of 1994), in Zimbabwe where the Ndebele were persecuted in Matabeleland during the 1980s, and in Sudan (2003) where ethnic conflict emerged between Arab/non-Arab groups.

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various agencies of state. These institutional relationships have influenced, in turn, the manner in which state institutions develop in societies of the developing world.

As discussed in Chapter 3, effective state action should not rest only upon the ability of the state to mobilise the population through coercion, but ideally through legitimate authority. Furthermore web-like societies that exhibit a multitude of social organisations (many with their own capabilities of rule-making and mobilisation) have resisted state leaders' efforts to use the centralised state as a means of political mobilisation. Migdal argues that for states to be successful in the mobilisation of its citizenry, they require the creation of circumstances whereby citizens feel that the state's symbols and codes of behaviour are essential to their wellbeing (the essence of legitimacy) (Migdal, 2004:3-23). Additionally, states must then provide the population with institutionalised channels to express their support. In short, state leaders can seek sustained and effective political mobilisation once they have proffered viable strategies of survival to the population (Migdal, 1988:208). However, the creation and maintenance of strong institutions presents the state leader with a problem of *realpolitik*:

In societies in which social control has rested with a panoply of heterogeneous organisations, however, state leaders have been caught between Scylla and Charybdis, facing a baffling paradox: If domestic and international dangers can be countered through political mobilisation, gained by constructing state agencies and viable strategies of survival, strengthening those state agencies may at the same time hold its own perils for leaders. (Migdal, 1988:208)

Migdal explains this problem by referring to *centrifugal* and *centripetal* relationships within the state organisation.

The establishment of institutionalised, effective and autonomous state agencies creates centrifugal energy. In other words, as agency or ministry leaders seek to create clout for their bureaux by constructing a base of power, or fostering internal loyalty among its bureaucrats, it becomes further removed from the sphere of control which is exercised by the centralised state (the office of the President or state leader). As a result, the particular views and practices of a given agency could emerge (if strong enough) as a threat to the coherence and overall stability of the state.

All state leaders then, must find *centripetal* forces to counteract the centrifugal tendencies of their agencies if they are to keep the state organisation as a whole intact and acting cohesively (Migdal, 1988:209). Should a particular agency become too adept at social and political mobilisation, it could challenge and displace the state leader (in praetorian societies, the military or security establishments habitually assume such a role). As a result, many

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states in web-like societies have historically had to dispense with major institution building and instead focus on lessening existing and potential centrifugal forces. A top priority has therefore been to prevent the emergence of autonomous concentrations of institutional power, especially those with effective capabilities of mobilisation (Migdal, 1988:213). This trend prompts state leaders to engage in 'politics of survival', rather than effective governance through institutionalisation, should they wish to remain in power.

Migdal discusses three tactics that state leaders employ in their game of political survival. These tactics have become all too familiar in dysfunctional states and are implicit in the weakening (and ultimately failure) of the state as organisation. The first, and probably most frequently utilised tactic, involves state leaders exercising their official powers of appointment and removal as a tool in preventing organs of state from becoming threatening bases of power. Migdal refers to this tactic as the 'big shuffle', whereby leaders use their official powers to prevent loyalties and potentially threatening groups from emerging in the first place (Migdal, 1988:214). In this elaborate game of bureaucratic musical chairs, top officials are deployed, removed and subsequently redeployed, continuously, at the whim of the state leader. In this manner, no influential official serves in one location long enough for him/her to consolidate a loyal power base. As a result, the state leader may rest, assured that no agency within his own state organisation will emerge as a rogue challenger to his leadership. However, the price these leaders have paid for the constant shuffling of government officials has been continuing turmoil in ministries and bureaux, wasted time in acclimatizing to new posts and the preoccupation of bureaucrats and civil servants with fixing their next post and future security (Migdal, 1988:217). As Migdal (1988:217) explains: 'The big shuffle is neither a one-time event, nor is it reserved for enemies; it is a mechanism of deliberately weakening arms of the state and allied organisations in order to assure the tenure of the top state leadership. The executive leadership protects itself through ample use of its most manifest power, the ability to appoint to and remove from office'.

The power of appointment has however, entailed more than the deployment and redeployment of the officialdom. Appointments have also constituted the most important sources of patronage to loyal followers of the state leader. Subsequently, most top agency officials are not selected upon merit for the position, but on the basis of deep and proven personal loyalties toward the state leader. Only individuals with the proper credentials (whether it be class affinity, regional or ethnic backgrounds or a liberation struggle pedigree)

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are deemed eligible for selection, regardless of actual technical competence.⁹⁹ Especially in societies where centrifugal forces are strong (that is, drawing the base of power away from the central state leadership) appointments made on the grounds of personal loyalty have been a method of creating centripetal political energy, thereby consolidating power with the leader: 'Allocations of posts ... have reflected the loyalty of particular groups, the threat of other groups, and the importance of specific state agencies. State leaders have assigned the most loyal elements, often the tribe or ethnic group of the leaders themselves, to the agencies, such as the military, potentially most threatening to state leaders and exercising the most control in society' (Migdal, 1988:222).

This practice, identified by Migdal, is also the prominent characteristic of neo-patrimonial regimes, often encountered in the developing world (Clapham, 1997:48). In the tradition of neo-patrimonialism, one individual (the 'big man' or strongman) dominates the state apparatus and stands above its laws. Relationships of loyalty and dependence influence the political system and institutions and officials occupy bureaucratic positions less to perform public service than to acquire personal wealth and status (Bratton & van de Walle, 1997:62). In the contemporary world, this big man is often an all-powerful executive figure (that is, a 'president for life') who subverts rational-legal norms in favour of patron-client relationships, thereby consolidating his position of power (this is discussed extensively in section 5.6).

Non-merit appointments have however, severely limited the ability of states to make binding rules in society and exercise effective social control. The contemporary dysfunctional state in the developing world has remained hamstrung by many of the same limitations that bound historical patrimonial and tribal regimes. Yet, as Migdal points out, these limitations have developed in the contemporary context of a remarkable growth in the size and complexity of state organisations, potentially permeating all parts of society (Migdal, 1988:223).

Often, when the shuffling and tactical appointments of staff have failed to shore up the power of the state leader, the politics of survival necessitates the use of 'dirty tricks' (although, in certain states it has become more of a standard operating procedure than a last resort). Such actions typically include illegal imprisonment and deportation, strange disappearances, torture and the use of death squads. These instances differ from other forms of survival politics in that state leaders transgress the very laws that could serve as the basis for instituting social control through the state; it entails direct attacks on the state's 'rules of the

⁹⁹ The practice of cadre deployment by the African National Congress in South Africa is an example of this phenomenon. Cadre deployment has become institutionalised to such an extent that it has gained normative acceptance (Business Report, 2011). This practice is discussed in chapter 7.

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game', its legal codes and established modus operandi, by none other than the leaders themselves (Migdal, 1988:223). Examples of such abuses of power in the developing world are too numerous to mention, and have been employed in various guises by authoritarian rulers, from the African one-party state to the South American military junta. The habitual use of dirty tricks is frequently accompanied by a parallel process of securitisation of the state, wherein the security services accumulate disproportionate influence and power.

The above-mentioned tactics, employed in the politics of survival, all reflect an acute suspicion and distrust of autonomous state institutions, resulting in wholly irrational methods of administration, often characterised by paranoia. When the goal of political survival takes precedence over any rational notion of governance, state institutions become weakened, society remains fragmented, but state leaders strengthen their hold on power regardless of the collateral damage incurred, thereby perpetuating a vicious cycle of chronic dysfunction. Migdal aptly concludes that 'As long as the fragmentation of social control has continued, rulers have been reduced to ruses and stratagems; they must build and rebuild coalitions and balances of power and wealth in society; such mechanisms...do not create a more capable, autonomous state' (Migdal, 1988:237).

Of course, the state leadership is only one, relatively small component of a sprawling state administration. The vast majority of any bureaucratic corps consists of middle- and low-level officials, responsible for implementing the policies formulated by their political leaders and administrative superiors. There is little danger of these officials creating autonomous power centres that could threaten the position of state leaders, as discussed above. Nonetheless, they are instrumental in determining whose authority and rules will take hold in a region; either the state's, or the strongman's. Grindle (1980:197) describes these 'implementers' as:

...a corps of middle-level officials who have responsibility for implementing programs in a specific, relatively constricted area...and who are held responsible for program results by their superiors. This corps of individuals – the first and second ranks of the field administration – maintains frequent contact with national or regional superiors, but also has occasion to interact with the clients of government agencies and with opponents of programs at local levels. These middle-level officials may have considerable discretion in pursuing their tasks and, even when it is not defined as part of their formal duties, they may have a decided impact on individual allocation decisions.

Migdal argues that these implementers are placed strategically between the top policy-making elements of the state (the domain of the state leader) and most of the country's population (the domain of the strongman). They are therefore the conduits of resources and policy from the capital city, to the countryside. Without these implementers, the state leadership has no chance of establishing and enforcing their prerogatives in society.

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Consequently, the bureaucrat is sandwiched between two powerful actors: supervisors from above and strongmen from below. Such an official therefore faces a complicated sum of personal profit or loss, since the rigid implementation of state policy will antagonise local strongmen, whilst the appeasement of strongmen at the expense of policy implementation will invoke the wrath of administrative supervisors. Migdal (1988:241), however, makes a perceptive conclusion regarding this conflict of interests: 'We have seen how a society with fragmented social control leads to the politics of survival. In turn, I hypothesise, the politics of survival lessens backing and threats of sanctions from supervisors, thus making the implementer more attentive to possible career costs involving strongmen and peer officials'. He further notes that in any state administration, there occurs a 'leakage of authority' as policy descends the institutional hierarchy. However, in the weakest of states, where accountability and control have been crippled by the politics of survival, this leakage can turn into a gushing haemorrhage. It would therefore appear that the weaker a state's administrative capabilities, the greater the likelihood that localised non-state actors will influence the implementation (or non-implementation) of state policy at grassroots level. Migdal refers to the relationship between leaders, implementers and strongmen as the 'triangle of accommodation'.¹⁰⁰ Within this arena of accommodation, the state leadership deals with threatening concentrations of social control or power centres, discussed earlier. Another area of accommodation manifests at the local level, where implementers and strongmen accommodate each other in a web of political, economic and social exchanges (Migdal, 1988:247). It is once again worth reiterating Migdal's central argument, which posits that this dynamic of accommodation of power is caused by fragmented social control in society. Had the state been able to consolidate a monopoly of social control, no accommodation would be necessary and its policy could more effectively permeate society. The triangle of accommodation, with all its bargaining and trade-offs, has had a similarly debilitating effect on the state as have the politics of survival, since the allocation of state resources that results from the accommodation between officials and strongmen serves only to perpetuate societal fragmentation (Migdal, 1988:256). In the fragmented societies that play host to dysfunctional states:

...the strongmen have been wedded to state resources and personnel to maintain their local control and to gain new resources to enhance that control. Yet their most basic purposes have been antithetical to the norms of what a modern state should do. These norms have depicted the state as a mechanism to create a single jurisdiction – a rule of law in which the rules are the same from border to border; this is the desideratum of the modern state (Migdal, 1988:255).

¹⁰⁰ This triangle of accommodation may also include more legitimate political actors/institutions that have the ability to undermine state authority, such as trade unions/federations and mass movements.

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In such societies, one therefore encounters a highly perverse power arrangement, whereby the state is in fact sustaining the very element that undermines its potential efficacy. This vicious cycle of state weakness has become reinforced to the extent that it is almost unbreakable. Insufficient state capacity, which necessitates its reliance on other social actors, renders state-driven initiatives for change largely ineffectual. Conceivably, it is only through dramatic social disruption and upheaval (such as the expansion of the world economy in the 18th century that stimulated colonialism, or political revolution) that a window of opportunity will emerge to consolidate fragmented social control and establish the state as the predominant institution in society.¹⁰¹

From Migdal's evaluation of political strategy and tactics in political institutions in the developing world, it becomes clear that the Weberian ideal of a coordinated administration is undermined systematically from above and below. From above, political leaders construct elaborate patron-client networks through means of non-merit appointments and continuous shuffling of key posts. They also undermine the very rules they purport to promote in society, by employing dirty tricks to eliminate opposition and consolidate loyalty. From below, state administrations are paralysed by a web-like society with fragmented social control, where non-state actors make their own demands upon bureaucrats. These demands are not in themselves indicative of state dysfunction, but when the apparatus of state does not *predominate* in society, they are subject to reaching accommodations and trade-offs with non-state actors. Therefore, given the immense pressures administrative and bureaucratic structures face in the developing world (from above, below and within) it is little wonder that they have become ineffectual and torpid institutions, often themselves contributing to dysfunction rather than fulfilling the functions of statehood.

5.2.4 Conceptualisation and conclusion

Migdal's paradigmatic approach to understanding state capabilities in the developing world differs markedly from prior contemporary research into the subject. His approach accounts for more than purely the formalistic aspects of political organisation and institutions. Rather, his point of departure reflects a justifiable concern with the societies within which these organisations and institutions develop.

In surveying the theoretical landscape which *Strong States and Weak Societies* traverses, several conceptual landmarks are visible which aid this conceptualisation of state

¹⁰¹ In fact, Huntington (1968:308) identifies revolutions as windows of opportunity for political development and institutionalisation.

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dysfunction. First, and perhaps most significantly for Migdal, *the state is influenced by society*. The brevity of this notion belies its significance. If the problem of dysfunctional states in the developing world has taught scholars anything, it is that a Weberian ideal-typical state cannot be superimposed on any society and be expected to function according to preconceived norms. In other words, Migdal turns the traditional analysis of states on its head; putting aside the characteristics of weak states he looks at the characteristics of strong societies. His analysis is conducted through the state-in-society approach, whereby the state is identified as *an* actor in society, and not *the* actor. His state-in-society model reveals how states in the developing world are not predominant in their societies (see figure 11), and he employs this as a point of departure in evaluating state dysfunction.

Second, the societal emphasis Migdal employs necessitates an *historical and contemporary evaluation* of socio-political development in the developing world, which is a paradigmatic point of departure in his work. In this regard, escalating Western influence, since the 18th century, was the single most important factor driving societal change in the modern history of the developing world. Initially, this involvement occurred through informal means, often because of commercial activity or exploration, prompted by the expediencies of the nascent international economy. Later this interaction was formalised on a legal-rational basis, resulting in colonialism and the establishment of an institutionalised state. Thus the pre-colonial and colonial influences are seminal factors that contributed to the nature of postcolonial dysfunctional societies and, according to Migdal's approach, postcolonial societies spawned postcolonial states, the locus of the majority of contemporary dysfunctional states. According to Migdal's evaluation, these societies are characterised by fragmented social control which results in web-like power relations. Therefore, instead of power and authority being concentrated primarily in the state, it is diffuse and shared among many (non-state) actors in society. This fact constitutes the main onslaught upon the viability of the Weberian ideal-typical state. As a result, such an historical perspective must be accounted for during operationalisation in subsequent chapters of this study.

Migdal's evaluation bears pertinent relevance to all the attributes of statehood identified in Chapter 3. In reconstructing his contribution to the conceptualisation of state dysfunction, the above-mentioned aspects are integrated with the analytical tool developed in Chapter 3, as illustrated below. Concepts employed by Migdal that exert a negative or undermining effect upon the attributes of statehood, thereby contributing to state dysfunction, are indicated accordingly with the ↓ symbol.

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Table 7: Reconstructing Migdal's contribution to the conceptualisation of the dysfunctional state

		WEBERIAN CONCEPT OF STATE					
PARADIGM	Historical, sociological, and institutionalist, according importance to both the development of society and the development of state. Regarding the former, pre-colonial and colonial interaction between Europe and the developing world is NB. Regarding the latter, the nature of post-colonial institutionalization is NB.	Coordinated admin.	Compulsory Association	Binding authority	Territory	Monopoly of leg. force	
SCIENTIFIC CONSTRUCTS	MODELS	State-in-society approach (Figure 11), posits that assuming state predominance in the developing world is flawed. States represent one actor amongst many others in society. Concepts central to this approach are: (see below)					
	CONCEPTS	<ul style="list-style-type: none"> • Web-like society with fragmented social control • Existence of competing strategies for survival • Presence of non-state actors (strongman / warlord) • Politics of survival (big shuffle, dirty tricks, neo-patrimonial) • Triangle of accommodation 	↓	↓	↓	↓	
		↓	↓	↓	↓	↓	

By integrating Migdal's paradigmatic point of departure and the scientific constructs he employs with an analytical tool, certain conclusions become evident. In the prologue of *Strong Societies and Weak States*, Migdal notes that, 'Focusing merely on the direct impact of states on societies, however, would give us only a partial view of the relationships between peoples and states and would miss important aspects of why some states are more capable than others. Societies also affect states' (Migdal, 1988: xiv). Therefore, identifying the factors that shaped a fragmented social order in society will provide insight into the nature of a dysfunctional state. Migdal cites these factors as being the cumulative involvement of Europe in the developing world, and its consequences.

Thus, the manner in which historical externalities shaped societies in the developing world is crucial to conceptualising instances of state dysfunction. An investigation into a dysfunctional state must account for the nature of that particular society, and consequently the factors that influenced that society's development. However, this does not imply that the officers of state are not accountable for their actions. In other words, state dysfunction cannot be palmed off conveniently on a vague notion of upheaval in society or the legacy of colonialism. Some states manage to consolidate social control after disruptive societal

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influences (such as colonialism, economic disruption, or revolution in the cases of the USA and Russia), whilst others exacerbate patterns of fragmented social control and continue on the path of state dysfunction. Corrupt politicians contribute to state dysfunction, as do the politics of survival and other forms of deliberate malpractice.¹⁰² Therefore, just as postcolonial leaders cannot be held responsible for the manner in which societies developed under colonial domination, in the same manner they cannot ignore their complicity in the continuing political decay since independence in the developing world. It is tempting to appropriate blame for the plight of the state in the developing world; however, this is neither productive, nor the task of science. Any evaluation of state dysfunction should be conducted with the purpose of gaining valid and reliable knowledge about the phenomenon, the true teleological purpose of scientific research.¹⁰³

An evaluation of Migdal's work suggests that, in attempting to *understand* these deviant practices that characterise dysfunctional states, one should look at society in general. The configuration of social control, ethnic pluralism, colonial and postcolonial history, and the presence of viable strategies for survival apart from that of the state's may tell us more about the nature of a dysfunctional state than any NGO index of governance or simplistic measurement of state failure. His perspective, reconstructed above, will be combined with those of other authors, conducted in the remainder of this chapter, with the purpose of conceptualising the dysfunctional state and building a theoretical framework for this study.

5.3 Huntington - Political institutionalisation and decay

In chapter 4, Samuel Huntington was introduced as one of the main contributors to this study's conceptualisation of the dysfunctional state, with reference to his influential works *The Soldier and the State* (1957), *Political Development and Political Decay* (1965), *Clash of Civilizations* (1996) and in particular *Political Order in Changing Societies* (1968). It was noted that the latter contribution centres on the intermediate dimension of state dysfunction (with political institutions being its level of application) employing the constructs of political order and political decay as divergent pathways of modernisation.

It is characteristic of modernising societies that they are confronted with social change and mobilisation resulting in the multiplication of social forces present in society. Such forces include groups and movements defined by ethnicity, religion, territory, or economic class and

¹⁰² This becomes plainly evident in chapters 6 and 7, which deal with the application and operationalisation respectively.

¹⁰³ This dictum forms a fundamental meta-theoretical underpinning of the conceptualisation of state dysfunction conducted in this thesis, as discussed in Chapter 2.

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status. According to Huntington, the proliferation of social forces during modernisation is usually tempered by institutions, which he defines as an arrangement for maintaining order, resolving disputes, selecting authoritative leaders and promoting community among different social forces (Huntington, 1968:8) therefore, the more complex a society, the greater the role which institutions play in the achievement and maintenance of political community.¹⁰⁴ Huntington explains that 'In a society of any complexity, the relative power of the groups changes, but if the society is to become a community, the power of each group is exercised through political institutions which temper, moderate, and redirect power so as to render the dominance of one social force compatible with the community of many' (Huntington, 1968:9). In this regard, Huntington's theoretical contribution dovetails agreeably with that of Migdal's, since both acknowledge the crucial relationship between social forces and institutions in developing statehood.

The formation of *community* in society is for Huntington, as with Migdal, a reliable indication of political development and an obvious ingredient of political stability. Yet it is precisely this type of development that has failed to materialise in the developing world after decolonisation, when *social forces were strong and political institutions weak*, that is, when the development of the state lagged behind the evolution of society (Huntington, 1968:11). It is therefore argued that, from Huntington's perspective, a dysfunctional state is one that (amongst other things) exhibits low levels of institutionalisation and, as a result, high levels of political instability.

The strength of any political organisation is determined by two variables, namely the measure of support the organisation enjoys, and the measure to which the organisation has become institutionalised (Huntington, 1965:394).¹⁰⁵ Gaining widespread support is an obvious requirement for building a strong organisation and requires little elaboration. Huntington defines institutionalisation as the process through which organisations and procedures acquire value and stability. Similarly, he describes institutions as stable, valued, recurring patterns of behaviour (Huntington, 1968:12). A strong institutionalised organisation is therefore one that enjoys a broad scope of support, in addition to becoming a stable, valued and predictable actor in society. The level of institutionalisation that a political system has attained can be measured by the adaptability, complexity, autonomy and coherence of

¹⁰⁴ As the preceding discussion of Migdal demonstrated, societies in the developing world are often highly complex.

¹⁰⁵ Similarly, one could suggest that the strength of a *state* can also be gauged by the measure of support it has (in the form of legitimacy) in addition to its level of institutionalisation (in the form of an administrative-bureaucratic establishment, representing the *means* of state).

the organisations that constitute that system (Huntington, 1968:12; Huntington, 1965:394-405).

5.3.1 Gauging institutionalisation

The *adaptability* (or, conversely, the rigidity) of an organisation develops both as a result of its age and the environmental challenges it encounters. The more challenges it has negotiated in its environment and the greater its age, the more adaptable it is. Dealing effectively with one challenge increases the likelihood of dealing with future challenges equally, or more effectively, as time progresses (Huntington 1968:13). Similarly, the older an organisation is, the more likely it is to continue its existence. For example, an established business celebrating its centenary is infinitely more likely to continue its existence for another year, compared to a start-up venture in its first year of existence. Yet, Huntington notes, there may be several measures of an organisation's functional age apart from a purely chronological measure, as explained above.

Another measure of adaptability is 'generational age'. As long as an organisation is still led by its founding leaders, and as long as a given procedure is still performed by those who first performed it, its adaptability remains in doubt. In this sense, the dominance of long-serving leaders in the developing world's liberation movements may disguise an acute lack of organisational adaptability.¹⁰⁶ An organisation's adaptability may be measured in functional terms. Huntington (1968:15) explains that an organisation is created to perform a particular function. When that function is no longer needed, the organisation faces a crisis, in that it must either conceive of a new function, or face its demise into irrelevance. Thus, an organisation that has adapted itself to changes in its environment and has survived one or more changes in its principle functions is more highly institutionalised than one that has not (Huntington, 1968:15). By means of illustration, Huntington (1968:17) notes: 'A nationalist party whose function has been the promotion of independence from colonial rule faces a major crisis when it achieves its goal and has to adapt itself to the somewhat different function of governing a country. It may find this functional transition so difficult that it will,

¹⁰⁶ Even in the 21st century, examples may still be found on the African continent. Robert Mugabe has been leader of the ZANU liberation movement since 1975. This movement was renamed as the ZANU-PF party in 1987 and has controlled government in Zimbabwe for 34 years. In Huntingtonian terms, as an institution ZANU-PF would possess a low generational age, casting doubt on its organisational adaptability. Since independence, a total of 13 African heads of state have served (ruled) continuously for at least three decades, the most enduring being Muammar Gaddafi who ruled for 42 years and 49 days. The longest serving head of state in the world was Fidel Castro (52 years and 62 days), whose Communist Party of Cuba can also be considered a liberation movement which is still led by its founding members.

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even after independence, continue to devote a large portion of its efforts to fighting colonialism’.

The developing world exhibits many examples of liberation movements becoming governments. The inability of such movements to adapt effectively to the new role of government indicates a weakness, both as credible political institutions and credible governments. This, in turn, contributes substantially to state dysfunction. Once again, it is not the form, but the *degree* of government that matters, to reiterate Huntington’s perspective (1968:1).

Second, the more *complex* an organisation is, the more highly institutionalised it is (Huntington, 1968:17). An organisation comprised of a variety of specialised sub-units and structures is able to assume more specialised functions, in addition to offering more avenues for maintaining the loyalties of its members. By means of illustration, one can cite the case of a ‘Banana Republic, to use a pejorative description, which refers to the many states in the developing world that rely on one primary export commodity. Banana Republics are, by their nature, notoriously unstable places, since their economic wellbeing is reliant upon the export of cash crops such as sugar, coffee, or indeed bananas. When these commodity prices fluctuate in the world market, such states are faced either with explosive prosperity or with crippling economic depression. As Huntington (1968:18) explains, a diversified corporation is less vulnerable than that which produces one product for a single market. Similarly, primitive and simple traditional political systems are usually overwhelmed and destroyed in the process of modernisation. The simplest political system is one that depends on one individual; these systems are also the least stable (most of history’s ‘Presidents for Life’ did not successfully complete their life-terms as leaders). In contrast, a complex and diversified political system often possesses within itself the means to renew itself and adapt. Complexity therefore produces stability (Huntington, 1968:19-20).

A third measure of institutionalisation is *autonomy*, that is, the extent to which political organisations and procedures exist independently of other social groupings and methods of behaviour (Huntington, 1969:20). Achieving autonomy requires the development of organisations and procedures that avoid expressing the limited interests of particular social groups. According to Huntington (1969:20), a political organisation that serves as the instrument of a particular social group such as a family, clan or class lacks autonomy and institutionalisation, since the organisation is therefore subordinate to extraneous influences. Huntington (1968:20) notes that: ‘As with the judiciary, the autonomy of political institutions is

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measured by the extent to which they have their own interests and values distinguishable from those of other institutions and social forces’.

In this manner, the autonomy of political procedures is also important in averting violence and corruption and achieving political stability:

A highly developed political system has procedures to minimise, if not eliminate, the role of violence in the system and to restrict, to explicitly defined channels, the influence of wealth in the system. To the extent that political officials can be toppled by a few soldiers or influenced by a few dollars, the organisations and procedures lack autonomy. Political organisations and procedures which lack autonomy are, in common practice, said to be corrupt. (Huntington, 1968:21)

Furthermore, where political systems are deficient in autonomy, newly mobilised social groups can gain entry into the political arena without heeding established procedures. This contributes significantly to the inherent volatility of a system, as new individuals, groups and viewpoints replace each other at the core of the system with ‘bewildering rapidity’ (Huntington, 1968:22).

Fourth, the more *unified and coherent* an organisation is, the higher its level of institutionalisation. Huntington explains that unity, *esprit de corps*, morale and discipline are needed in governments just as they are needed in military regiments. Numbers, weapons and strategy all count in war, but major deficiencies in any one of those may still be counterbalanced by superior coherence and discipline (Huntington, 1968:23). Strong unity and coherence means that individuals are more likely to bridle personal impulses for the sake of attaining a collective goal. Organisational discipline is therefore a significant driver of focused development.

Huntington ranks effective bureaucracies as the most important institutional characteristic of developed states, and therefore of importance to modernising states wishing to develop (Huntington, 1968:1). The hallmarks of institutionalisation and their relationship to a functional and dysfunctional administrative-bureaucratic order may be represented as follows:

Table 8: Institutional characteristics of an administrative bureaucratic order

WEBERIAN CORE – ATTRIBUTE 1	
Coordinated Administration / Bureaucracy	
FUNCTIONAL (High Institutionalisation)	DYSFUNCTIONAL (Low Institutionalisation)
Adaptable	Inflexible / Rigid
Complex	Unsophisticated
Autonomous	Subordinate to private interests
Coherent / Unified	Factionalised / Fragmented

Source: Adapted from Huntington, 1968:13-24

Having clarified the requirements for institutionalisation, Huntington proceeds to conclude that a society with dysfunctional political institutions will lack the ability to curb the excesses of personal and parochial desires (Huntington, 1968:24). Indeed, many developing states are also dysfunctional states as a result of despotic rule and personal enrichment. Huntington would argue that such rule is perpetuated by the absence of strong, institutionalised, counterbalancing political organisations. In these dysfunctional states, the dominant ‘political organisation’ is more often than not the expanded personal political network of the ruler.¹⁰⁷ Such power arrangements are significantly, if not wholly, lacking in the hallmarks of institutionalisation, making the state prone to instability and disintegration. He further argues that a society’s public interest is the interest of public institutions (that is, the state administration), and that the public interest is therefore created through the institutionalisation of public organisations (Huntington, 1968:25). Institutional interests (as opposed to personal interests) are above time constraints, promoting the indefinite existence and welfare of the institution. This, in turn, is an important contributor towards the long-term stability of a political system. According to Huntington, ‘The existence of political institutions ...capable of giving substance to public interests distinguishes politically developed societies from underdeveloped ones. It also distinguishes moral communities from amoral ones. A government with a low level of institutionalisation is not just a weak government; it is also a bad government’ (Huntington, 1968:28).

In Huntington’s view, those societies deficient in stable and effective government are also deficient in mutual trust among citizens, in national and public loyalties, and in organisational skills and capacity (Huntington, 1968:28). Distrust among individuals causes loyalty to be limited to intimate structures, such as the family or tribes, strongly reminiscent of Hobbes’ state of nature. Huntington explains that: ‘In a society lacking political community, however, loyalties to the more primordial social and economic groupings – family, clan, village, tribe,

¹⁰⁷ For a discussion of this patrimonial logic, see section 5.6.

religion, social class – compete with and often supersede loyalty to the broader institutions of public authority’ (Huntington, 1968:30).

This description, in fact, encapsulates perfectly Migdal’s (1988:34-35) notion of a web-like society, where social fragmentation leads to a state being unable to assert its authority, or effectively exercise power. These are chronic symptoms of ‘backward’ societies where, because of an acute lack of institutionalised organisations, leaders and groups pursue their own interests without any consideration of the broader public interest.

Huntington notes that the crucial distinction between a politically developed society and an underdeveloped one is the number, size and effectiveness of its organisations (institutions) and that the ease with which traditional societies have adapted their political systems to the demands of modernity depends almost entirely on the organisational skills and capacities of their citizens (Huntington, 1968:31). It would therefore follow that, without functional institutions, a given society would succumb to the instabilities of modernisation, contributing to state dysfunction. Indeed, both Migdal and Jackson would argue that during the colonial period, the colonial administration in many instances represented the only viable institution in most regions of the developing world (especially in Africa). Hence, after decolonisation, newly independent states were left without *any* institutions to provide political stability.¹⁰⁸

5.3.2 Modernisation and political participation

An important variable of modernisation, which acts as a determinant of political development or decay, is that of political participation. Huntington (1968:32-33) notes that the process of modernisation involves more than the concrete outcomes or characteristics usually cited, such as urbanisation, industrialisation and secularisation. According to Huntington (1968:33) the aspects of modernisation that are most relevant to politics can be grouped into two general categories.

First there is *economic development* which refers to the growth in total economic activity and output of a particular society and is measurable through indicators such as increased GDP, industrialisation, and quality of life. Second, a concurrent process of *social mobilisation* can be identified, whereby major clusters of old social, economic and psychological commitments are eroded and individuals become available for new patterns of socialisation and behaviour. Social mobilisation therefore means a change from the attitudes, values and

¹⁰⁸ In this regard, see chapter 7 for a nuanced interpretation of South Africa’s “postcolonial” institutional arrangement.

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expectations associated with the traditional world, toward those that characterise the modern world (Huntington, 1968:33). This shift requires the broadening of personal loyalties and associations from defined, immediate groups (the family, clans and villages) to larger and more impersonal groups (such as class or nation). As the evaluation of Migdal's contribution has amply demonstrated, this process of social reconfiguration represents a significant stumbling block in establishing the dominance of the state in the developing world.

In clarifying the relationship between the two facets of modernisation, Huntington (1968:34) explains that: 'Social mobilisation involves changes in the aspirations of individuals, groups and societies; economic development involves changes in their capabilities. Modernisation requires both'. Huntington distils his description of general societal modernisation into a more defined account of *political* modernisation, that is, the progression from a traditional polity to a modern polity, by highlighting the following aspects (Huntington, 1968:34-36).¹⁰⁹ First, political modernisation involves the *rationalisation of authority*. This reflects the process of societal modernisation, whereby a single, secular national authority replaces traditional structures of authority. Concerning the emergence of such an authority Huntington notes, 'Political modernisation involves assertion of the external sovereignty of the nation-state against transnational influences and of the internal sovereignty of the national government against local and regional powers' (Huntington, 1968:34).¹¹⁰

Second, political modernisation involves the *differentiation* of new political functions and the development of *specialised* structures to perform those functions. Once again, the necessity of institutionalisation is seen as fundamental to the establishment and maintenance of a bureaucratic-administrative order where, ideally, power is distributed according to merit and ability. Here, once again, Huntington demonstrates a Weberian conception of state, whereby specialised competencies become separated from politics and subsequently institutionalised in their own right as complex and autonomous bureaux with their own functions.

Third, political modernisation involves increased *participation* in politics by social groups throughout a society. This occurs partly due to social mobilisation of groups into politics, but

¹⁰⁹ As discussed in chapter 4, Huntington differs from the liberal-economic paradigm in his view of modernisation (Huntington, 1965:389). For Huntington, a clear distinction must be made between modernisation and development, since the latter can only be realised through adequate levels of *institutionalisation* (i.e. the progression toward being modern and developed is facilitated by functional political institutions).

¹¹⁰ Huntington hereby clearly subscribes to a conception of the state that defends its sovereignty against internal and external threat/influence (concurring with the Weberian conception of statehood employed in this study). Jackson (discussed in the next section) would perhaps have qualified Huntington's statement that political modernity (as opposed to the backwardness of quasi-states) would be characterised by the assertion of not merely sovereignty, but *positive* sovereignty.

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also because of the increased scope and size of the state itself. In this sense, Migdal refers to the level of penetration the state achieves in society (in a modernised polity, the power of the state would extend beyond merely the capital city) and the ability to permeate every level of society both demographically and geographically (that is, manifesting a binding and compulsory association). According to Huntington (1968:35) then, 'Rationalised authority, differentiated structure and mass participation thus distinguish modern polities from antecedent ones'. Yet it is noted that the standards of political modernity represent an ideal (one which has not achieved widespread realisation in the developing world). With regards to the developing world he remarks that:

In actuality, only some of the tendencies frequently encompassed in the concept 'political modernisation' characterised the 'modernising' areas ...Instead of stability, there were repeated coups and revolts. Instead of unifying nationalism and nation-building, there were repeated ethnic conflicts and civil wars. Instead of institutional rationalisation and differentiation, there was frequently a decay of the administrative organisation inherited from the colonial era. ...Only the concept of political modernisation as mobilisation and participation appeared to be generally applicable to the 'developing' world. Rationalisation, integration and differentiation, in contrast, seemed to have only a dim relation to reality. (Huntington, 1968:35-36)

An important indicator of instability, cited by Huntington, is the rate of speed at which the process of modernisation occurs. Political instability was widespread in the developing world because the rate of modernisation was so much faster than it had been in the states regarded as 'early modernisers' such as Britain and the USA. This premise is supported by Black (1966:90-94), who notes that the first modernising state (Britain), required 183 years (from 1649 to 1832) to consolidate its modernised leadership. It took the second moderniser (the USA) 89 years to achieve consolidated modernity. Similarly, the average period toward consolidation for states that modernised during the Napoleonic era was 73 years. But, for 21 of the 26 countries which began modernising during the first quarter of the twentieth century and emerged during the 1960s, the average period was only 29 years. These states were forced to modernise more quickly because of the increased drive for social and economic development in the years following World War II, which in turn led to increased disruption of societies resulting in political instability and violence.

Additionally, modernisation also leads to increased social mobilisation (discussed previously) and economic development. However, these twin aspects of modernisation may not develop equally over time, and consequently a gap develops between aspiration and expectation (want-formation and want-satisfaction) which leads to social frustration (Davies, 1962:5). Subsequently, political instability arises particularly in societies where opportunities for socio-economic mobility and strong political institutions are absent (Huntington, 1968:54). Upward mobility therefore serves as an outlet for social frustration, which along with strong

political institutions (such as political parties) serve as a vent for heightened political participation. Unfortunately, Huntington (1968:54) points out, societies engaged in the process of modernisation are, by their inherent nature, rarely characterised by either socio-economic mobility or strong political institutions.

5.3.3 Modernisation and corruption

Corruption is a phenomenon that is closely related to aspects of socio-economic mobility and institutionalisation, and represents an almost universal symptom of state dysfunction.¹¹¹ Huntington argues that the prevalence of corruption can also be related to the process of rapid social and economic modernisation. Additionally, corruption is a reflection of the low level of institutionalisation in a society, since corrupt officials lack autonomy and coherence and routinely subordinate their institutional role to external demands or private interests (Huntington, 1968:59). This means that corruption not only undermines the institutional capabilities of a state's administrative-bureaucratic apparatus, it also undermines the legitimacy of government in the eyes of citizens. The relationship between corruption and modernisation is threefold.

First, modernisation involves changes to the basic values of society, as previously discussed. Authority becomes rationalised and legitimate, based upon the universal norms of achievement and merit. Personal allegiance shifts from the tribe or clan to the state or nation. Similarly, behaviour that was considered acceptable, according to traditional norms, comes to be considered as unacceptable and corrupt. Huntington explains that: 'New standards and criteria of what is right and wrong lead to a condemnation of at least some traditional behaviour patterns as corrupt ...The calling into question of old standards, moreover, tends to undermine the legitimacy of all standards.' (Huntington, 1968:60)

This discrepancy manifests particularly where the distinction between public welfare and private interest does not exist, notably in traditional societies. Modernisation, therefore, casts existing and accepted traditional practices in a new light, from whence they are perceived as corrupt. The degree of corruption prevalent in a society is, therefore, an indicator of the nature of the traditional society as well as the nature of the modernising process.

¹¹¹ A cursory glance at the Corruption Perceptions Index, compiled annually by Transparency International, reveals that the most corrupt states are also some of the most dysfunctional, i.e. Chad (169th), DRC (170th), Sudan (177th) with Somalia (182nd) considered as the most corrupt (Transparency International, 2011).

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Second, modernisation also contributes to corruption by creating new sources of wealth and power, not accommodated by traditional norms, whilst modern norms may not yet have gained widespread acceptance either. In this sense, corruption is a direct product of the rise of new groups with new resources and the efforts of these groups to advance themselves within the political sphere (Huntington, 1968:61). As a post-independence state expands its influence by growing its governmental authority, along with the number of activities subjected to governmental regulation, new opportunities for corruption emerge. As Huntington (1968:62) notes, the proliferation of laws multiplies the possibilities of corruption. The extent to which this statement is true, depends in large part upon the extent to which laws carry the support of the general population, the ease with which the law can be broken undetected, and the potential profit that can be made from breaking the law. Thus, strict laws affecting trade and customs might encourage smuggling, just as liquor prohibition or banning gambling will lead to profitable, illegal and corrupt activities. Huntington (1968:62) explains: ‘...in a society where corruption is widespread the passage of strict laws against corruption serves only to multiply the opportunities for corruption’.

From this perspective, corruption thus plays an integral role in perpetuating a dysfunctional political system. Huntington therefore contends that corruption is one of many avenues through which political participation takes place in modernising societies lacking effective institutions. He notes that the prevalence of corruption in African states (as examples of modernising societies) may well be related to the general absence of historically established class divisions. Thus, the rapid mobility from poverty to wealth and from one occupation to another during modernisation has prevented the development of hereditary status or class-consciousness. The very same mobility, however, multiplies the number of opportunities for corruption (Huntington, 1968:65). In such societies, politics comes to be seen as the road to wealth, especially when business and financial interests are controlled by foreign capital, as it is in much of the developing world. Huntington (1968:65) contends that in such circumstances ‘...those enterprising ambitions and talents which cannot find what they want in business may yet do so in politics’.

Of course, the perception of political office as a way to achieve wealth disguises the implicit notion that political goals become subordinate to private economics. Accordingly, the principle purpose of politics is no longer the achievement of public goals, but rather the promotion of individual interests (Huntington, 1968:67). Widespread corruption, specifically in the topmost tiers of government, point to a low level of political institutionalisation, since the highest offices in any political system should be the most autonomous and independent from outside influence. Furthermore, although the presence of corruption may, in certain

instances, lubricate economic development, it tends to contribute to and perpetuate the decay of government bureaucracy (Huntington, 1968:69). The nature of this chronic dysfunction in government and leadership results in an acute lack of authority in the political system as a whole. Subsequently, power and authority becomes less unified and more fragmented (as diagnosed by Migdal) splintering according to individual interests into many forms and small quantities (Huntington, 1968:196). In these dysfunctional states where the levels of institutionalisation are low and simultaneously compromised by corruption, praetorianism often emerges as a unique form of power relations.

5.3.4 Praetorianism and political decay

Few aspects of political modernisation are more striking and common than the intervention of the military in politics (Huntington, 1968:192).¹¹² Military rule became an almost permanent feature of the Latin American political landscape in the late 19th and 20th centuries, where states were ruled by means of *juntas*.¹¹³ Similarly, military dictatorships have been frequent and widespread in postcolonial Africa, home to many of the world's most dysfunctional states. According to Nordlinger (1977:3) praetorianism refers to a situation in which military officers are major or predominant political actors by virtue of their actual or threatened use of force. Similarly, Perlmutter (1974:1) describes a praetorian state as one in which the military has the potential to dominate the political system due to its key role in political structures, combined with an illegitimate and dysfunctional civilian government.

Huntington contends that an explanation for the tendency of militaries to intervene in government should not be sought in an analysis of the armed forces, but rather an analysis of society. In this sense, military intervention represents one example of a more general phenomenon in underdeveloped societies undergoing modernisation, namely the general politicisation of social forces and institutions (Perlmutter, 1974:5; Huntington, 1968:194). Such general politicisation leads to various and diverse groups becoming directly involved in everyday politics, and Huntington (1968:194) notes that 'Countries which have political armies also have political clergies, political universities, political bureaucracies, political labour unions and political corporations.'

Of course, the involvement and activity of specialised social groups in politics occurs in all societies. However, in dysfunctional political systems marked by praetorianism, no effective political institutions exist that are capable of mediating and moderating political action by

¹¹² Also see *After Containment: The Functions of the Military Establishment* (Huntington, 1973).

¹¹³ A count by the author identified 67 distinct periods of military rule in 21 Latin American states between the period 1838 and 1993.

groups (Huntington, 1968:196).¹¹⁴ Thus, according to Huntington (1968:196) in a praetorian society social groups confront each other nakedly and are unrestrained. Neither political institutions nor professional political leaders are recognised or accepted as legitimate intermediaries between the conflicting interests of groups. Problematically, apart from the absence of institutions and leadership, no legitimate or authoritative methods exist for conflict resolution amongst the groups *themselves*. This leads each group to employ methods peculiar to its nature and capabilities in an attempt to realise its goals: 'In a praetorian society...the wealthy bribe; students riot; workers strike; mobs demonstrate; and the military coup' (Huntington, 1968:196).

These groups therefore interact directly with each other and make little effort to relate their private interest to a broader public good, as they compete for power and influence. As competing groups proliferate and viable institutions remain absent from the system, the process of modernisation in such polities increasingly comes to resemble chaos (Huntington, 1968:198).

Huntington identifies three phases of praetorianism, representing a sequence of progression, namely oligarchic, radical and mass praetorianism.¹¹⁵ *Oligarchic praetorianism* is characterised by the dominance of wealthy landowners, prominent clergy, and the military, all still traditional and rural in nature. At the early stages of modernisation, during which oligarchic praetorianism usually emerges, social institutions are still relatively undifferentiated, enabling members of the ruling class easily to combine various leadership roles. This results in politics becoming a Machiavellian enterprise in pursuit of power, wealth and status (Huntington, 1968:199). The praetorian oligarchy itself is marked by frequent *coups d'état*, but these usually represent only palace revolutions in the sense that one member of the oligarchy is merely replaced by another member of the same ruling clique. The top leadership is therefore relatively fluid, whereas few changes are made to the scope of government authority or the extent of political participation and institutionalisation (Huntington, 1968:201). Huntington explains that the dominant figure in such a society is usually a military general, but additionally '...he is also a landowner, an entrepreneur and a highly personalistic leader... he, in fact, uses all the political tactics – bribery, force, cajolery, threat, popular appeal – which in a more complex praetorian society become the distinctive tactics of particular groups' (Huntington, 1968:201).

¹¹⁴ See subsequent discussion on the role of political parties as a means to institutionalisation.

¹¹⁵ Perlmutter (1981:13) also presents a three-part typology of praetorianism, consisting of autocratic, oligarchic and corporate praetorianism. His description is, however, lacking in sophistication and predictive qualities when compared to that of Huntington.

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The inevitable process of modernisation continues, even in oligarchic praetorian societies. Subsequently, as Huntington (1968:201) explains, middle-class officers and other related groups (such as teachers, civil servants and technicians) become alienated and disgusted by the corruption, incompetence and passivity of the ruling oligarchy. In due course 'officers and their civilian allies form themselves into cliques and secret societies to discuss the future of their nation and to plot the overthrow of its rulers' (Huntington, 1968:201).

This signals the early stages of the shift towards *radical praetorianism*, prompted by accelerating urbanisation, an expanding middle-class and frustration with the political *status quo*. According to Huntington (1968:209), the social roots of radical praetorianism lie in the gap between the city and countryside. During urbanisation, brought about by modernisation, the city becomes the new locus of political activity. This urbanised political activity, combined with a growing middle-class consciousness leads to increasing instability in cities and urban areas, which subsequently become hotbeds of political dissent. Huntington notes that during such periods of urban instability, the ruling regime will often try to mobilise support in the rural countryside, in an attempt to counter growing instability in the capital:

If the countryside is passive and indifferent, if rural elite and rural masses are both excluded from politics, then government is caught in an urban prison of instability and functions at the whim of the city mob, the capital garrison, and the central university's students ...The distinctive characteristic of radical praetorianism is urban instability. The stability of that instability depends upon the exclusion of the countryside from politics (Huntington, 1968:209).

A government will therefore attempt to mobilise a traditional, rural, support base, perhaps calling upon the very web-like society that often undermines it, in order to counter the modern threat emerging in the cities. Yet eventually, the ruling praetorian oligarchy will be overthrown by a more progressive, or radical, middle-class faction of officers, who in turn open doors for hitherto excluded groups to engage in politics, such as the intelligentsia (specifically students), industrialists, lawyers, engineers and other urban professionals (Huntington, 1968:210). Under radical praetorianism, political participation is therefore broadened, entailing a corresponding increase in political activity. However, true to the fundamental character of a praetorian society, political activity is not institutionalised in the form of a political party system, but retains its hallmarks of direct and unmediated action by dissenting groups. In the absence of political institutions that channel deviant participation, direct action and violence is not seen as a deviation from the norms of the political system, rather, the use of violence *is* the system (Huntington, 1968:212). This instrumental use of violence is hostile to the cultivation of the culture of political civility and the maintenance of a functional state, and it therefore becomes likely that a praetorian society will also host a highly dysfunctional state. Yet, amidst the (often violent) political activity of social groups, the military remains the gatekeeper in a praetorian society, and usually represents the

closest approximation of a durable institution in such societies. Whilst the armed forces are almost never neutral or autonomous, they continue to be the arbiter in a society of directly competing interests, since they alone have the *means* to exercise effective power amidst political instability.¹¹⁶ Huntington explains that the political tactics employed by the military reflect their inherent organisational coherence and the reality that, while other groups can pressurise government, the military can replace government: 'Monks and priests can demonstrate, students riot, and workers strike, but not one of these groups has, except in most unusual circumstances, demonstrated any capacity to govern' (Huntington, 1968:217). When not executing coups the military can, therefore, maintain at least temporary order in radical praetorian societies, facilitating the political participation of middle-class social groupings. From the relative expansion of political participation experienced in a radical praetorian society, greater participation gradually begins to permeate the political system. Eventually, the middle class co-opts and expands its support base to the lower and working classes. Huntington (1968:224) cites this expansion of political participation as the beginning of *mass praetorianism*. It is important to bear in mind that even though political participation has been gradually expanded due to societal modernisation, a praetorian society (even at this stage) still lacks effective political institutions. This creates an atmosphere of untenable political instability since, during the mass praetorian phase, political participation reaches new heights (in the absence of institutions to moderate such participation). Consequently, the military (who remain the most powerful element in a praetorian society) adopts a more conservative stance regarding the political participation of the lower classes, as Huntington (1968:222) explains: 'Almost universally, a politicised officer corps will object to the incorporation of the urban lower classes into politics. The thrust of military intervention in these circumstances has a conservative effect: it prevents the broadening of political participation to more radical groups'.

Huntington (1968:222) subsequently refers to the 'door-keeper' role that the military performs in praetorian societies, their historical role being to open the door to the middle class and to shut it on the lower classes. Due to the high levels of cross class political participation (in both rural and urban areas) the possibility of revolutionary demands and revolution itself becomes a distinct possibility. In addition to acting as doorkeeper, the military fulfils a 'guardian role' (Huntington, 1968:225) with regard to maintaining the political system. During times of mass praetorianism, when levels of political activity are at their most volatile, this guardianship role becomes the most prominent feature of a praetorian

¹¹⁶ After all, in desperate times, such as war or civil unrest, it is the military that is responsible for wielding the coercive violence of the state.

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society, as the military establishment intervenes decisively to maintain evolutionary stability and avoid revolutionary instability.¹¹⁷

According to Huntington (1968:237), in praetorian societies the relationship between the political sphere and the social sphere is a dynamic and dialectical one, whereby social forces initially shape political arrangements, and subsequently the political sphere comes to dominate social groups and actors. As a result, he notes, strong tendencies exist in a praetorian society for it to remain in that condition, since 'attitudes and behaviour patterns, once developed, tend to remain and repeat themselves and praetorian politics becomes embedded in the culture of the society' (Huntington, 1968:237).

Thus, in dysfunctional states, the military might be the closest approximation of a well-developed institution (cohesion, bureaucratisation and discipline) within society as a whole, due to its superior organisational capacities. It is from this perspective that Huntington says the soldier may act as an 'institution builder' in praetorian societies, although this is not always the case (Huntington, 1968:237). However, in the same breath it must be noted that unless the military regime develops a political structure that institutionalises some principle of legitimacy, the result will more than likely be a military oligarchy in which power is passed among the oligarchs by means of successive *coups* and continued instability (Huntington, 1968:242). This scenario poses the distinct danger of revolutionary overthrow by marginalised social forces that are not assimilated into the political process due to the absence of an institutionalised political system.

The needs are threefold, as described by Huntington (1968:244-245). First, political institutions are needed that reflect the existing distribution of power, but are also capable of attracting and assimilating new social forces, thereby transcending military interests and adopting broader societal interests. Second, in states with military governments, bureaucratic output agencies are usually highly developed, in contrast with the disorganised nature of input agencies with the responsibility of interest articulation and aggregation. Political institutions are needed to redress this imbalance, specifically in the form of political parties. Third, political institutions are required to be capable of regulating succession and providing for the smooth transfer of power without the need for *coups* or revolts. Huntington concludes that in functional developed polities, these three functions are performed by the political party system (Huntington, 1968:245). Huntington therefore views the political party

¹¹⁷ Huntington (1968:233-237) identifies four courses of action the military might adopt during times of intervention, ranging from dictatorial rule by junta to reinstating civilian government.

as an important vehicle of political institutionalisation, and one which promotes stability and order.

5.3.5 Political parties and institutionalisation

The establishment of viable political parties is, of course, not relevant merely for societies wishing to break the vicious cycle of praetorianism, but is necessary for all societies experiencing socio-political change as a result of modernisation. The process of modernisation creates a society of greater social diversity, which eventually extends far beyond the familial or tribal ties of traditional societies. Similarly, modernisation stimulates greater social and political mobilisation and, as a result, the task of integrating traditional social forces into a single national political community (nation building) becomes more challenging (Huntington, 1968:297). Additionally, apart from reshaping traditional social relationships, modernisation also creates new economic, political and social forces that never existed in traditional society.

One of Huntington's central hypotheses is that increased political participation without adequate institutionalisation leads to political instability and disorder: '...societies which have created large-scale modern political institutions with the capability of handling more extensive political participation than exists at present are presumptively stable' (Huntington, 1968:398). Conversely, societies where participation exceeds institutionalisation are inherently unstable (Huntington, 1968:398). Thus, according to Huntington, the future stability of a society with low levels of political institutionalisation will largely depend upon the nature of the political institutions it creates to engage the modernisation process, and its concomitant increases in political participation. According to Huntington (1968:399), 'The principle institutional means for organising the expansion of political participation are political parties and the party system.'

Huntington identifies four phases in the process of political party development, culminating in complete institutionalisation. Initially, the embryonic political party landscape is characterised by factionalism, exhibiting little or no trace of coherent institutionalisation. This phase follows the demise of traditional patterns of political organisation, yet frequently continues to centre around family or tribal alliances. A small number of people compete, through a large number of weak and transient political groupings, with little durability and no structure (in other words, a minimal semblance of institutionalisation) (Huntington, 1968:412). Huntington also adds that during this factionalist stage, political participation is

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not broadened, as factions typically operate within the confines of the legislature, or the secretive meetings of the revolutionary (Huntington, 1968:415).¹¹⁸

A crucial turning point in the evolution of a political system occurs when politics expands beyond factionalism, and participation is subsequently broadened, as new social forces emerge. During this second phase, described as 'polarisation', political parties become organised by attaching political factionalism to a broader social force (Huntington, 1968:415). This stage emerges because of a bifurcation of the political playing field which divides the various smaller groupings which subsequently consolidate into two opposing poles, each represented by a political party and each enjoying substantial support. As Huntington explains: 'Once all the principal actors in the political system are committed to one side or another of a two-sided struggle, the leaders of each side are under strong compulsion to expand the scope of the struggle and to mobilise additional social forces into politics on their side' (Huntington, 1968:416).

Thus, the political party emerges from the haze of political traditionalism and brings with it much greater political mobilisation than was previously possible.

The third stage in party development is that of expansion, when a party appeals to the masses and attempts to bind mass support to it through means of effective organisation (Huntington, 1969:417). Leaders are prompted to organise party support in order to reach the ultimate party political goal, namely the conquest of power. In many contemporary dysfunctional states (particularly in Africa) this stage has coincided with the nationalist ideological goal of defeating colonialism and attaining independence. Huntington (1968:418) notes that this nationalist struggle against imperialism often effectively solidifies mass support in favour of the leading nationalist movement: 'The expansion of participation can be lasting...only if they are the product of competitive struggle. Strong one-party systems are always the product of nationalist or revolutionary movements from below which had to fight for power'. From this perspective, strong parties cannot be created from above (that is, manufactured by the state) but must evolve and survive through a process of struggle, thus being forged from below. Indeed, Africa abounds with nationalist liberation movements that have assumed power and become institutionalised as ruling parties, many of which either constitute a one-party system, or dominate in a dominant party system.¹¹⁹

¹¹⁸ Such political groupings are also referred to as 'Cadre' or 'Elite' parties, and they tend to pursue personal political interests rather than representing any portion of the electorate (Heywood, 2002:249).

¹¹⁹ The African continent abounds with former one-party systems that have subsequently allowed multiparty participation. These systems are however, still dominated by their respective former liberation movements.

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Huntington describes the fourth and final phase as that of institutionalisation, during which the foundation is established upon which a party system and parties are subsequently institutionalised. In this regard, the nature of political participation influences the nature of the parties that may develop. Anti-system revolutionary or radical nationalist participation (common during the struggle against colonialism) will most likely institutionalise in the form of a one-party or dominant-party system, similar to the examples cited above. In contrast, intra-system political participation is more likely to yield the institutionalisation of a two-party or multi-party system (Huntington, 1968:420).

It is therefore clear that Huntington views the political party and the political party system as valuable institutions through which political order may be achieved. Thus, the stability of a modernising political system depends on the strength of its political parties (Huntington, 1968:408) and in Huntington's view, a one-party or dominant-party system has the best institutionalised base for guaranteeing such stability, notwithstanding issues of legitimacy.

In societies where political parties do not exist due to suppression or marginalisation, there is usually an absence of institutionalised political avenues for participation. In such cases political discontent and instability mounts and participation may eventually assume an extra-systemic character, which is most dramatically exhibited by unprecedented spikes in participation, often in the form of revolution.

5.3.6 Revolution in dysfunctional states

Huntington defines a revolution as a rapid, fundamental and violent domestic change in the dominant values and myths of a society, in its political institutions, social structure, leadership and government activity and politics (Huntington, 1968:264). Revolution is, as the name suggests, a complete turnaround of the status quo. Huntington views revolution as a pertinent aspect of the modernisation process. True revolutions are thus a historically limited phenomenon, since it is unlikely that staunchly traditional societies with low levels of socio-economic complexity will provide fertile soil for revolutionaries. Revolutions are even less likely to occur in highly advanced modern societies with high levels of political institutionalisation (Huntington, 1968:265). He explains that: 'Like other forms of violence and instability, it [revolution] is most likely to occur in societies which have experienced some social and economic development and where the processes of political modernisation and political development have lagged behind the processes of social and economic change' (Huntington, 1968:265).

Examples of dominant-party states in the SADC region include Angola (MPLA), Mozambique (FRELIMO), Namibia (SWAPO), South Africa (ANC), Zimbabwe (ZANU-PF), and Botswana (BDP).

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Therefore, in political terms, the cause of a revolution is the rapid expansion of political consciousness and the rapid mobilisation of new groups into politics at such a rate that it makes it impossible for existing political institutions to assimilate them (Huntington, 1968:266).

Revolutions are therefore, simply put, explosions of political participation. Indeed, an explosive moment of political participation is one of two distinct phases of a 'complete revolution', the second being creation and institutionalisation of a new political order. Huntington explains that the successful revolution combines rapid political *mobilisation* and rapid political *institutionalisation*, and that not all revolutions produce a new political order (1968:266). The success of a revolution is therefore measured in terms of the viability and strength of the institutions that it creates.

Huntington distinguishes and describes two main variants of revolution, namely Western and Eastern revolutionary patterns. According to the Western pattern, the political institutions of the old regime collapse, followed by the mobilisation of new groups into politics, and finally the creation of new political institutions. Examples include the French (1789), Mexican (1910) and Russian (1917) revolutions. In contrast, the Eastern revolution commences with the mobilisation of new groups into politics, followed by the creation of new political institutions and concludes with the violent overthrow of the old political order. Empirical examples are the Vietnamese (1945) and Chinese (1949) revolutions, in addition to colonial struggles against imperialist powers (Huntington, 1968:266).

Thus, during a Western revolution, mass political mobilisation results as a consequence of the collapse of the old regime, whilst in an Eastern revolution mobilisation is the *cause* of the collapse of the old order. It would appear that in the context of contemporary state dysfunction the Eastern pattern is prevalent in many troubled states, especially when on-going insurgencies and rebellions by dissident political organisations are taken into account. However, these instances can only rarely be described as complete revolutions when measured against Huntington's criteria of mobilisation *and* institutionalisation. More often than not, these struggles are examples of politically motivated violence, rather than revolutions. Huntington explains that Eastern revolutions are also frequently marked by periods of dual power, during which revolutionary elements are simultaneously expanding the scope of their political participation and the authority of their political institutions, during which the old order still continues to exercise its rule (Huntington, 1968:271). Therefore, whilst the regime may rule in the capital city and other urbanised areas, the revolutionaries

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are consolidating their position in the rural countryside, a scenario which has emerged in many dysfunctional states, particularly in Africa. Referring to the revolutionaries, Huntington (1968:271) notes that:

In the Eastern revolution they withdraw from central, urban areas of the country, establish a base area of control in a remote section, struggle to win the support of the peasants through terror and propaganda, slowly expand the scope of their authority, and gradually escalate the level of their military operations from individual terroristic attacks to guerrilla warfare to mobile warfare and regular warfare...The last phase of the revolutionary struggle is the occupation of the capital.

The scenario described above by Huntington closely approximates the reality in dysfunctional states where governmental power is limited to the capital, and non-state actors such as warlords control large areas of the countryside, as was the case in Angola (1975-2002), Sierra Leone (1991-2002), Liberia (1989-1996 and again from 1999-2003), Sri Lanka (1983-2009). Such instances also correspond with Migdal's description of fragmented social control, whereby no one actor (especially not the state) manages to project hegemonic authority (Migdal, 1988:37).

Huntington (1968:273) accounts for the difference between the origins of Western and Eastern revolutionary patterns by citing the nature of the pre-revolutionary regime. Whereas Western revolutions are motivated in opposition to a highly traditional regime (often involving a monarchy or powerful aristocracy), Eastern revolutions are directed, at least partially, against modernised regimes. It would therefore appear that the Western pattern of revolution was the product of a particular period in history, whilst the impetus for Eastern revolutions still exists in many societies.¹²⁰ In elaborating upon the nature of such partially modernised orders, Huntington's (1968:273) description echoes many of the hallmarks of modern dysfunctional states plagued by intra-state violence:

These may be indigenous governments that have absorbed some modern and vigorous middle-class elements and that are led by new men with the ruthlessness, if not the political skill, to hang on to power, or they may be colonial regimes in which the wealth and power of a metropolitan country gives the local government a seemingly overwhelming superiority in all the conventional manifestations of political authority and military force. In such circumstance no quick victory is possible and the urban revolutionaries have to fight their way to power through a prolonged insurrectionary process.

It is therefore clear that Huntington views revolution as a condition of the dysfunctional, politically modernising (as opposed to a functional, politically *developing*) society, where an acute lack of institutionalisation is further exacerbated by increased demands for political

¹²⁰ In this author's estimation the revolts of the "Arab Spring" can be meaningfully interpreted according to the Eastern revolutionary pattern.

participation which are continually ignored or suppressed. A revolution is the eventual end-of-the-line for a praetorian society that fails to adapt and institutionalise political participation by evolutionary means, or as Huntington concisely notes, 'Ascending or aspiring groups and rigid or inflexible institutions are the stuff of which revolutions are made' (Huntington, 1968:275).

Completely fulfilled revolutions are rare (Huntington, 1968:264). More often the beginnings of revolutionary discontent with contemporary regimes peter out into extended periods of political violence, repeated *coups d'états*, wars of independence or civil war (of which the developing world hosts many).¹²¹ None of the aforementioned outcomes offer any hope of creating viable institutions, in fact by their very nature these occurrences of political violence are destructive. In contrast, Huntington's view of revolution concurs with that of Bertrand de Jouvenel's (1993:218), who opined that the true historical function of revolution is to renovate and strengthen power. Huntington argues that true revolutions replace weak governments with strong governments, and that strong governments are the product of both the concentration and the expansion of political power in a system. Thus, the completion of the political task of a revolution depends upon the creation of new political organisations to stabilise and to institutionalise the centralisation and expansion of power (Huntington, 1968:313).

Revolutions therefore present an opportunity for political development, but only if that fleeting political opportunity can be capitalised upon. However, the perpetually violent and tempestuous nature of dysfunctional states suggest that, according to this Huntingtonian analysis, a dysfunctional state is one which has modernised to some degree, but has been unable to *develop* politically, either by evolutionary or revolutionary means.

5.3.7 Conceptualisation and conclusion

From the preceding discussion, it is evident that Huntington's account of political decay and its concomitant elements bears particular relevance to a study of state dysfunction. As a point of departure, Huntington's theoretical conception of statehood corresponds to the Weberian ideal-type, and as a result, his insights regarding state dysfunction are compatible with those of the other authors employed in this study. The regression caused by political decay as described by Huntington could indeed be viewed as analogous with state dysfunction. The central driver of this regression and decay is the inevitable and often

¹²¹ Here, van Creveld's analysis of non-trinitarian warfare and low-intensity conflict is of particular relevance (see section 5.5).

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involuntary process of modernisation, both political and economic, which undermine traditional societal arrangements in traditional societies. Modernisation serves as the impetus for greater societal complexity and potential prosperity, creating expectations in society that, in turn, mobilise new social forces in the political arena, resulting in an increase in political participation.

Consider the integration of the above-mentioned aspects with the analytical tool developed in Chapter 3. Once again, symbols/descriptions are used to indicate the effect various concepts have upon state capabilities, an adverse influence indicated with the ↓ symbol, whilst an enhancing influence is indicated with the ↑ symbol. An influence that brings about the destruction of the political system as a whole (that is, terminal state dysfunction) is indicated with the ☠ symbol:

Table 9: Reconstructing Huntington's contribution to the conceptualisation of the dysfunctional state

		WEBERIAN CONCEPT OF STATE				
		Coordinated admin.	Compulsory Association	Binding authority	Territory	Monopoly of leg. force
SCIENTIFIC CONSTRUCTS	PARADIGM	Conservative, new institutionalist, post-behaviouralist. Emphasises political order. Modernisation is seen as driver of political change, leading either to <i>development</i> or <i>decay</i> . The former is achieved through <i>institutionalisation</i> (in the form of bureaucracy & political parties) the latter is synonymous with state dysfunction. Thus: degree, not type, of government is NB.				
	TYPOLGY	CHANGE ENHANCE UNDERMINE	CHANGE ENHANCE UNDERMINE	CHANGE ENHANCE UNDERMINE	UNDERMINE	CHANGE ENHANCE UNDERMINE
	CONCEPTS	↑ ↓ ↓ ↓ ☠	↑ ↓ ↓ ↓ ☠	↑ ↓ ↓ ↓ ☠	↓ ↓ ☠	↑ ↓ ↓ ↓ ☠
	MODERNISATION					
	• Development					
	• Decay					
	POLITICAL DEVELOPMENT					
	• Institutionalisation + political participation (party system)					
	POLITICAL DECAY					
	• Low / lack of institutionalisation + political participation					
	• Corruption					
	• Praetorianism					
	• Revolution (as explosion of political participation)					

It is clear that within the Huntingtonian conception of political decay (state dysfunction), the absence of institutions and institutionalisation poses the most significant challenges to the state. A lack of institutionalisation refers, ultimately, to an absence of stable arrangements

for maintaining order, or that such arrangements exhibit low levels of adaptability, complexity, autonomy and unity. Since the administrative order (the bureaucracy) of a given state represents a given society's most prominent institution,¹²² Huntington's contribution is of particular relevance to analysing dysfunctional state administrations and bureaucracies. According to a Huntingtonian analysis, an administration could be considered dysfunctional if it is unable to adapt to social demands, remains unsophisticated or primitive in its structure and capabilities, is dominated by private interests (corruption), or fragmented by factionalism or other divisive agendas. In his analysis of institutionalisation, Huntington therefore provides criteria for determining the levels of (dys)functionality of a state's administrative-bureaucratic order. The nature of a dysfunctional bureaucracy, similarly, stands in stark contrast to the ideal described by Weber himself (1947:196). Furthermore, Huntington (1968:194-196) notes that low levels of institutionalisation and the political subordination of institutions causes the perpetuation of praetorianism in society: 'These causes lie... in the structure of society... particular... in the absence or weakness of effective political institutions' (Huntington, 1968:196).

The reconstruction, interpretation and evaluation of Huntington's contribution to the theme of this study reveals a conceptualisation of state dysfunction in which low political institutionalisation and weak institutions feature centrally. This conceptualisation impacts directly upon the first attribute of the Weberian core, namely a coordinated administrative-bureaucratic order. Low levels of institutionalisation compromise the efficacy of a state's administrative apparatus, thereby compromising all the remaining core elements of its statehood. This conceptualisation of state dysfunction may eventually regress further into extreme political instability and revolution, after which a scenario of terminal state dysfunction (state failure) becomes increasingly likely. Next, this chapter considers the relationship between state dysfunction and the international arena through a reconstruction of Robert H. Jackson's contribution.

5.4 Jackson - Dysfunctional states and sovereignty

In the previous chapter, Jackson was introduced as one of the central contributors to this study's conceptualisation of the dysfunctional state, with particular reference to his work entitled *Quasi-states* (1993). It was noted that his theoretical perspectives focus on the external dimension of state dysfunction (with the international arena being its level of

¹²² See Chapter 3, and Huntington (1968:1).

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application) through a reevaluation of the construct of sovereignty, brought about by changes in international norms during the post-WWII period.

As of the 21st century, a multitude of ex-colonial states have been juridically elevated to sovereign statehood – the capable and the weak alike yet many of these states exhibit only the *de jure* characteristics of a state and are entirely lacking in its substantive empirical attributes. According to Robert H. Jackson, their populations do not enjoy many of the advantages traditionally associated with independent statehood. Their governments are often deficient in political will, institutional authority and authoritative power (the *means* of state, emphasised by Weber) with which to protect human rights and provide socio-economic welfare. The concrete benefits that have historically justified sovereign statehood are often limited to a narrow corpus of elites and have not yet been extended to the citizenry at large whose lives are little improved by independence and are perhaps even adversely affected by it, judging by the political decay exhibited by many postcolonial states.¹²³ These states are primarily juridical, meaning that their existence is maintained by international law (*de jure*), and not through their inherent capabilities or empirical attributes (*de facto*). They cannot be considered functional states, as substantive empirical statehood, in large measure, remains to be built (Jackson, 1993:21). These are what Jackson refers to as ‘quasi-states’. His description undoubtedly reflects the circumstances in dysfunctional states, which may be either weak or failing, and therefore bears pertinent relevance for this study. Jackson notes that these former colonies were in many instances granted independence, without possessing substantive *freedom* and that a lack of one negates the other. Quasi-states therefore enjoy equal sovereignty, but they lack established institutions capable of constraining and outlasting the individuals who occupy their offices, and reflect little respect for binding constitutions or acceptance of the rule of law (Jackson, 1993:22).

Discrepancies between the capabilities of strong- and quasi- or dysfunctional states are not new. Certain states have always possessed greater capabilities domestically and internationally. History provides many examples of strong states and derelict weak states, even in the now-developed world.¹²⁴ Inequality between states is thus a persistent feature of

¹²³ According to the United Nations Human Development Index (United Nations, 2010) the vast majority of states categorized as exhibiting low levels of human development are former colonies. The ten lowest ranking states are all in Africa, and were all former colonies, with the exception of Liberia. The lowest ranking state is Zimbabwe, with a human development score of 0.140, whilst the highest ranking state is Norway, with 0.938. South Africa has a human development score of 0.619.

¹²⁴ A comparison of the territorial boundaries agreed upon in Europe during the Treaty of Westphalia (1648) and the territorial configuration of the same geography on the eve of the First World War (1913) reveals few similarities. This 250 year period saw significant European political upheaval, with many weaker states being annexed by greater powers under suzerainty (as was the case with Moldavia, Transylvania, and Wallachia) or absorbed in their totality (in the case of Savoy).

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international relations and something that is unalterable. In fact, much of world history can be interpreted using the narrative of the survival of strong political entities and the submission or destruction of weaker ones. This is the essence of 'power politics' as put forward by Morgenthau (1949); the realist notion that the system of states represents a balance of power where strong states conquer the weak. The empirical conditions of strong and weak states continue to exist, but under the new post-war international legal dispensation the traditional balance of power has been disturbed. Weaker states are no longer party to the competitive dynamic of survival in the international sphere, as Jackson explains '...the traditional balance of power system has been interfered with and subjected to new normative regulations: weak, marginal, or insubstantial states are now exempt from the power contest at least in part and treated as international protectorates...The weakness or backwardness of countries is no longer a justification for conquest or colonialism' (Jackson, 1993:23). The fact that inequality and underdevelopment exists between states is not new, but the way that this inequality and underdevelopment is *conceived*, evaluated and responded to has changed. Dysfunctional states are no longer easy targets for conquest or annexation, as the historical theories of realist international relations would purport: 'Ramshackle states today are not open invitations for unsolicited external intervention. They are not allowed to disappear juridically – even if for all intents and purposes they have already fallen or been pulled down in fact. They cannot be deprived of sovereignty as a result of war, conquest, partition, or colonialism such as frequently happened in the past. *The juridical cart is now before the empirical horse* [own emphasis] (Jackson, 1993:23).

This new international sovereignty regime acts as an insurance policy for the dysfunctional states that are maintained by these non-competitive norms (Kreijen, 2002:93). Therefore, instead of conceiving political weakness and dysfunction as threats to sovereignty and statehood, they are now considered reasons for exemption from the more strenuous classical international competition between states (Jackson, 1993:24). The new rules of the sovereignty game are much more accommodating and tolerant of dysfunctional states than ever before. As Jackson notes, this shift in the conceptualisation of sovereignty justified the independence of every colony that desired it, thereby establishing a radically different basis of sovereign statehood in the developing world. It was now possible to possess juridical statehood while as yet disclosing little evidence of empirical capability. It was also possible (as it had never been in the past) to make demands on international society for assistance to become developed, and it became difficult to ignore such demands without denying the real problems and difficulties of the new members of an expanded international community of states (Jackson, 1993:25).

5.4.1 Positive and negative sovereignty

Embedded in Jackson's description of quasi-states are the notions of positive and negative sovereignty,¹²⁵ and the argument that dysfunctional states often possess only the latter. This interpretation of sovereignty is modelled on Berlin's (1969) influential cognate ideas of negative and positive liberty. Berlin defines negative liberty as the area within which an individual can act, unobstructed by others (1969:122). Negative liberty provides individuals freedom *from* interference, and thus presupposes self-determination. Interference with an individual's negative liberty is only justified when he/she harms or threatens to harm others – the so-called harm principle (Mill, 1859:21). Similarly, negative sovereignty (as applied to states) can be defined as freedom from outside interference, in a formal-legal sense. In this application, possessing sovereignty and being free from outside intervention represent two sides of the same coin. It is also the central principle upon which the law of nations and the Weberian conception of statehood is premised – the notion that each state has exclusive legal jurisdiction in its own territory, free from incursion by other states. According to Jackson, 'Negative sovereignty as regards quasi-states primarily involves decolonisation: it is the distinctive liberty acquired by former colonies as a consequence of the international enfranchisement movement ... It is a formal legal entitlement and therefore something which the international society is capable of conferring' (Jackson, 1993:27).

Negative sovereignty could be described as a passive attribute, since it is not dependent on any conditions or positive actions by the sovereign state. Rather, it rests on the observance and forbearance of *other* states in the international community of sovereign states.

In contrast, positive liberty (as described by Berlin) consists of being one's own master. Thus, where negative liberty is interpreted as freedom from, positive liberty is freedom *to*: being active, self-directive, exercising choice, and pursuing and realising goals (Berlin, 1969:131). Positive sovereignty likewise presupposes capabilities that enable governments to be their own masters (Marshall, 1965:5)¹²⁶ and is, therefore, a substantive (empirical) rather than a formal condition or status that may be conferred – it is not a legal, but a *political* attribute. According to Jackson (1993:29), a positively sovereign state is one that not only enjoys rights of non-intervention and other international immunities, but also possesses the

¹²⁵ The theoretical differentiation of sovereignty has also notably been conducted by Stephen Krasner (1999), who identifies four variations of sovereignty (1999:3-4). Several of Krasner's insights are based upon Jackson's analysis of quasi-states.

¹²⁶ Marshall's (1965:5) description of sovereignty is predicated especially upon the *capabilities* of states, and serves as a good example of the classical (positive) conceptualisation of sovereignty. Whilst its length prohibits its quotation here, Marshall's conceptualisation captures the essence of classical positive sovereignty (which Jackson employs in his own work).

wherewithal to provide political goods for its citizens: 'It is the distinctive overall feature of a "developed" state. Consequently, it is a stronger characteristic of some states than of others' (Jackson, 1993:29).

Although all internationally recognised states enjoy the rights which negative sovereignty guarantees, such as autonomous diplomatic relations and non-intervention, only some possess the capabilities to maximise the advantage of their independence. Importantly, Jackson notes that the ability to achieve substantive positive sovereignty is not a function of a particular state's size or power (Jackson, 1993:30). Strong small states and dysfunctional large states have existed throughout history. Economically and geographically, Denmark is dwarfed by a state such as Germany, and has historically suffered under German invasions and occupations. Yet the Danish government is able to provide for its population as well as any state and better than most.¹²⁷ Jackson (1993:30) explains, 'It is not a question of being a dwarf or a giant among states. Rather, it is a question of being a state in organised domestic reality and not merely by international law'.

Through their domestic incapacity, dysfunctional and quasi-states therefore lack positive sovereignty and many of the concomitant positive (empirical) attributes of statehood. They exist merely because their inherent rights, enshrined in negative sovereignty, maintain them. Jackson further argues that the very deficiencies that characterise quasi-states are now employed as legitimate grounds for international assistance. Incapacity and inequality have therefore been turned into international claims to additional international support, where previously it would have been seen as *prima facie* grounds for denying a state membership of the international community of sovereign states (Jackson, 1993:30-31).

5.4.2 Old and new sovereignty games

In terms of international law, sovereignty implies constitutional independence from other states, which means that a state's constitution is not part of a larger constitutional arrangement (James, 1986:25). There can be no half-measure, or semi-sovereignty – a state is either wholly sovereign or subject to a measure of control by another sovereign state and therefore not sovereign. Historically, various types of non-sovereign entities existed that were maintained by imperial powers such as protectorates, colonies, mandates, trust territories or condominiums (Grossman, 2001:858; Fawcett, 1949:86-107). All the afore-

¹²⁷ Denmark has maintained a historically high level of human development, with an HDI measurement of 0.895 (15th). Despite their territorial size, other geographically small states such as the Netherlands, Belgium and South Korea have managed to provide high living standards and political stability to their citizens. In contrast, the USSR (the world's largest state) proved to be largely dysfunctional at the time of its eventual dissolution.

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mentioned political-constitutional arrangements entailed legal subordination to a foreign power, effectively the denial of sovereignty. This was the *status quo* before the end of World War II, and constituted what Jackson refers to as the 'old sovereignty game'. He explains his use of the metaphor accordingly: 'Since sovereignty is essentially a legal order defined by rules it can very appropriately be understood in terms of a game. One can intelligibly employ the metaphor only in the analysis of rule-articulated political orders: games are activities constituted and regulated by rules' (Jackson, 1993:34).

The rules of the sovereignty game are influenced by the unavoidable and undeniable reality of a plurality of states in an international system. Collectively, these rules maintain the constitutional independence of states, observing legal equality between states, mutual recognition, jurisdiction, non-intervention, entering into and honouring treaties, diplomacy, and a broad framework of international law that even regulates violent conflict between states in a rule-bound playing field protecting non-combatants and other spectators (Jackson, 1993:35).¹²⁸ Thus, the aforementioned rules include every convention and practice of international life that moderate and civilise the relations of states.¹²⁹ The classical international game of sovereignty is therefore essentially a game of *liberty*, as discussed in a previous section, with reference to Berlin. It represents the overarching central institution in a political world of liberalism, as Jackson explains: 'The classical sovereignty game exists to order the relations of states, prevent damaging collisions between them, and – when they do occur – regulate the conflicts and restore peace.' (Jackson, 1993:34)

Traditionally, therefore, apart from being positively capable entities, states are also viewed as intrinsically valuable and worth protecting and preserving, since they provide the necessary conditions of the good life to their citizens. Consequently, each sovereign player aims to achieve advantage and gain through the pursuance of its foreign policy, mindful of the fact that ignoring the rules will destroy the game itself, including the valuable political goods and independence that are derived from it. Ultimately, then, the national interest of sovereign states is the protection and preservation of their own way of life, through preserving the rules of the game. The players of this old sovereignty game were generally functional, empirically sovereign, typically Western states. In the old sovereignty game, efficacy in government was a supporting pillar of sovereign statehood, whereby the supreme authoritative power resided in a particular territorial unit and evolved from 'within'. Demonstrable capacity for survival and self-government created credibility and respect that

¹²⁸ Such rules would include, for example, The Hague (1907) and Geneva (1949) Conventions.

¹²⁹ A notion first arrived at by Hugo Grotius (1625), upon which the rationalist conception of international relations is largely based.

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warranted recognition beyond one's borders – *sovereigns therefore preceded sovereignty* (Jackson, 1993:34). Kelsen (1945:29) effectively summarises the requirements of players participating in the old sovereignty game, stating that 'A national legal order begins to be valid as soon as it has become, on the whole, efficacious, and ceases to be valid as soon as it loses this efficacy.'

If Kelsen's test of validity continued to be applied today, many states in the developing world would not be regarded as sovereign. Jackson explains that the original players of the old sovereignty game were governments that had successfully asserted sovereignty in the past, had never surrendered sovereignty or succumbed to another state, and consequently had a strong historical right to play the game. When the United States achieved freedom from the British Empire through its War of Independence or when Japan avoided Western imperialism, empirical statehood and the accompanying *positive* title to sovereignty was demonstrated (Jackson, 1993:39). The players of the old sovereignty game therefore excluded the various less significant colonies and dependencies that existed at the time. It was, in essence, a game for the 'big boys' (Kreijen, 2004:51).

After World War II, the constitutional-political strata of dependencies were eliminated from the international legal vocabulary, as discussed previously. Sovereignty was now granted to any entity, based on the normative moral criteria of self-determination. Whilst the philosophical notion of self-determination had been part of liberal thought since the eighteenth century, it was Woodrow Wilson's Fourteen Points¹³⁰ that incorporated it as part of a normative framework for international relations (*national* self-determination). Consequently, Jackson notes: 'International society now contained one and only one *official* class which masked enormous differences and variations in the substance and credibility of statehood around the world. This change, understandably, had an impact on how the sovereignty game is played' (Jackson, 1993:40).

The post-war concretisation of self-determination as sufficient grounds for sovereignty and constitutional independence prompted the emergence of a new sovereignty game. The doctrine of independence based upon the right of self-determination not only established ex-colonies' categorical right to independence, it also cemented the permanent inviolability of these territories. Furthermore, it was no longer seen as a positive right of *national* self-

¹³⁰ Wilson's Fourteen Points were drafted after the First World War, according to which the principle of national self-determination was applied to the breakup of the Austrian, German and Ottoman Empires. The principle of national self-determination is also embodied in the United Nations Declaration on the Granting of Independence of Colonial Countries and Peoples (1960), and in the Declaration of the Principles of International Law (1970) (McLean & McMillan, 2003:483).

determination (as very few modern states emerge concurrently with, or from, nations). It instead became an exclusive negative right of *ex-colonies*, which typically contain a multitude of ethnic and tribal entities, and rarely a homogenous ethnic nationality. The right to self-determination therefore became an *instrument* toward anti-colonial liberation (Jackson, 1993:41). In contrast, various nations that were not colonies argued for their right to independence based upon the doctrine of self-determination and have been denied by the rules of the new sovereignty game: 'The accidents of imperial history consign them to the role of unwilling spectators even when they may actually be in effective control of territory – as in the case of Eritrea.¹³¹ Baluchis, Biafrans, Eritreans, Tigreans, Ewes, Gandans, Karens, Katchins, Kurds, Moros, Pathans, Sikhs, Tamils, and many other ethno-nationalities are the abandoned peoples of the contemporary world of states' (Jackson, 1993:41). Most of these nations¹³² are denied independence since geographically they form part of former colonies, of which the sovereignty and territorial integrity cannot be challenged or amended in the current order of sovereign states, due to the dictates of negative sovereignty and non-intervention. These peoples are subsequently relegated to a rogue status, often being described as separatists, secessionists or irredentists.

Self-determination has therefore also become a reactionary right of quasi-states. Their state leaders are usually determined to prohibit 'secessionist' ethno-nationalities from attaining independence, since it would involve loss of jurisdiction over the territories in question and the redrawing of international frontiers which could threaten internal and regional power relations (Jackson, 1993:42).¹³³ In reference to this shift, Labuschagne (2008:80) explains that 'international and national decision makers decided to follow the route of the *uti possidetis* principle,¹³⁴ in other words not to compromise the geographical integrity of new born states during the decolonisation phase by ignoring the plight of minority groups'. Whilst granting independence to ethnic minorities based upon the principle of national self-determination may in certain instances create viable states, the sheer number of aspirant minorities poses a risk of regional fragmentation and destabilisation. Regardless, the principle of true *national* self-determination is one that has been rendered obsolete with the completion of decolonisation – and it emerged from this process that the only self-determined groups were those represented by victorious liberation movements.

¹³¹ Eritrea gained its independence from Ethiopia on 24 May 1993, shortly after Jackson's book was published. Prior to gaining independence through a referendum, Eritreans had been engaged in a destructive civil war with Ethiopia since 1961.

¹³² The cases of Scots, Catalans (Keating, 1997) and Gibraltarians (Azopardi, 2009) have also been cited as cases of 'stateless nations'.

¹³³ These societies are in most cases highly fragmented, concurring with Migdal's analysis.

¹³⁴ A principle in international law which states that territory and other property remains with its possessor at the end of a conflict (see Boczek, 2005:253).

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Apart from the right of negative sovereignty, Jackson explores a second, equally important facet of the post-war sovereignty game: quasi-states are independent in law, yet unsubstantial in reality, lacking the tenets of empirical statehood. These dysfunctional states have subsequently grown to be dependent on other states for their economic welfare. Currently, underdevelopment in most dysfunctional states is not only a fact, it is also the basis for a claim to positive assistance from the international community in general and from wealthy states in particular (Jackson, 1993:43). The new type of sovereignty that quasi-states enjoy, not only enshrines their negative liberty (freedom from non-intervention) but also grants them a *positive claim* (although not yet legally enshrined as a right) to socio-economic and material assistance, termed by Jackson as 'sovereignty plus'. This arrangement of international development is difficult to merge with the historical liberties of sovereign statehood, since if developed states have obligations to assist underdeveloped states, they certainly have no right to ensure that their assistance is properly used by governments of underdeveloped, dysfunctional states. This, then, represents the double-edged sword of negative sovereignty in the developing world, which fiercely defends its rights of negative liberty from others, whilst simultaneously claiming from others the necessary goods to ensure positive liberty. This represents an asymmetrical relationship hitherto unknown in traditional international relations. The bearers of rights and the holders of obligations are differentiated in a way that contradicts the historical reciprocity and equality of states – southern governments now have predominantly rights, and northern governments mainly duties (Jackson, 1993:44). Consider the comparison of historical and contemporary sovereignty represented in the following table:

Table 10: Comparing the old and new sovereignty games

SOVEREIGNTY GAMES AT PLAY		
<u>Old</u>	TYPE	<u>New</u>
Positive	SOVEREIGNTY	Negative
Developed World	OCCURENCE	Developing World (especially former colonies)
Evolutionary (1648 - Present)	DEVELOPMENT	Revolutionary (Decolonisation)
Power + Competition (Empirical capabilities)	FOUNDED ON	Self-determination (Moral/Legal Doctrine)
Assistance to the developing world	OBLIGATIONS	Minimal
Largely Functional (Strong)	STATE PERFORMANCE	Largely Dysfunctional (Quasi)

Source: Own construct

In concluding his overview of the above-mentioned sovereignty games currently operating in the international realm, Jackson summarises as follows:

Third World independence has resulted in the formation for the first time of two simultaneous games of sovereignty within universal international society: the continuing demanding 'hardball' game based on positive sovereignty, and a new, softer, third division game derived from negative sovereignty ... The new game is the North-South 'dialogue' which is the successor of Western colonialism. It is in many respects a collaborative regime fashioned to replace the imperial orders which governed non-Western areas in the past ... What is fundamentally changed, therefore, is not the geographical distribution of power in the world. Rather, it is the moral and legal framework of the states-system and the way that underdeveloped parts of the world are supported externally. (Jackson, 1993:48)

International society is therefore expected to be not only a civil association for individual states, but also a joint enterprise responsible for assisting less capable members. Self-determination has created indigenous governments in the developing world, but has at the same time subjected many populations to unstable and predatory regimes in the form of dysfunctional states, which often use their sovereign rights to neglect or abuse human rights within their borders. This ironic outcome, writes Jackson (1993:49-49), was not supposed to happen.

5.4.3 International affirmative action

The way we think about international relations today is strongly influenced by a picture of the world as sharply divided between a rich and technologically developed North, juxtaposed to a poor, backward and underdeveloped South (Jackson, 1993:109). Despite the enormous

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amounts of financial and economic aid that have been designated and invested in states of the developing world, the status quo remains wholly unchanged.¹³⁵ The expected positive outcomes attached to international aid presuppose performances from dysfunctional state governments that cannot be guaranteed (Smith, 2005:167; Burnell, 2005:197). Such governments are themselves underdeveloped and therefore perpetuate and exacerbate the problem of underdevelopment, since there can be no assurance that the transferred resources will be put to use efficiently and for the proper purposes¹³⁶. The North-South development divide, notes Jackson, is therefore likely to persist indefinitely since it is a condition deeply rooted in economic, social, cultural and even psychological facts that are exceedingly difficult to alter, regardless of the quantity of good will or economic aid being dispersed. This perspective concurs with Migdal's analysis of the *entrenched* patterns of social fragmentation and political dysfunction in the developing world.

Leaders of the developing world often point to colonialism as the root cause of the current developmental discrepancy (the legacy of colonialism),¹³⁷ in attempting to occupy the moral high ground in negotiating for economic aid or international assistance. In this regard, Jackson (1993:110) remarks: 'During the colonial era, however, development and underdevelopment was a domestic rather than an international issue, if it was an issue at all. Decolonisation therefore did not create the North-South gap which has been in evidence for several centuries. Instead, it internationalised it just as a century ago Western imperialism internalised it'.

The lack of development in former colonies and the developing world in general is not, therefore, a consequence of colonialism. The African continent was, without exception, economically undeveloped prior to European infiltration. It could also be argued that what measure of subsequent development occurred came as a result of an organised Western presence,¹³⁸ and not the administrative and economic acumen of indigenous rulers. Underdevelopment in many dysfunctional states continues to persist after decolonisation; this reality has consistently been viewed as morally reprehensible and unconscionable from a normative perspective. Moreover, underdevelopment is considered to be a problem not merely of the underdeveloped states themselves, but, in large part, of the international

¹³⁵ For an excellent analysis of the development regime that has aimed to redress underdevelopment, especially in Africa, see *The Trouble with Africa: Why foreign aid isn't working* (Calderisi, 2006).

¹³⁶ Compare Migdal's analysis of the politics of survival, Chapter 4.

¹³⁷ See *Historical legacies: A model linking Africa's past to its current underdevelopment* (Nunn, 2007) for an enlightening political-economic discussion of this standpoint. A concrete legacy of colonialism is also advanced by dependency theorists such as Andre Gunder Frank (1975).

¹³⁸ Whilst underdevelopment and inequality, relative to the developed world, cannot be blamed on colonialism, the strategies of rule implemented by the West during colonialism did little to stimulate the autonomous development of colonies.

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community as well – and in particular its richest members (Jackson, 1993:111).¹³⁹ As elaborated upon previously, such assumptions form part of a new practice of international and economic relations since, in the past, sovereign states were responsible only for their *own* wealth and welfare, and international law merely acknowledged their freedom to promote it without external hindrance. Thus, as Jackson explains, the current differentiation of sovereign states in categories of developed and underdeveloped has impacted on both the theory and practice of international relations. As a result of expedited decolonisation, the notions of sovereignty and developing state capability have been divorced from each other, with development changing from a domestic issue to an international expectation and goal. States in the developing world publicise their poverty and demand that the international community assist them in developing their economies and improving the living standards of their populations. The latter dutifully respond with financial and technical aid or debt relief believing in many cases that they are under a moral obligation to do so. To reiterate, sovereignty has now assumed a novel character, whereby every sovereign state possesses negative rights of non-interference, but some assert additional positive rights (sovereignty plus), or at least demands of external material support (Jackson, 1993:111-112). Negative sovereignty has also attributed to many dysfunctional states a status and influence far beyond their positive abilities, as Wight notes: ‘the existence of the United Nations has exaggerated the international importance of the have-not powers, enabling them to organise themselves into a pressure group with much greater diplomatic and propaganda weight than they would otherwise have had’ (Wight, 2002:238).

Many of the economically least-developed states, particularly those in sub-Saharan Africa, are unable to attract substantial foreign direct investment with which to stimulate growth. If international development assistance were not forthcoming, these states would have no external sources of income whatsoever, a prospect which is morally unacceptable in a globalised and interdependent world. Here, then, is a novel type of state whose prospects of development are determined significantly by international hand-outs and bailouts. Whilst dependency upon the West is a significant symptom of ex-colonial dysfunctional states, so too is the economic mismanagement and poor governance of their leadership (Calderisi, 2006:21; Jackson, 1993:116) – an aspect often overlooked by proponents of structural dependency theory.

¹³⁹ Even a state such as Canada, which was never a colonizer and at one time was itself a possession of the British Empire, contributes large sums of financial aid to the developing world as a result of its wealth and developed status, according to the normative dictates of the negative sovereignty regime.

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Does the ostensibly 'special' treatment expected by quasi-states, in contrast with the historical norms of sovereign statehood, amount to a form of international affirmative action? In this regard, Jackson (1993:132) notes that 'A domestic analogy may be suggestive. Within some Western countries ... extra socioeconomic entitlements and assistance are provided to certain people who qualify for "affirmative action" programmes. This is a form of preferential treatment by the state targeted at citizens who are members of particular "disadvantaged" categories, such as blacks or women'.

The central idea of affirmative action is therefore the extension of a special corrective opportunity or benefit to some individual or group who otherwise would not qualify for it, in compensation for historical disadvantages (McLean & McMillan, 2003:4). This is usually justified on the grounds of repairing injustice or disadvantage brought about by such membership in the past and in the hope of enabling the beneficiary to exercise greater self-determination in the future (Jackson, 1993:132). In keeping with the domestic analogy, affirmative action argues that negative rights (freedom from) are not sufficient to overcome the adverse consequence of past discrimination. Affirmative action is therefore a kind of citizenship plus: temporary dependency in the form of preferential treatment for the sake of future positive freedom (Jackson, 1993:133).

A similar cognate idea can be applied to international relations, whereby dysfunctional states in the developing world that experienced colonialism are the international equivalent of racial minorities whose ancestors suffered under slavery or were otherwise economically exploited. Both instances reflect victims of past institutionalised discrimination and who therefore merit special consideration and assistance. Even though negative sovereignty was instrumental in removing colonial domination, it is not sufficient for realising complete self-determination (that is, a functional state). Thus, according to an affirmative action argument, dysfunctional states have a doubly legitimate claim to international assistance and compensation, based not only on the *retrospective* grounds of colonial exploitation but also on the *future expectation* that they have a right to develop of the capabilities of positive sovereignty (Jackson, 1993:133-134). In this regard, Jackson explains that: 'International affirmative action therefore presupposes that the global economic playing field is not level for all states and to be made level certain rules and actions of positive discrimination in favour of the currently disadvantaged is required until such a time as they are in a position to play the great game of international economics by the classical rules' (Jackson, 1993:134).

State dysfunction cannot, therefore, be remedied purely by committing money or resources to the problem, since neither will ensure accountability and good governance. To quote a

former vice president of the International Bank for Reconstruction and Development, Robert Gardner, 'Good use of foreign aid requires antecedent characteristics in a society and its government' (Marshall, 1965:273). In this regard, Huntington's analysis of the role of political institutions is of particular relevance since, in practice, they constitute the 'antecedent characteristics' that will determine whether aid enhances functionality, or perpetuates dysfunction in a given state. However, the problem of ensuring accountability and reciprocity in dealing with dysfunctional states stretches further than the issue of development assistance. It also affects human security and human rights in these troubled states.

5.4.4 International civility and human rights

The prevailing negative sovereignty regime described by Jackson also has important domestic consequences for those living in quasi-states. Just as the sacred right of non-intervention prohibits donors of economic and technical assistance dictating the logistics of the application of such assistance, the international community is similarly constrained in preventing abuses of human rights in dysfunctional states (Kreijen, 2004:97). Buzan (1983:3) describes this situation in weak states as the 'paradox of the state', in which governments become a source of threat to their citizens, rather than their security. As discussed in Chapter 3 the universal drive for *protection* and security was the most important impetus in conceiving the modern state as a form of human organisation. In forsaking this function a state abandons its fundamental *raison d'état*. Today, however, citizenship in dysfunctional states is often scarcely more than a nominal status with little or no real purchasing power because, according to Jackson, such states are usually the possessions and instruments of elites who act as if sovereignty is a licence to exploit their population: 'In the past century the image of the Third World accordingly has become one not only of poverty and underdevelopment but also of incivility and repression. This regrettable reality is in marked contrast to the time of independence when the Third World was a "vital new force in international affairs" (Jackson, 1993:140).

He also argues that the expansion of the community of states brought about by decolonisation has not resulted in a corresponding extension of human rights protection, but instead increased opportunity for human rights violations (Freeman, 2005:243-245). Such violations have come to be vividly publicised by international humanitarian organisations, such as Amnesty International. As a result, public perceptions relating to human rights abuses are more acute than ever, especially in the developed world where, according to Jackson, 'The comparative civility of Western states and the corresponding expectations of

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their populations have undoubtedly created heightened awareness of inhumanity everywhere' (Jackson, 1993:141).

With the invocation of the concepts of civility and civilisation, Jackson draws upon the ideas of Collingwood (1944), who investigated the philosophical foundations of civilisation, motivated by the atrocities of World War II committed by the Nazis. His conception of civilisation primarily entails (i) refraining from the arbitrary use of force and (ii) obeying the rule of law that forbids it. According to Collingwood (1944:291-292), behaving civilly towards a person means respecting his feelings, abstaining from shocking, annoying, frightening, or arousing in him any passion or desire which might diminish his self-respect, which includes threatening his consciousness of freedom. The ideal of civil behaviour is therefore the ideal of refraining from the use of force towards an individual. The first constituent of civilisation is a system of conduct that determines the relations of its members so that each refrains from the use of force in dealing with another. This is a position which reaffirms the importance of the state and not the other actors, the state possessing a monopoly on the legitimate use of force in society. The rule of law is that public standard of civil conduct that eliminates arbitrariness and establishes due process based on formal equality. Yet, as Jackson (1993:142) notes, both civility and the rule of law presuppose the capacity not only to obey, but also the *means* to enforce the law (in other words, a state monopoly of the function).

Furthermore, a community that becomes relatively civilised also becomes relatively good at exploiting the natural world in a scientific or intelligent way (Collingwood, 1944:318). This additional notion of civilisation refers to a corresponding process whereby the comforts and enjoyments of human life are attained by the application of science and industry to natural resources. This is the civilisation associated with technological and economic *development*, resulting in increased capacity and ability (Jackson, 1993:142). In relating the notion of civility to human rights, Jackson notes that: 'A government which has mastered technology but not the rule of law is the most dangerous of all organisations' (Jackson, 1993:142). His opinion represents the reality in many dysfunctional states, since the diffusion of technology and particularly arms and weaponry (instruments of violence)¹⁴⁰ has far superseded the diffusion of civility and respect for human rights in the developing world.

Reflecting upon Collingwood's twofold conceptualisation of civilisation, civility (which originally meant respect or consideration) is now more commonly referred to as respect for 'human rights' and 'non-discrimination', whilst the advancement of material civilisation is

¹⁴⁰ Although not necessarily dysfunctional states, consider, for example, the international problematique of pariah states such as Cuba (historically), North Korea and, potentially, Iran possessing nuclear weaponry, coupled with often bellicose overtones towards other states in the international community.

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couched in terms of 'modernity' and 'development' (Jackson, 1993:143).¹⁴¹ Modern international human rights laws are therefore an important acknowledgement that sovereign states cannot automatically be considered civilised – the poor human rights record of many postcolonial states would attest to this. Yet, according to Jackson (1993:145), even if the common law of mankind cannot be enforced without the co-operation of the states involved in human rights violations, which is obviously difficult to secure, it nevertheless constitutes not merely a moral but a legal standard for attempting to bring them to some accountability. Conversely however, the dilemma of enforcing human rights in quasi-states is compounded by the rights of negative sovereignty and non-intervention by such states, and in certain notable cases the fact that human rights violations are condoned and executed by the state itself. Therefore, the dubious status of human rights in dysfunctional states could largely be attributed to the current postcolonial negative sovereignty regime, which inaugurated and perpetuates incapable and uncivil rule in these states.

Following independence, newly independent incumbent governments and opposition movements were no longer constrained by an imperial referee; locally the maintenance of constitutionalism and the rule of law proved unsuccessful more often than not (Jackson, 1993:148). Political frameworks were constructed which practically legalised authoritarianism and the one party state, judges and courts came to be mere instruments of political rule, the ambit of political crimes were enlarged to detain any opposition to government. Resorting to absolute rule through emergency powers and the like became the norm, rather than the exception. These instances highlight the widespread phenomenon of the praetorianism in the developing world, aimed not at defending states from external threat but at maintaining government power.¹⁴² Praetorianism is often necessitated by civil discord between governments and ethnic, religious or regional opponents, conflicts which have also come to characterise postcolonial dysfunctional states: 'Countries such as Chad and Uganda amounted to little more than violent arenas where rival ethnic warlords preyed upon innocent bystanders and laid waste to the countryside in perennial struggle to seize control of a nominal state represented by the capital city' (Jackson, 1993:149).

In the contexts of these politically unstable states, civility (perhaps civilisation) and the rule of law appear to be largely absent, at least according to Collingwood's criteria. There is no shortage of additional examples that could be cited in demonstrating the fundamentally uncivil nature of most dysfunctional states. It could perhaps serve as an indictment of the current international sovereignty regime that even in extreme instances of incivility (e.g.

¹⁴¹ See Huntington's (1968) contrasting descriptions of political development and political decay.

¹⁴² Compare Huntington's contribution in the preceding section.

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ethnic cleansing) such actions did not affect the international legitimacy of the governments involved. In many instances the perpetrating governments are condemned yet tolerated, by the international community, although they resemble personal empires more than constitutional states. Jackson explains that 'Political, social, and economic conditions common to many Third World countries reinforce this state of affairs: the nationalising imperative of autocratic governments, militarisation of the state, political rebellion, widespread ethnic or racial prejudice, and sharp inequalities of wealth, among others' (Jackson, 1993:151).

He further notes that, ironically, decolonisation was not only an act of liberation but also an act of enclosure. It confined populations within ex-colonial frontiers and subjected them to indigenous governments that often were not only untried and inexperienced but also unable or unwilling to operate according to international humanitarian protocol (Jackson, 1993:151). It seems, therefore, that the rules of the negative sovereignty game uphold safe and unsafe jurisdictions alike, apparently unconditionally.¹⁴³

5.4.5 Conceptualisation and conclusion

In evaluating Jackson's approach to understanding state dysfunction in the developing world, it becomes clear that he initiates a conceptual shift in how contemporary sovereignty and statehood should be understood. His approach consists of converging two disciplines, namely political science and law, in order to achieve a coherent understanding of the current configuration of international relations, and particularly, how this configuration *legitimises* and *maintains* dysfunctional states. Consider the diagram below, representing a reconstruction of Jackson's contribution, integrated with the analytical tool developed in Chapter 3.

¹⁴³ Perhaps the most poignant example illustrating this point is Somalia, where for 14 years (1991-2004) there existed no form of stable and continuous government. Three UN interventions (UNOSOM I & II, UNITAF) have largely failed to restore stability to the state. Despite the fact that Puntland and Somaliland now operate as (internationally unrecognized) autonomous secessionist regions in Somalia, the Somali state continues to exist (albeit in name only) and is recognised by the international community.

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Table 11: Reconstructing Jackson's contribution to the conceptualisation of the dysfunctional state

		WEBERIAN CONCEPT OF STATE					
	PARADIGM	Liberal, combining sociological and normative perspectives on the state and international relations. Emphasizes manner in which law regulates political interaction. Anti-structuralist, arguing that human action, not dependency, creates political reality. Influence of revolutionary decolonisation is NB.	Coordinated admin.	Compulsory Association	Binding authority	Territory	Monopoly of leg. force
SCIENTIFIC CONSTRUCTS	TPOLOGY	A typology of sovereignty consisting of the classical <i>positive</i> sovereignty regime (dictating the conduct of strong states) and <i>negative</i> sovereignty (supporting dysfunctional quasi-states) see Table 10.					
	CONCEPTS	<ul style="list-style-type: none"> • Negative sovereignty (spawned by <i>rapid decolonisation</i>) • Self-determination + non-intervention (unconditional rights) • International affirmative action <p><u>Contrasts with:</u></p> <ul style="list-style-type: none"> • Positive sovereignty (approaching Weberian idealtype) 	↓	↓	↓	↓	↓
			MAINTAINS	MAINTAINS	MAINTAINS	MAINTAINS	MAINTAINS
		MAINTAINS	MAINTAINS	MAINTAINS	MAINTAINS	MAINTAINS	
		↑	↑	↑	↑	↑	

The negative sovereignty regime, which maintains contemporary state dysfunction, does not bear specific relevance to any *particular* attribute of state, represented above. Rather, through its passive supporting role of dysfunction, it tends to undermine state attributes *in toto*, whilst simultaneously obstructing any prospects of change. Through the doctrine of self-determination, interference with dysfunctional states is categorically forbidden, which makes dysfunctional states physically and politically inviolable – often notwithstanding uncivil conduct within their borders. Furthermore, a steady flow of economic assistance and other forms of aid ensures that dysfunctional states are sustained, albeit with no realistic hopes of development (in other words, the creation and consolidation of viable political institutions). Donors also have no authority to allocate these resources once they are accepted by the beneficiary state, since the political accountability of leaders is often undermined by state dysfunction. The negative sovereignty regime therefore (i) maintains dysfunctional state administrations through the rule of non-intervention. In turn, these administrations misappropriate and/or waste development aid while (ii) maintaining the *de jure* compulsory association the state exercises even though many dysfunctional states are no longer political associations, nor binding ones; (iii) they maintain the problematic territorial divisions created

by colonialism, which continue to be the source of conflict and political instability between/in dysfunctional states (the doctrine of self-determination is not extended to nations and ethnic groups); (iv) they maintain the use of force (rarely legitimate) in the dysfunctional state, often at the expense of citizens whose human rights are violated and who are frequently subjected to crimes against humanity by agents of the state/the state administration. In contrast to this stands positive sovereignty according to which states approach the Weberian ideal-type as authentically independent, self-directing and capable entities.

In the same way that Jackson's contribution fundamentally re-evaluated the nature of sovereignty in the 20th century, so too Martin van Creveld reassesses the long-held orthodoxy of the Clausewitzian military-strategic tradition. His insights are of importance in evaluating the destructive relationship between state dysfunction and armed conflict.

5.5 Van Creveld – Transformation of war and decline of the state

In the previous chapter the contribution and paradigm of van Creveld was introduced, with specific reference to his works *The Transformation of War* (1991) and *The Rise and Decline of the State* (1999). It was noted that van Creveld's contribution to this study's conceptualisation of the dysfunctional state centres on the military-strategic dimension of contemporary state dysfunction focusing on a re-evaluation of the doctrine of trinitarian war, prompted by the perpetually conflict ridden nature of many dysfunctional states.

Van Creveld foresees a shift in the nature of conflict and its contribution to the weakening and possible demise of the state. He explains that:

As the second millennium A.D. is coming to an end, the state's attempt to monopolise violence in its own hands is faltering ... Should present trends continue, then the kind of war that is based on the division between government, army, and people seems to be on its way out. The rise of low-intensity conflict may, unless it can be quickly contained, end up destroying the state. Over the long run, the place of the state will be taken by war-making organisations of a different type. (van Creveld, 1991:192)

As discussed in chapter three, van Creveld challenges the orthodoxy of conflict conceived within the trinitarian paradigm and espoused in the Clausewitzian tradition, of which the fundamental feature is the distinction between governments, armies, and the people, as well as their distinguishable separation in times of war (von Clausewitz, 1976:89). Van Creveld's contribution, represents a critical evaluation of this doctrine, and explains the recession of the state in contemporary conflict, particularly in the developing world. This concise reconstruction of his contribution will focus on the most important aspect of non-trinitarian war, namely, by *whom* war is fought (i.e. the war-makers).

5.5.1 The changing nature of war-makers

When surveying the history of armed conflict, which is essentially the history of mankind, it becomes evident that war has been waged by a diverse array of actors (van Creveld, 1991:52). Historically speaking, trinitarian war has only existed for as long as the state has existed, and even then, it has not always existed as a hegemonic feature. Indeed, war has been made by different kinds of social entities, ranging from barbarian tribes to the Church, feudal barons, independent cities, and privateers (none of which were states, nor carried the sanction of states). For much of history armies were also ill-defined, exhibiting none of the rigorously structured characteristics one associates with the armed forces today. This point is emphasised by van Creveld (1991:53) when he adds that ‘during the high Middle Ages armies were small, impermanent bodies, which in many ways scarcely even answered to the term “organisation”.’ Additionally, the people (as one of the constituents of trinitarian war) occupied an ambiguous place in historical war-making, particularly in tribal societies where no distinction existed between the armed forces and the people. In this sense, such societies did not have armies; they *were* armies (van Creveld, 1991:56).¹⁴⁴

Modern low-intensity conflict,¹⁴⁵ particularly prevalent in the developing world, also discards the trinitarian distinction which characterises conventional war in the Clausewitzian paradigm. Contemporary low-intensity conflict emerged during the World War II, as a result of the severe nature of Axis occupations (especially German and Japanese), which were wholesale violations of established ethical norms (van Creveld, 1991:58). Revolts against occupation were encouraged by the Allies, even after the capitulation of a vanquished state’s government and the surrender of its armed forces. Virtually every occupied country hosted resistance movements, among which the most notable are the French Forces of the Interior and Tito’s Yugoslav Partisans. Ironically, in the post-war era, the tactics of low-intensity warfare were turned against its original proponents in Europe and the ‘free’ world, in wars that proved to be unwinnable for even the Cold War era superpowers. As a result, van Creveld (1991:58) describes the developing world as the “*locus classicus*” of non-trinitarian warfare. Both the United States and the Soviet Union were so focused on preparing for the prospect of a conventional war, albeit with nuclear weapons, that the threat posed by

¹⁴⁴ This point is illustrated by the fact that in many tribal languages, the term for ‘warrior’ simply means ‘young man’.

¹⁴⁵ Low intensity conflict is comprehensively defined by a US Army field manual (1990:1-1) as ‘a political-military confrontation between contending states or groups below conventional war and above the routine, peaceful competition among states. It frequently involves protracted struggles of competing principles and ideologies. Low-intensity conflict ranges from subversion to the use of the armed forces. It is waged by a combination of means, employing political, economic, informational, and military instruments. Low-intensity conflicts are often localized, generally in the Third World, but contain regional and global security implications’

insurgents and guerrillas was either regarded as trivial, or co-opted to the indirect nature of the Cold War conflict. Across the developing world numerous movements of national liberation sprang into being, opposing foreign rule. The majority did not have an army, let alone a government, though without exception they claimed to represent the people and struggled for their independence, and 'called themselves by some local variant of "freedom fighters" and claimed a link with either God or (until about 1975) Karl Marx' (van Creveld, 1991:59).

Militarily, these 'liberation movements' were very weak, particularly when compared to the conventional forces they often locked horns with in European colonies. Van Creveld (1991:59) explains that 'they were too weak to carry arms openly, nor could they afford to wear uniforms and thus turn themselves into easy targets. If only for those reasons, they could not and did not abide by the established rules of war'. Although many of these liberation movements achieved independence (see Jackson's analysis in the preceding section) van Creveld (1991:60) correctly asserts that even though decolonisation is now all but complete, low-intensity conflict has not been interrupted in its march of conquest. In fact, many places in the developing world have never known peace at all,¹⁴⁶ as conflicts which emerged during colonialism have endured, notwithstanding the fact that the colonisers are long-departed. He further notes that often the line between low-intensity conflict, terrorism, and crime becomes blurred in practice, since they all represent the instruments of modern non-trinitarian conflict: 'Many are inspired by nationalist considerations pertaining to the ethnic communities in which they are rooted. All have this in common, that they are dissatisfied with the existing order and determined to use violence to alter it' (van Creveld, 1991:61). In this sense, there is an intimate link between low-intensity conflict/non-trinitarian warfare and revolution (section 5.3.6), with the former often employed to pursue the latter.

5.5.2 Contemporary war and the decline of the state

The changing nature of contemporary conflict, particularly in the developing world, and the decline of the state are closely linked, from van Creveld's perspective. Indeed, as has been mentioned on several occasions previously in this study, the shift from imperialism to decolonisation was achieved through violent struggle on the part of colonial peoples, and was legitimised by a sea-change in the norms of international relations, discrediting imperialism in its totality and leading to the establishment of a great many states in the developing world. Van Creveld (1999:327) notes that, with hardly any exception these new

¹⁴⁶ For example, the so-called Sharia Conflict in northern Nigeria has continued for almost 60 years, as Northerners and Southerners, Yoruba and Igbos, and Christians and Muslims perpetrate religious violence.

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states, whether created *ex nihilo*, or as rejuvenated versions of older polities, entered life under the slogan of modernisation, promising radical improvements in health, education, and living standards. In underscoring both the Huntingtonian and Weberian contributions considered thus far in this study, van Crevelde adds that: 'Though dependent on many factors, such modernisation presupposed nothing so much as political stability and a functioning bureaucracy; but such stability and such a bureaucracy could be established only in a minority of new states' (van Crevelde, 1999:327). The initial deficiency in these cardinal aspects of statehood resulted in a slippery slope of dysfunction, characterised by ineffectuality (in a best case scenario) or chaos. As the reconstruction of Migdal's contribution demonstrated, the political loyalties of the people were often to be found in socio-political arrangements *other* than the state. Van Crevelde (1999:329) concurs, explaining that: 'After the enthusiasm that had characterised the early years had subsided, it turned out that many, if not most of the population, remained attached to their own institutions: meaning ... extensive networks of kin ... religious and magic leaders who were closer to everyday life than the state's bureaucrats'. Thus, even during the euphoria and optimism of new-found independence, the state failed to project itself effectively and sufficiently to penetrate the societies over which it predominated. Even in the structures and institutions of the state itself, there appeared to be little enthusiasm for its functioning, as 'the bureaucracies themselves, such as they were, were shot through with corruption' (van Crevelde, 1999:329). He continues to explain that:

One way or another, the state's attempt to involve all or even most of its population in some form of orderly political life ended up in failure. Consequently, during the last few decades there has hardly been any newly independent country in Asia or Africa that did not undergo some kind of coup, revolution, or violent internecine conflict.' Van Crevelde (1999:330)

As the state failed to assert its monopoly of the use of force within its territory through means of an effective and coherent administration, anti-state elements proliferated and grew evermore influential, from secessionists to warlords (all of whom were usually armed). As time progressed, many states in the developing world have been unable to counter these tendencies, and armed conflict has become an enduring feature, bearing distinctly non-trinitarian hallmarks. At best, these states have managed to achieve a semblance of stability under the dictatorship of a strongman or dictator, limiting armed conflict but decimating the state (for example Zimbabwe), where tensions are suppressed by means of praetorian tactics. Other states have been torn apart by continuous (Chad) or intermittent (DRC) conflict, genocide (Rwanda), or secession (Sudan). The devastating impact that non-trinitarian conflict has had on states in the developing world is evident in the heightened activities of armed groups:

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... to the point where entire provinces had escaped control by the central government and were being held down, if at all, only by the massive presence of armed forces. In other places still the state remained an empty title; never having got its feet on the ground, it simply ceased to function as in much of Central and West Africa. (van Creveld, 1999:331)

It is therefore hardly surprising that non-trinitarian war has been so destructive in the developing world (where the means of state are so limited), and even the world's superpowers were defeated by armed forces operating within a non-trinitarian framework. It is also evident that the ever present possibility, or indeed reality, of low-intensity conflict contributes substantially and dramatically to the erosion and eventual destruction of all the attributes of state that were identified in chapter 2, since states are usually engaging elements of its own society (recall Migdal) and no other sovereign state in the international system.

5.5.3 Conceptualisation and conclusion

Accordingly, van Creveld's contribution is reconstructed and integrated with the analytical tool developed in Chapter 3:

Table 12: Reconstructing van Creveld's contribution to the conceptualisation of the dysfunctional state

		WEBERIAN CONCEPT OF STATE				
		Coordinated admin.	Compulsory Association	Binding authority	Territory	Monopoly of leg. force
SCIENTIFIC CONSTRUCTS	PARADIGM	Military/strategic, challenging the orthodoxy of Clausewitzian military doctrine, which rests upon the distinction between governments, armies, and the people, according to which states are the only perpetrators of war.				
	MODELS	Advocates non-trinitarian model of warfare, whereby war is not waged primarily by states, but by non-state actors, which subsequently contribute to the decline and destruction of the state.				
	CONCEPTS	<ul style="list-style-type: none"> Non-trinitarian war (as low-intensity conflict) Undermines all attributes [potentially terminal result] 	↓/☠	↓/☠	↓/☠	↓/☠

By positing that non-trinitarian war undermines the Weberian ideal type, van Creveld also opens the door to the question of the relationship between crime and war, and the extent to which politically motivated crime may be interpreted as low-intensity conflict. Ostensibly, van

Crevelde (1991:61) views crime as acts of violence lacking a political motive. It can therefore be argued that sustained, high levels of crime which are politically motivated will approximate a form of low-intensity conflict. This point will be explored later in this study, in the application and operationalisation of the criteria of state dysfunction in the South African context. The chapter now proceeds to the reconstruction of Bratton & van de Walle's contribution, namely neo-patrimonial rule.

5.6 Bratton & van de Walle – Neo-patrimonial rule

In the introduction and contextualisation of Bratton & van de Walle's contribution, conducted in the previous chapter, it was noted that the concept of neo-patrimonialism figures prominently in their work *Democratic Experiments in Africa* (1997) and in their evaluation of government and regime leadership in the developing world, and especially in Africa. It was also established that the concept is rooted in the Weberian tradition, and is a contemporary interpretation of Weber's description of patrimonial authority in traditional societies. The following reconstruction, interpretation, and evaluation of Bratton & van de Walle's contribution toward this study's conceptualisation of the dysfunctional state will serve the purpose of theoretically bridging the insights of Migdal and Huntington, discussed earlier. The reader will note that the concept of neo-patrimonialism assimilates such phenomena as the politics of survival, web-like societies, and institutionalised corruption (all of which have been demonstrated to undermine the attributes of state) and, as such, represents an imminently valuable contribution to this study's conceptualisation of the dysfunctional state. The resurgence of patrimonialism as a construct in political science occurred during the 1960s, when the discipline began to grapple with the political dynamics of the developing world (Theobald, 1982:548). Bratton & van de Walle (1997:62) note that, as with classic (Weberian) patrimonialism, 'the right to rule in neo-patrimonial regimes is ascribed to a person, rather than an office, despite the existence of an official constitution'. The political landscape and its institutions are therefore dominated by one individual, such as a strongman (Migdal) or 'big man', who essentially controls the state apparatus and is above its laws and regulations. He constructs networks of loyalty and dependence, by rewarding associates with salaried positions in the bureaucracy and organs of state. The official institutions of state are used to disperse favour and patronage, rather than to fulfil the necessary functions of state. Additionally, parallel and unofficial structures (such as a political party or alliance) may in fact wield more power than the official administration. Thus, the characteristic feature of neo-patrimonialism is the incorporation of traditional patrimonial logic into contemporary bureaucratic institutions of state (Bratton & van de Walle, 1997:62; Randall & Burnell, 2005:389). Similarly, Legg & Lemarchand (1972:167) concur that modern

patrimonialism (i.e. neo-patrimonialism) is characterised by the co-existence of traditional patrimonialism and an emerging rational-legal bureaucracy. Bratton & van de Walle (1997:63-68) identify three 'informal political institutions' that have been stable, predictable, and valued in neo-patrimonial regimes, of which each will be discussed below.

5.6.1 Presidentialism

According to Bratton & van de Walle (1997:63) presidentialism implies the systematic concentration of political power in the hands of one individual, who resists delegating all but the most trivial of decisions. Given this description, presidentialism may be regarded as the antithesis of political institutionalisation. Instead of depersonalising the power of state through means of a diffuse set of legal-bureaucratic institutions, power becomes not only *centralised* in the hands of one person, but also *personalised* with the identity of the leader. As such, presidentialism correlates closely with what Jackson & Rosberg (1984) describe as personal rule. They note that personal rule is an elitist political system composed of the privileged and powerful, which favours the ruler and his allies and clients, its essential activity being gaining access to a personal regime's patronage or displacing the ruler and perhaps his regime and installing another (Jackson & Rosberg, 1984:423). They describe this political climate (reminiscent of Migdal's account of the politics of survival) as follows:

Personal rule is a dynamic world of political will and activity that is shaped less by institutions or impersonal social forces than by personal authorities and power; it is a world, therefore, of uncertainty, suspicion, rumour, agitation, intrigue, and sometimes fear, as well as of stratagem, diplomacy, conspiracy, dependency, reward, and threat ... the rivalries and struggles of powerful and wilful men, rather than impersonal institutions, ideologies, public policies, or class interests, are fundamental in shaping political life. (Jackson & Rosberg, 1984:421)

Even though presidentialism undermines institutionalisation in the state, it stimulates the expansion of the president's official circle of trust. Thus, paradoxically, cabinets in presidential regimes grew rapidly; sometimes approaching questionable proportions¹⁴⁷. By extension, these are therefore distinctly non-bureaucratic, despite the fact that they possess an extensive set of state institutions, with all the trappings of formal and legal statehood (Bratton & van de Walle, 1997:65).

Additionally, the leader at the centre of a presidentialist regime is likely to develop a cult of personality (Bratton & van de Walle, 1997:64). In this manner, a neo-patrimonial leader may

¹⁴⁷ The current Ugandan cabinet under Yoweri Museveni has 71 ministers, including a prime minister and three deputy prime ministers. Equatorial Guinea's government currently has 73 offices (including ministers, vice-ministers, and secretaries of state) who collectively administer a national population of less than 700,000 people.

cultivate an image of the paterfamilias, as the imagery of father and family are both significant aspects of life in traditional societies¹⁴⁸. Bratton & van de Walle (1997:65) summarise the essence of presidentialism thus:

... neo-patrimonial leaders consciously promoted an image of omnipotence, which exaggerated the already considerable degree to which they dominated national politics. Both the reality and the myths of presidentialism suggest that the personal interaction between the 'big man' and his extended retinue defined African politics, from the highest reaches of the presidential palace to the humblest village assembly.

5.6.2 Clientelism

The second informal institution identified by Bratton & van de Walle that underpins neo-patrimonial rule is clientelism, which is described as the practice of awarding personal favours, in the form of public sector jobs, as well as the distribution of resources through means of licenses, contracts, and projects (Bratton & van de Walle, 1997:65). Randall & Burnell (2005:386) define clientelism as the exchange of specific services or resources (usually publicly funded) between individuals for political support. Clientelism is therefore closely related to presidentialism, and the two phenomena share a symbiotic and mutually enforcing relationship. This results in the proliferation of public sector positions to be dispensed via patronage, thereby establishing clientelist networks. As noted in the preceding section, such positions may be in the form of ministerial appointments, ambassadorships, provincial premierships, and may even extend to commissioners and judges. Apart from the considerable remuneration and extensive benefits such positions enjoy, each appointee can, in turn, establish his/her own clientelist network of loyalty (Bratton & van de Walle, 1997:66). In this manner, it is possible that a regime's political/ideological orientation may penetrate exponentially from the highest office of state, to the most insignificant municipal functionary.¹⁴⁹

Systemic clientelism also leads to greater government involvement in the economy, since political authority and economic resources become two sides of the same coin in neo-patrimonial regimes (Bratton & van de Walle, 1997:66). It is therefore not unusual for governments or their agents to acquire economic monopolies, or struggle for control over

¹⁴⁸ Maintaining a rural (traditional) support base is an important leadership tactic, particularly in praetorian regimes, as noted previously by Huntington. Regarding the image as paterfamilias, this is perhaps best exemplified by Idi Amin's inclusion of "dada" in his official title.

¹⁴⁹ This phenomenon may be officially sanctioned, for example the practice of cadre deployment in South Africa, which has been institutionalised in the African National Congress and the public sector in general. This issue will be further explored in the chapters that follow.

economic rents, which usually manifests in the form of taxation and tolls (i.e. rent-seeking behaviour).¹⁵⁰

5.6.3 Use of state resources

Completing the trio of informal institutions that constitute neo-patrimonial rule is the role of state resources. Neo-patrimonial leaders make little distinction between the public and private coffers, routinely and extensively dipping into the state treasury for their own political needs (Bratton & van de Walle, 1997:66). As a result of clientelist practices, conducted with state resources, neo-patrimonial regimes exhibit little capacity for economic development. Despite the often ambitious executive plans for the socio-economic upliftment of society, the squandering and misappropriation of state funds coupled with an ineffective and ill-disciplined state administration combine to thwart any meaningful development in these states (a situation which is exacerbated by the disproportionate public sector salary bill in many neo-patrimonial regimes).

The fruitless expenditure of state resources on unproductive activities can leave states in dire financial straits. As a result, many states in the developing world have become wholly dependent upon foreign economic aid to perpetuate their existence (see Jackson's contribution, section 5.4.3, above) as is the case with Sao Tome and Principe where development assistance represents 30.2% of the state's gross national income (World Bank, 2011). However, sustained financial mismanagement of state (and donor) resources will eventually deter foreign investment, which is critical for economic growth and employment. Relatively benign clientelist practices encourage corruption and graft discouraging investors, but in many cases neo-patrimonial regimes often preside over severe political instability (as illustrated by Huntington) which makes such states effectively 'uninvestable'. This, combined with the unpredictability of presidential rule, leaves a state economically unable to provide public goods of any kind to its citizenry.

5.6.4 Conclusion

From the above reconstruction and interpretation of Bratton & van de Walle's contribution regarding neo-patrimonial rule, it becomes evident that the phenomenon promotes state dysfunction. The practical methods used and through which neo-patrimonial rule manifests,

¹⁵⁰ Private business may also be subject to strict indigenisation requirements, as is currently the case in Zimbabwe. Often, despite the relatively large size of state administrations, and the numerous taxes they collect, the provision of public goods in neo-patrimonial regimes are generally poor.

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particularly in aspects of state bureaucracy and administration bear ample testimony to the undermining effect it has on several of the attributes of state. Yet, its most dysfunctional influence comes as a result of its disregard for the distinction between the public and private realms, at a macro level. At the core of the social contract lies the principle that individuals relinquish private interests to realise a common, collective organisation in the form of the state which provides public goods. When regimes misappropriate the resources of state, (and these are not limited to finances,) that are designated to deliver public goods, the social contract between citizen and state is fundamentally undermined, as is the premise of statehood. In practice, neo-patrimonialism contributes to state dysfunction by weakening the administrative-bureaucratic order in particular. However, it may be only a short jump for a neo-patrimonial regime to transform into a fully praetorian one, which can result in rapid and extensive decay and state dysfunction. Accordingly, Bratton & van de Walle’s contribution is reconstructed and integrated with the analytical tool developed in Chapter 3:

Table 13: Reconstructing Bratton & van de Walle's contribution to the conceptualisation of the dysfunctional state

		WEBERIAN CONCEPT OF STATE					
PARADIGM		Coordinated admin.	Compulsory Association	Binding authority	Territory	Monopoly of leg. force	
SCIENTIFIC CONSTRUCTS	TYPOLOGY	<u>Neo-patrimonial rule</u> in the developing world, as a contemporary incarnation of Weber's patrimonial authority, which forms part of his typology of authority.					
	CONCEPTS	<u>Neo-patrimonialism</u> <ul style="list-style-type: none"> • Presidentialism • Clientelism • Use of state resources (for private/regime purposes) 	↓	↓	↓		

Bratton & van de Walle demonstrated how the three informal institutions that constitute neo-patrimonial rule collectively and individually contribute to state dysfunction. This effect is particularly prominent in the attributes of the state administration, since the bureaucracy is often used as a tool of personal patronage. Additionally, neo-patrimonial rule also undermines the compulsory association and binding authority of state, since individual

loyalty is aligned towards networks of patronage and strongmen, rather than the state (which also represents the core of Migdal's thesis of web-like societies).

5.7 Synthesis and integration

At this juncture in the study, the task of conceptualising the dysfunctional state has been virtually completed. If the presentation of knowledge and scientific constructs contained in the preceding sections has been successful, the reader will by now have devised a general conceptual picture of the dysfunctional state. What remains is to formalise this conceptualisation through means of synthesis and integration and finally, a distillation resulting in a definitional statement. As a means of combining the various scientific constructs that have been encountered in this study, an integrated version of the analytical tool is presented below:

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Table 14: An integrated reconstruction to conceptualising the dysfunctional state

		WEBERIAN CONCEPT OF STATE					
		Coordinated admin.	Compulsory Association	Binding authority	Territory	Monopoly of leg. force	
SCIENTIFIC CONSTRUCTS	PARADIGMS	Inter-paradigmatic featuring historical, sociological, institutionalist and new-institutionalist, classic liberal and conservative, international relations, anti-structural, post-behaviourist, and military-strategic perspectives from contributions in the field of state dysfunction.					
	MODELS	State-in-society approach (Figure 11), posits that assuming state predominance in the developing world is flawed. States represent one actor amongst many others in society. Concepts central to this approach are: (see below)					
	TYPLOGIES	<u>Sovereignty</u> • Positive • Negative <u>Modernisation</u> • Development • Decay <u>Authority</u> • Patrimonial (Weber) • Neo-patrimonial	ENHANCE UNDERMINE CHANGE ENHANCE UNDERMINE UNDERMINE	ENHANCE UNDERMINE CHANGE ENHANCE UNDERMINE UNDERMINE	ENHANCE UNDERMINE CHANGE ENHANCE UNDERMINE UNDERMINE	ENHANCE UNDERMINE CHANGE ENHANCE UNDERMINE	
	CONCEPTS	• Web-like society with fragmented social control • Existence of competing strategies for survival • Presence of non-state actors (strongman / warlord) • Politics of survival (big shuffle, dirty tricks, neo-patrimonial) • Triangle of accommodation	↓ ↓	↓ ↓ ↓	↓ ↓ ↓	↓	↓ ↓ ↓
		• Negative sovereignty (spawned by <i>rapid decolonisation</i>) • Self-determination + non-intervention (unconditional rights) • International affirmative action <u>Contrasts with:</u> • Positive sovereignty (approaching Weberian ideal-type)	↓ MAINTAINS MAINTAINS	↓ MAINTAINS MAINTAINS	↓ MAINTAINS MAINTAINS	↓ MAINTAINS MAINTAINS	↓ MAINTAINS MAINTAINS
		<u>Political Development</u> • Institutionalisation + political participation (party system) <u>Political Decay</u> • Low / lack of institutionalisation + political participation • Corruption • Praetorianism • Revolution (as explosion of political participation)	↑ ↓ ↓ ↓ ☠	↑ ↓ ↓ ↓ ☠	↑ ↓ ↓ ↓ ☠	↓ ↓ ↓ ☠	↑ ↓ ↓ ↓ ☠
		<u>Non-trinitarian warfare</u> • Low intensity conflict	↓/☠	↓/☠	↓/☠	↓/☠	↓/☠
		<u>Neo-patrimonial rule</u> • Presidentialism • Clientelism • Use of state resources (for private/regime purposes)	↓ ↓ ↓	↓ ↓ ↓	↓ ↓ ↓		

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Furthermore, it was noted in previous sections that the scientific constructs employed may be delineated according to their applicability to the respective dimensions of the phenomenon of state dysfunction as set out in the table below:

Table 15: The multi-dimensional nature of conceptualising the dysfunctional state

DIMENSION OF STATE DYSFUNCTION	LEVEL OF APPLICATION	CONSTRUCT/CONCEPT	Non-trinitarian warfare
<i>INTERNAL</i>	SOCIETAL	<ul style="list-style-type: none"> • Fragmented social control • Modernisation + Colonialism • Web-like society • Non-state actors • Competing survival strategies 	
<i>INTERMEDIATE</i>	INSTITUTIONAL	<ul style="list-style-type: none"> • Low levels of institutionalisation • Corruption & maladministration • Accommodation & submission • Politics of survival • Neo-patrimonialism • Praetorianism • Revolution 	
<i>EXTERNAL</i>	INTERNATIONAL	<ul style="list-style-type: none"> • Negative sovereignty • Self-determination • Non-intervention • International affirmative action • Neglect of human rights / civility 	

Given the application of the above-mentioned scientific constructs, the dysfunctional state is therefore conceptualised as a phenomenon that:

- On a **societal level**, is encountered in societies where social control is highly fragmented. In a postcolonial context, fragmentation was exacerbated by the advent of modernisation through foreign colonists, followed by rapid decolonisation in the mid-20th century. The dysfunctional state is unable to project binding authority within a given territory due to: (i) the web-like nature of society in which influential non-state actors challenge the compulsory association of the state and offer competing strategies of survival to citizens, and (ii) the continued process of modernisation, which stimulates high levels of political expectation, mobilisation, and participation.
- On an **institutional level**, is characterised by an administrative bureaucratic order marked by low levels of institutionalisation, leading to: (i) the erosion of state capabilities, (ii) submission to non-state actors, (iii) the prevalence of corruption and other forms of malpractice by political leaders (such as the politics of survival), (iv) particularly in the form of neo-patrimonial rule. The inability of state institutions to accommodate the political participation, mobilisation, and expectations (at societal level) leads to political instability and the emergence of praetorianism, which may in turn lead to revolution and the destruction of the political system.

- On an **international level**, is maintained by the normative doctrine of negative sovereignty, whereby independence according to the principle of self-determination is an unconditional right, which is mutually protected by the principle of non-intervention (and not according to the institutional capabilities and functionality of a given state). Furthermore, the doctrine of negative sovereignty is employed by certain states of the developing world as a justification for demands for assistance, divorced from traditional notions of international reciprocity, which may serve to sustain otherwise bankrupt administrations and imperil human rights in those states.

Additionally, in contextualising the dysfunctional state as a temporal phenomenon, it was observed that the most pertinent explicit symptoms of state dysfunction manifested in the postcolonial period (after the attainment of independence and self-determination), and may culminate in political violence in the form of low-intensity conflict or revolution.

Together, the manifestation of state dysfunction in the above-mentioned three dimensions serves not only to undermine the individual primary attributes of state, but also the founding premise of statehood, namely, a form of human organisation to ensure collective security.

In the light of the conceptualisation above, whilst noting the problem statement that serves to guide this study,¹⁵¹ and further noting that Mouton and Marais (1990:131) describe a theoretical definition as a statement in which related concepts within a conceptual framework are brought into focus, this thesis posits the following definition of a dysfunctional state:

A dysfunctional state represents a fundamental deviation from the ideal-typical Weberian conception of state, the dysfunctional attributes of which manifest in societal, institutional and international contexts that:¹⁵²

- (i) may be represented according to a typology of dysfunction, incorporating differentiated graduations**
- (ii) is often encountered as a postcolonial phenomenon**
- (iii) is essentially characterised by a deficiency in its capability to predominate as an autonomous, legitimate and authoritative political institution**
- (iv) is therefore not authentically (positively) sovereign in either domestic or international spheres and**
- (v) as a result is incapable and/or unwilling to fulfil the functions of state in the public interest and for the public good.**

¹⁵¹ See section 1.3.

¹⁵² For example, it manifests in fragmented social control, low levels of institutionalisation, negative sovereignty, and neo-patrimonialism (amongst others discussed above).

Chapter Five: State dysfunction: Defining the phenomenon and constructing a theoretical framework for this study

The conceptualisation expressed above constitutes the realisation of a key research goal of this study, namely to arrive at a theoretical conceptualisation of the dysfunctional state, through the application of scientific constructs. This conceptualisation is rendered in the form of a theoretical definitional statement, which conforms to the methodological and meta-scientific parameters established in Chapter 2 of this study.

Now that the conceptual and theoretical outcomes of this chapter have been realised, this investigation has been provided with an analytical framework according to which the concept of state dysfunction may be applied and operationalised (tables 14 and 15). This represents a significant milestone for this study, as well as the conclusion of its theoretical component (chapters 2 – 5) and the commencement of its applicational and operational phases (chapters 6 – 8).

The evaluation of the South African state will be conducted in chapter 7, according to the three dimensions of state dysfunction that have been identified (and their corresponding constructs). However, before this operationalization can proceed, a vital methodological bridge must be constructed from the domain of theory to the domain of application. In other words, each of the theoretical aspects of state dysfunction identified thus far must be aligned with certain *empirical references*. Only then will it be possible to operationalize the theoretical framework developed thus far in the study, and evaluate the South African context. Constructing this methodological bridge is the goal of the next chapter.

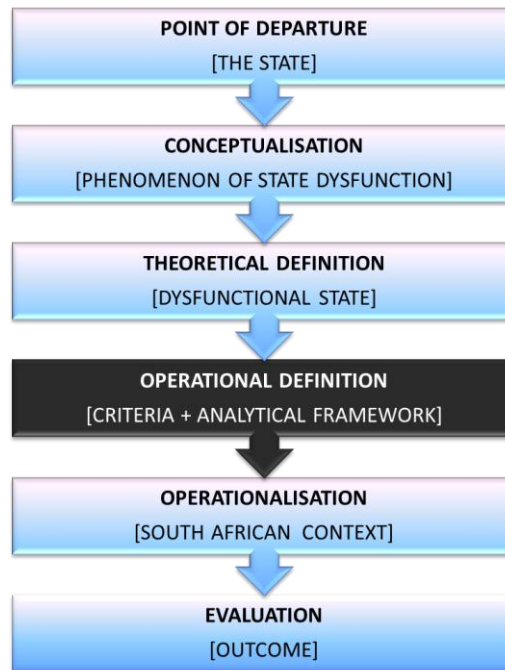
Chapter Six: State dysfunction: Towards application and operationalisation in the South African context

6.1 Introduction

The purpose of the preceding chapters was to provide a conceptualisation and definition of the phenomenon of state dysfunction, as well as the construction of a theoretical framework according to which the phenomenon may be analysed. These aspects are meaningful outcomes in themselves, but they will also enable this study to operationalize the concept of state dysfunction in the South African context. Indeed, this task forms the central research goal of this study, as motivated by the problem statement (see chapter 1). As such, this study has reached a meta-theoretical watershed that represents progression from the conceptual and theoretical realm towards the application and operational context. However, progressing across this divide in a scientific manner requires the building of a methodological bridge to ensure the integrity and continuity of the study as a whole.

Therefore, before this conceptualisation can be operationalised in any empirical context, an additional methodological step is required. The previous chapter identified several characteristics of state dysfunction, which were grouped according to three separate dimensions and levels of application. These constructs that constitute the phenomenon of state dysfunction were derived from the various theoretical contributions which were reconstructed in chapters 4 and 5. Structurally, this study will devote the next chapter to the operationalization of the various constituent constructs of state dysfunction, according to the three dimensions already identified. However, the task of operationalization is compromised without the designation of certain verifiable areas of application, reflecting the empirical reality in the context being studied. Accordingly, the place and role of this chapter in relation the rest of the study is represented as follows:

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Thus, for example, for the construct of corruption and maladministration to be operationalised, certain empirical references are required to confirm the existence, or absence, of said characteristic. Such empirical references may include a quantitative survey of the number of corruption related cases being investigated in the public sector, as well as the number of convictions for corrupt offences. These statistics may aid in determining the *prevalence* of corruption and maladministration in the institutional context of a given state. Establishing the amount of public funds lost or misappropriated due to corruption and maladministration may provide a picture of the *depth* and *impact* of that characteristic of state dysfunction. Additionally, qualitative references may be included, such as that of the Corruption Perceptions Index and its various subsets, as well as media reports on prominent cases of maladministration.

Methodologically, this chapter adopts an approach whereby the evaluation of each construct (such as the example described above) will be facilitated through descriptive research questions. According to Babbie & Mouton (2001:76) a descriptive research question is one which intends to measure the *incidence* and *extent* of a given phenomenon. This concurs with the requirement of determining the *prevalence*, *depth*, and *impact* necessary in operationalizing the constructs that denote state dysfunction.

The benefit of associating each construct with a research question intended to evaluate its manifestation in the empirical context is twofold. First, research questions allow for a more holistic operationalization of a construct, since it opens the possibility of including both

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qualitative and quantitative sources in the process of evaluation. This stands in contrast to the formulation of rigid empirical criteria, which restricts the researcher to quantitative data. Second, by posing research questions instead of prescriptive criteria, the researcher is free to approach the problem creatively. In this manner, the researcher may engage the problem using any suitable source and method, which satisfies the requirements of a multi-paradigmatic and holistic approach (see section 4.3).

Thus, the purpose of this chapter is to formulate a set of suitable research questions (i.e. applications) for the concept of state dysfunction, based on the theoretical framework created for this study thus far and developed in the previous chapter. This will be achieved in this chapter by:

- Clarifying the underlying meta-theoretical and methodological assumptions in bridging the conceptual/operational divide.
- Discussing each of the three dimensions of state dysfunction and their related constructs with the goal of applying each construct's theoretical content to reality.
- Formulating suitable descriptive research questions for each of the three dimensions of state dysfunction and their related constructs that may be answered in the next chapter, with the goal of operationalization.

Accordingly, the outcome of this chapter will be a set of verifiable research questions through which each aspect of state dysfunction may be gauged in empirical reality. This will enable the operationalization of the theoretical framework of analysis; not only in the South African context, but in any desired case study (however, for the purposes of this study, the research questions will adopt South Africa as focus).

The next section will orient the reader regarding the methodological and meta-theoretical role this chapter fulfils in the context of the broader study, referring back to the meta-theoretical framework developed in chapter 2.

6.2 Meta-theoretical orientation

During the introductory chapter to this investigation, it was established that methodologically, this study incorporates two distinct domains of scientific investigation, namely conceptualisation and operationalization, with both sharing a common focus – that of state dysfunction.

Chapter Six: State dysfunction: Towards application and operationalisation in the South African context

In chapter 2, a meta-theoretical framework for this study was developed that underpins the scientific task of conceptualisation. It was noted that, for the purposes of this investigation, the activity of conceptualisation is regarded as the employment of scientific constructs (not necessarily limited to concepts) in examining a given phenomenon, and that the goal of conceptualisation is to specify the meaning and content of a specific term (Babbie & Mouton, 2010:110). Accordingly, this investigation has, through the employment of an array of scientific constructs, conceptualised the dysfunctional state (in addition to the ideal-typical state) – i.e. it has clearly specified the content and meaning of the term, in the form of a definitional statement and an analytical theoretical framework (chapter 5). This outcome concurs with Babbie & Mouton (2010:111) when they state that ‘the product of this conceptualisation process is the specification of one or more indicators ... indicating the presence or absence of the concept we are studying’. This study has identified ‘indicators’ in the form of constructs, divided according to three dimensions of state dysfunction, all of which are integrated into the analytical theoretical framework referred to above. The task which remains in this investigation is the operationalization of the concept of state dysfunction, through means of the constructs (or indicators) specified in the analytical framework.

Regarding the relationship between conceptualisation and operationalization, Mouton & Marais (1990:65) emphasise its denotative character, discussed previously (see chapter 2), in explaining the goal of operationalization: ‘the denotative dimension of a concept relates to the particular phenomenon, or characteristics of a phenomenon, that is associated with the use of that concept. The process of operationalization therefore involves compiling a list of real characteristics denoted by the concept for the purpose of measurement’. Babbie & Mouton (2010:128) explain that the two activities are intimately linked: ‘Conceptualisation is the refinement and specification of abstract concepts, and *operationalization is the development of specific research procedures (operations) that will result in empirical observations* representing those concepts in the real world’ (own emphasis). For the purposes of this study, the ‘research procedure’ which will facilitate the task of operationalization is the formulation of a set of research questions, each of which will be systematically answered in the next chapter. Consider the diagram below, which illustrates this methodological step in relation to the study as a whole:

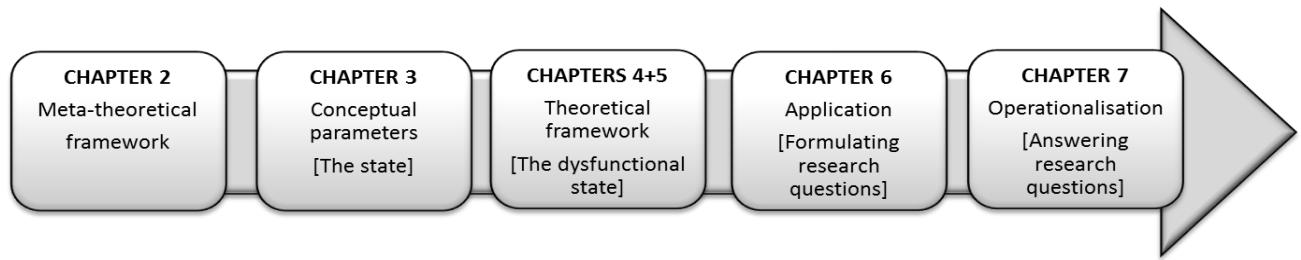


Figure 14: The methodological role of application towards the task of operationalisation

In the sections that follow, the applicational context of each scientific construct denoting state dysfunction will be analysed and descriptive research questions formulated to facilitate the operationalization of that construct.

6.3 The internal dimension and society as applicational context

The internal dimension of state dysfunction encompasses the manifestation of the phenomenon within the boundaries (defined territorially or otherwise) of a given state. Accordingly, in identifying a level of application, society forms the locus of this internal dimension.

Whilst the definition of society is contested terrain, for the purposes of this study and its task of operationalization, society is broadly defined as a social system which bears the mark of political organisation, and is ordered according to the laws of state (see Scruton, 1982:438). It should be noted that the relationship between state and society is an intimate one (as demonstrated by Migdal) and a clinical differentiation between the two concepts is therefore problematic. However, as this study's conceptualisation of state dysfunction devolves along three distinct dimensions, of which two are society and state institutions, a conceptual divide between state and society is required. Thus, for the purposes of this chapter, society is considered to be that internal part of a state which is not institutionalised as part of the apparatus of state. This includes social, cultural and historical relations (which are separate from state institutions), and also economic relations, insofar as they fall within the domain of the private sector.¹⁵³ Whilst these aspects of society may be regulated by the state in the form of legislation, they remain separate and autonomous to the extent that they are not part of the formal apparatus of state as are the bureaucracies or armed forces. The latter forms

¹⁵³ It must be noted that this definition is pragmatically constructed for the purposes of operationalisation, and is in no way intended to lay claim to absolute validity.

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the focus of the intermediate dimension of state dysfunction, which will be considered in the next section.

Analysing the internal dimension and its accompanying societal level of application offers an opportunity for the construction of a general picture of the socio-economic and political conditions within a given country. As a means of introduction, the next chapter will commence with such a survey, intended to orient the reader regarding the current societal configuration in South Africa. Such an orientation can be concisely constructed by employing statistical data on key societal aspects such as:

- Demographics
- Health and social security
- Education
- The economy
- Labour
- Crime and security

This establishes a favourable background for not only operationalizing the concept of state dysfunction in the societal context, but also in the institutional and international spheres. Hence, the societal context of application can now be devolved to the various constructs that have been identified in this dimension of state dysfunction, namely:

- The fragmentation of social control
- A web-like configuration of society
- Role of non-state actors
- Competing survival strategies

The applicational context of each of the above-mentioned constructs will be discussed with the purpose of formulating descriptive research questions, which will facilitate operationalization in the next chapter.

6.3.1 Fragmentation of social control

From the reconstruction of Migdal's contribution in the preceding chapters, it is evident that establishing and maintaining social control is the ultimate goal for any organisation that wishes to predominate in a given society. Accordingly, establishing the extent of social

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control which a state possesses acts as a keystone in understanding and analysing the consolidation or fragmentation of control, during which secondary constructs such as the web-like configuration of a society, the role of non-state actors, and the presence of competing survival strategies may be explored.

In identifying operational criteria for determining the fragmentation of social control in a given society, it is necessary to consider Migdal's (1988:22) definition of social control:

State social control involves the successful subordination of people's own inclinations of social behaviour or behaviour sought by other social organisations in favour of the behaviour prescribed by state rules.

This definition provides the first precondition for identifying an operational criterion in assessing social control, namely the requirements posited by state rules, or in other words, law. As was noted previously in this study, the formal-legal infrastructure of a state provides guidelines and limitations for the legitimate exercise of the *coercive power* of the state, through which a relationship of *binding authority* is established with the citizenry. In qualifying his definition of social control, Migdal appeals to the work of Mann (1984:113) in contrasting the nature of state power and control. Mann clarifies this distinction as follows:

What do we mean by 'the power of the state'? As soon as we begin to think about this commonplace phrase, we encounter two quite different senses in which states and their elites might be considered powerful. We must disentangle them. The first sense concerns what we might term the despotic power of the state elite, the range of actions which the elite is empowered to undertake without routine, institutionalized negotiation with civil society groups.

Within the conceptual framework employed in this study, Mann's notion of despotic power concurs with the raw coercive powers of state. However, Migdal notes that despotic power does not equate to social control, which is the focus of this section. In explaining the prerequisite for social control, Migdal turns to Mann's (1984:113) second iteration of 'state power', which he describes thus:

... there is a second sense in which people talk of 'the power of the state', especially in today's capitalist democracies. We might term this infrastructural power, the capacity of the state actually to penetrate civil society, and to implement logistically political decisions throughout the realm.

Thus, the measuring of the level of social control (or indeed its fragmentation) rests upon two key variables, namely the presence of rules (law) and the ability to implement those rules (institutions). Accordingly, if a given context exhibits high levels of disregard for the law of the land, coupled with a weak capacity to implement sanctions for the disregard of those laws, social control may be said to be fragmented. The *particular nature* of that

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fragmentation may in turn be determined by asking the important secondary research questions referred to earlier regarding the presence of a web-like society, the role of non-state actors.

Therefore, noting that social control is dependent upon societal compliance with a state's legal framework, a logical direct corollary for operationalizing this aspect of the construct will be the crime statistics of a particular society which will show, particularly, whether or not a society exhibits a high incidence of crime. Individuals who do not associate with the legal framework of a state are more likely to discount such laws and the binding authority which they aim to enforce. This undermining of social control may be adequately operationalised using quantitative statistical data on crime and illegal activities from sources such as police statistics.

The second variable of social control, the infrastructural power to implement binding authority, may be correlated with institutional effectiveness. For example, if an individual disregards a particular law (thereby disregarding the state's social control) does the state have the capacity and wherewithal to impose sanctions on that individual accordingly, for example by means of arrest and prosecution? This aspect of social control therefore concerns the effectiveness of the apparatus of state tasked with the maintenance and enforcement of the state's binding authority. In operationalizing this aspect, one would therefore have to evaluate the executive organs of state tasked with law enforcement (such as the police) in addition to judicial organs that are responsible for the interpretation of the law and the dispensation of justice (such as the bench and correctional services). Quantitative indicators which may be considered include the number of arrests (compared to number of crimes committed), number of awaiting trial detainees, prosecution rates, conviction rates, as well as offences committed by the organs of state themselves. Most of these indicators concern the vertical control relationship between state and society (Migdal's focus), whilst the latter explores the horizontal relationship of control between the apparatuses of state themselves (Huntington's focus). Analysing and understanding this inter-institutional dynamic is of importance in assessing the level of social control in particular, and state dysfunction in general, since it is plausible that a state may be weakened more by internal machinations than by a hostile society (certainly, the combination of the two will serve to drastically undermined state functionality). The analysis of the institutional applicational context is considered in section 6.4.

6.3.2 A web-like configuration of society

Having established that the fragmentation of social control is brought about by (i) the disregard of the legal framework of a state and (ii) the inability of a state to project adequate infrastructural power through its apparatus in order to punish such transgressions, it is now possible to posit several secondary research questions. Operationalizing the outcomes of these questions will shed light on the particular nature of fragmented social control, should the phenomenon manifest in a given society.

It was noted earlier that Migdal (1988:36) described certain societies in the developing world as being:

as resilient as an intricate spider's web; one could snip a corner of the web away and the rest of the web would swing majestically between the branches, just as one could snip centre strands and have the web continue to exist. Although there certainly have been connections between the parts and some parts have obviously been more important than others, often no single part has been totally integral to the existence of the whole.

Thus, web-like societies host a melange of fairly *autonomous* social organisations, undermining the social control function of the state, in contrast to the pyramidal structure of social control encountered in functional states (with the state at the apex). In his analysis of this web-like configuration, Migdal (1988:34-39) makes pertinent reference to ethnic and linguistic factionalization, which may consolidate into autonomous organisational groupings. Accordingly, in operationalizing this construct, a quantitative demographic overview of a society should be a point of departure. The linguistic, ethnic, and cultural diversity of a society can be accounted for, utilising population statistics such as census data. However, a qualitative interpretation of these statistics is then required in order to identify existing or emergent groupings which may evade or undermine the state's social control. Such a qualitative interpretation will incorporate an historical contextualisation of language and ethnic divisions, devoting particular attention to instances where such divisions have influenced the development of society.

6.3.3 Presence and role of non-state actors

The role of influential societal actors is central to determining the extent of social control in a society. Indeed, the presence of such actors may, in certain instances, be the most important phenomenon contributing to the fragmentation of social control. According to Calhoun (2002:118) non-state actors refers to that broad category of actors in global politics

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who represent interests and exert influence on issues but who do not exhibit the distinguishing state characteristics. Such non-state actors may include relatively benign non-governmental organisations and multinational corporations, or violent groups of armed and organised individuals who aim to undermine the state's monopoly of force and erode its binding authority (see section 6.5.5, below). The latter of these may include warlords with private armies, transnational criminal organizations, militant religious organizations, and ethno-nationalist groups, all of whom may employ violence to reach their objectives (Bartolomei, Casebeer & Thomas, 2004:8). In analysing the contemporary impact of violent non-state actors (VNSA's), Williams (2008:5) notes that: 'In the 21st century, however, VNSA's appear to be a major challenge to the Westphalian state. Although they have re-emerged in large part because of the growing weakness of many states, they seek to perpetuate and intensify this weakness'.¹⁵⁴

It is therefore apparent that non-state actors that employ violence to attain their goals undermine not only the binding authority of the state, but also usurp the state's function of coercion (undermining the monopoly of legitimate violence), and can even erode the territorial integrity of a state. All of these aspects can contribute toward state dysfunction. Accordingly, in operationalizing this construct related to state dysfunction, an evaluation must be conducted with the purpose of identifying such non-state actors in a given society. Since the use of violence is one of the defining characteristics of such groups, their activities are usually well documented and garner extensive media coverage. This makes it relatively easy to ascertain whether violent non-state actors are operating and influencing society.

6.3.4 Competing strategies of survival

The operationalization of the constructs encountered in the internal dimension of state dysfunction, as outlined above, share the common feature of determining the extent to which a state predominates within a society (i.e. is exercising social control). It was established earlier that social control rests fundamentally upon the acceptance of the state's 'rules of the game' in society, and that the rejection of those rules (which are most explicitly represented in law) represents the rejection and fragmentation of social control. As Migdal (1988:27) points out, social control rests on the organisational ability to provide key components for individuals' strategies of survival.

In societies where social control is fragmented, other (non-state) actors may emerge that offer alternative and competing sets of rules, or strategies of survival. Migdal (1988:27)

¹⁵⁴ Westphalian sovereignty is the concept that all states have sovereignty over their territory, with no role for external agents in domestic structures.

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describes these strategies of survival, in the context of a dysfunctional state as 'blueprints for action and belief in a world that hovers on the brink of a Hobbesian state of nature ... roadmaps used to guide one through the maze of daily life, ensuring one's existence and, in rare instances, pointing the way toward upward mobility'.

The operationalization of this construct is closely related to the evaluation of the web-like characteristics of society, as well as the presence of non-state actors, as both these aspects require the provision of strategies for survival in order to appeal to citizens. Thus, in web-like societies powerbases may develop that are related to the nature of the web-like configuration. If an autonomous grouping exists which is premised upon ethnic or linguistic solidarity, such a group will offer strategies of survival that emphasise ethnic or linguistic aspects. These strategies may relate to radical or reactionary functions such as the promotion of a minority language, or the violent defence of ethnic identity, which may even culminate in attempts at territorial secession (perhaps through violence). Nevertheless, they offer a strategy of survival, more or less comprehensive, that challenges and aims to supplant the state's prerogative of social control.

Thus, in operational terms, this construct has to be analysed, taking into account the extent to which a society exhibits a web-like configuration and the presence of non-state actors, with a particular focus on the *nature of the survival strategies* that are offered by such configurations and groups in a given society. Establishing which components of these non-state strategies of survival are particularly successful and appealing to citizens may also aid in identifying the flaws and shortcomings of the state's own rules of the game. Therefore, having identified the nodal points according to which a society's web-like configuration is constructed, and which non-state actors threaten or undermine social control, the particular strategies of survival offered by these phenomena are qualitatively reconstructed using suitable sources.

6.3.5 Towards operationalization

This section has outlined the key scientific constructs which need to be operationalised in evaluating the internal dimension of state dysfunction in a given society. Accordingly, in the chapter which follows, these constructs will be operationalised in the South African context. This will be conducted by answering a set of research questions, utilising suitable quantitative and qualitative sources. Primary amongst these questions is:

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- To what extent does South African society exhibit evidence of the fragmentation of social control which manifests in the disregard for the binding authority of the laws of state?

To adequately answer this question and in order to operationalize the scientific constructs related to the internal dimension of state dysfunction, the following secondary research questions will be answered:

- Are there nodal points in South African society around which a web-like configuration of society has developed? If so, what is the exact nature of these nodal points? (E.g. ethnic, linguistic, religious, cultural).
- Does South African society contain influential non-state actors who utilise violence or other means to undermine and supplant the primary attributes of state? If so, do they relate to the web-like configuration of society, and what is their role in such a configuration?
- If South African society exhibits a web-like configuration with influential non-state actors that undermine the state's function of social control, what is the nature of the strategies of survival that these phenomena offer to citizens? Additionally, why do these strategies of survival appeal to citizens, and what are the factors that perpetuate their existence, pointing to deficiencies in the state's approach to social control?

By answering these research questions the key scientific constructs that comprise the internal dimension of state dysfunction will be operationalised, whilst simultaneously establishing the nature and extent of the manifestation of state dysfunction in the societal applicational context.

6.4 The intermediate dimension and the institutional applicational context (regime focus)

The intermediate dimension of state dysfunction encompasses the manifestation of the phenomenon within the institutions of a given state. Accordingly, in identifying a level of application, political institutions represent the locus of this intermediate dimension.

During the reconstruction of Huntington's contribution to this study (see chapters 4 and 5) it was established that the root of political decay lies in the adverse changes that the process of modernisation has made in a given society. It may be recalled that Huntington (1968:5) explains that, in the dysfunctional context, 'the rates of social mobilisation and the expansion of political participation are high; the rates of political organisation are low. The result is

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instability and disorder'. Thus, social forces multiply and expand in a manner unconstrained and unmediated by a political organisation and these may reach chaotic proportions.

The management of the process of modernisation and the potential social disorder which often accompanies it is most effectively achieved by means of political institutions. In instances of low socio-political complexity (typically prior to modernisation) political communities require only a simple framework for political organisation. However, 'the more complex and heterogeneous a society ... the more the achievement of and maintenance of political community become dependent upon the workings of political institutions' (Huntington, 1968:9). Accordingly, Huntington (1968:398) posits that 'societies which have created large-scale modern political institutions with the capability of handling more extensive political participation ... is presumptively stable'. It was established that such political institutions are encountered as part of the state itself (in the form of a bureaucratic apparatus and other executive organs) as well as political parties which can accommodate political participation.

Therefore, for the purposes of this study, the institutional context refers to the entire ambit of political institutions, including the institutions of state, the incumbent government (as ruling political party and executive institution), and the system of political parties in general. In circumscribing the conceptual scope of this applicational context, particularly in South Africa, this study will adopt a *regime focus*, with the concept 'regime' representing an inclusive meeting point between the state, institutions, and the parameters of the political system (i.e. the 'rules of the game' in a given context).

Broadly defined, 'regime' refers to the presence of an overarching set of rules, resulting from the interaction of actors in a political system, and is defined in this sense by Siverson and Starr (1994: 149) as the 'rules by which government is accomplished'. Similarly, Sengupta (2004: 510) refers to a political regime as 'the entire constitutional framework of a country' whilst Gale (1998: 252) defines it as 'a set of mutual expectations, rules and regulations, plans, organisational energies, and financial commitments'. Heywood (2002:26) offers a description of regime which is somewhat more suited to the applicational goal of this study, namely that it 'encompasses not only the mechanisms of government and the institutions of state, but also the structures and processes through which these interact with the larger society'.

Choosing to delimit the institutional applicational context according to a regime focus, for the purpose of this study, acknowledges the distinct configuration of South African statehood.

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The fusion of party and state in the post-1994 period, as well as the electoral dominance of the ANC in South Africa, is described as a dominant party configuration (Southall, 2005:61). Thus, an analysis of the South African institutional context must account for the ANC as a political institution, both in its guise as a political party and as a government, especially given its policy of cadre deployment which will be discussed later. Similarly, concerning the 'rules of the game' present in the South African context, the constitutional dispensation stands out as a preeminent institution in this regard (see Gale's definition, above). The Constitution (1996) asserts that it is the supreme law of the Republic, that all law or conduct inconsistent with it is invalid, and that all obligations imposed by it must be fulfilled. Thus, the trio of institutions that characterise the regime focus of the intermediate dimension of state may be diagrammatically expressed as follows:

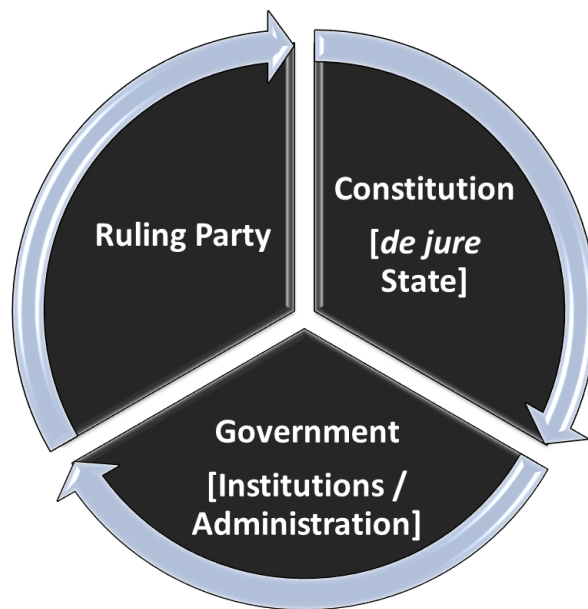


Figure 15: The institutional trio of a regime focus

An analysis of the intermediate dimension and its accompanying institutional level of application within a regime focus offers an opportunity to reconstruct a general picture of the status of political institutions, their performance, and their future prospects. In achieving this, several quantitative and qualitative sources, selected to shed light on the South African regime dynamic, will be incorporated, namely:

- Election results and trends
- Institutional barometers pertaining to governance
- Indexes relating to institutional performance
- Data on corrupt activities and maladministration

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- Accounts of unconstitutional political dynamics
- Policy documents from political institutions, including parties

Utilising these and similar sources, the institutional/regime context of application can now be devolved to the various constructs that have been identified in this dimension of state dysfunction, namely:

- Institutionalisation and its evaluation
- Corruption and maladministration
- Political accommodation and submission
- Neo-patrimonial rule
- Praetorianism
- Revolutionary potential

The applicational context of each of the above-mentioned constructs will be discussed with the purpose of formulating descriptive research questions. These will facilitate operationalization in the next chapter.

6.4.1 Institutionalisation and its evaluation

It was previously established that institutions and institutionalisation form the core of Huntington's contribution to this study's conceptualisation of the dysfunctional state. Indeed, for Huntington the main requirement for political development (as opposed to political decay) is the establishment and functioning of sound political institutions (i.e. the *degree* of government). Given the institutional focus of this dimension of state dysfunction and its regime focus, it is of crucial importance to assess the functionality of political institutions in the process of operationalization. Huntington (1968:12-24) provides well-defined criteria for evaluating the level of institutionalisation of organisations (see chapter 5 for extensive discussion). The four main criteria generally lend themselves to the development of a functional and clear empirical reference, as indicated below:

- *Adaptability-Rigidity* is linked to environmental challenges and age, since the more challenges that have arisen in an organisation's environment and the greater its age, the more adaptable it is (Huntington, 1968:13). In this sense, the length of time for which an organisation has existed is a rough indication of the number of challenges it has had to

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overcome (an established organisation would have weathered many more trials than one which is new). Organisational age is determined according to three functional criteria:

- Chronological age – The duration of time for which an organisation has existed (e.g. 100 years).
 - Generational age – The number/lack of peaceful successions and replacement of leaders (e.g. a party which is or is not still led by its 'founding fathers').
 - Functional age – The transition from an organisation's original founding function to a new function, or lack thereof (e.g. liberation movement to government).
- *Complexity* describes the function, the number and the variety of sub-units within an organisation. The more the specialised sub-units the greater the number of avenues to maintain the loyalty of members. If power in an organisation is centralised with one person/group, it is inherently less stable than if power has been diffusely spread through various sub-units and entities.
 - *Autonomy* is a function which relates to the independence of an organisation's procedures and its methods of behaviour (Huntington, 1968:20). Autonomy can be determined according to the following criteria:
 - Interests – If the organisation acts merely as the instrument of a specific group (e.g. family, tribe, class) then it lacks autonomy.
 - Procedures – The extent to which an organisation may be influenced by unlawful and irregular practices such as violence, bribery, corruption etc. is an indication of its autonomy.
 - *Coherence* is a function of the unity of an organisation, evidenced by consensus amongst its members (Huntington, 1968:22). Key to establishing and maintaining coherence is an esprit de corps and good morale and discipline. These result in the willingness of individuals within the organisation to bridle private or personal impulses for the sake of general organisational objectives. Thus, organisations subject to schisms, infighting, factionalism and poor discipline are not coherent.

Given the criteria discussed above, it is possible to operationalize and assess the level of institutionalisation of an organisation. Political parties in particular tend to attract a high level of media attention, which results in their activities being well-documented (even more so in parties of government). As such, there is an abundance of sources from which these criteria may be operationalised.

6.4.2 Corruption and maladministration

In the preceding section it was noted that corruption is a phenomenon which adversely affects the autonomy of an organisation, since it subjects organisational procedures to undue influence, thereby undermining institutionalisation. Although the phenomenon of corruption is therefore operationalised in the specific institutional context, as indicated above, it is also relevant more generally. Evaluating the prevalence of corruption and maladministration in a broader regime context will inform an evaluation of state dysfunction in a given case study. This general perspective is also required for the operationalization and evaluation of other constructs encountered in the institutional context, such as the politics of survival and neo-patrimonial tendencies, to be discussed later in this chapter.

In evaluating the general prevalence of corruption in the institutional context (as opposed to a particular organisation) the operational goal should be to determine whether corruption has become endemic or systemic in nature. According to the U4 Anti-Corruption Resource Centre (U4 ACRC, 2013) this type of corruption is described as follows:

As opposed to exploiting occasional opportunities, endemic or systemic corruption occurs when corruption is an integrated and essential aspect of the economic, social and political system. Systemic corruption is not a special category of corrupt practice, but rather a situation in which the major institutions and processes of the state are routinely dominated and used by corrupt individuals and groups, and in which most people have no alternatives to dealing with corrupt officials.

In this sense, systemic corruption and its concomitant practices is a potent indicator of state dysfunction. The United Nations Office on Drugs and Crime (UNODC, 2005:21) explains that when corruption pervades the highest levels of government, engendering major abuses of power, it may result in erosion of the rule of law, economic stability and confidence in good governance. In certain cases, systemic corruption may result in 'state capture', which is where external interests illegally distort the highest levels of a political system to private ends. Corrupt practices that occur, usually in combination, in such cases include bribery, embezzlement, theft, fraud, extortion, blackmail, nepotism, favouritism, clientelism, and conduct creating or exploiting conflicting interests (UNODC, 2005:21-27).

Measuring corruption is a difficult task, mainly because it is an illicit activity, and perpetrators are often at pains to hide their crime. Nevertheless, instruments exist through which relative levels of corruption may be gauged in a given state. To the extent that a government or regime tolerates transparency, official corruption figures offer a starting point, as do crime statistics, particularly those relating to offences such as public sector fraud and financial mismanagement. Institutions such as the office of the Auditor General and other public

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sector watchdog organisations also provide valuable information in this regard. The United Nations Development Programme (UNDP, 2008:9-11) notes that widely accepted instruments for gauging public sector corruption include Transparency International's Corruption Perceptions Index and Government Defence Anti-corruption Index, the World Bank's Worldwide Governance Indicators, and the Afrobarometer.

6.4.3 Accommodation and submission

In chapter 5 the construct of state accommodation and submission was discussed, where it was established that in certain instances, where a state is unable to project its binding authority and power, other non-state actors emerge that challenge state authority and pursue their own agenda with impunity. As such, this phenomenon is closely related to the aspect of social control and its fragmentation, encountered in the internal dimension of state dysfunction (discussed previously) and, it can be said, strategies of accommodation and submission is the *institutional* fallout of a state's inability to establish social control.

According to Migdal's (1988:246) analysis, this dynamic of accommodation occurs both at the highest and lowest levels of government and institutions of state. At the highest level, leaders often have to consider the demands and powerful positions of well-developed power centres, particularly those who provide capital and security. At the lowest level of government, where the policies of state are destined to be implemented, another relationship of accommodation and submission occurs between state officials (functionaries and bureaucrats responsible for implementing state policy), party members (who are often part of the state's administrative apparatus) and strongmen (who possess their own localised bases of social control). Migdal (1988:246-247) explains that at this local level:

...the state, through its implementers, has become involved in bargaining strongmen. At the same time, intra-state or party-state bargaining occurs between implementers and other state and party officials. These two sets of related bargaining can be called the Triangle of Accommodation.

This dynamic may be illustrated as follows:

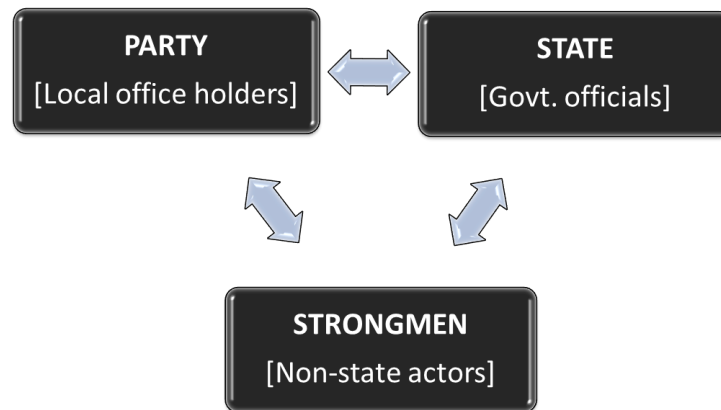


Figure 16: The three avenues of accommodation and submission

In operationalizing this construct, it is necessary to incorporate insights gained from the evaluation of the internal dimension of state dysfunction, which was discussed in the previous section. Should the operationalization of constructs employed in that sphere indicate high levels of fragmented social control, with the presence of influential non-state actors, a dynamic of accommodation and submission will almost certainly be present in the intermediate dimension. However, even if non-state actors do not figure prominently in a societal analysis of a particular case study, it does not eliminate the possibility of an accommodating and submissive dynamic between *government* and *party* (the remaining legs of the triad). In such an instance, state officials will submit to and accommodate the demands and wishes of local and regional party leaders.

It is important to note that this construct represents a phenomenon which is present in all states, even highly institutionalised and functional ones, since it is rare for institutions and individuals to share unanimous interests. Indeed, Migdal (1988:246) refers to the state as the 'grand arena of accommodation', since it represents a nexus of so many different role-players and interests. Yet, it is crucial for such dealings to be subject to constraint, lest they begin to undermine the attributes and functions of state. However, according to Migdal (1988:248) 'in weak states, such constraints are far more feeble, and the bargaining can lead to major distortions in the use of state resources ... The Triangle of Accommodation can become a set of institutionalised relationships with only occasional infringement from other forces'. However, when the state accommodates and submits to political corruption in the regime/ruling party it can result in the phenomenon of state capture, where the institutions and functions of state are regulated according to illicit, illegitimate, and non-transparent *private interests* as opposed to the public interest for which they were established (World Bank, 2000:3). Therefore, the combination of political corruption and state submission can

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potentially result in the 'hijacking' of the state, which would significantly accelerate state dysfunction. The benefits and proceeds of state capture are usually dispersed amongst elites through networks of neo-patrimonial rule (discussed below).

In operational terms, this requires an analysis to identify instances where the state has acquiesced to other actors *against* its best interests, thereby undermining state functionality. Often, this will take place in the form of an illicit activity, which overlaps with the preceding discussion of corruption and maladministration. For example, accommodating regional party bosses may require awarding lucrative government contracts to politically connected businesses, often uncompetitive and at higher prices. In instances where accommodation and submission have become 'institutionalised relationships', central government may be unable to act authoritatively in a given region or province, due to the influence of a party boss or non-state actor. Factionalism is usually symptomatic in such a situation, as local factions compete with factions loyal to the centre. In instances where membership of government and party overlap closely, such factionalism may manifest prominently. Thus, in operationalizing this construct, a qualitative analysis is required to determine the regularity with which the goals and functions of state are subverted by bureaucrats, party functionaries, or strongmen.

6.4.4 Neo-patrimonial rule

A construct which in certain instances may overlap with the strategy of submission and accommodation (as well as corruption and maladministration) is that of neo-patrimonialism. According to Bratton & van de Walle (1997:62), the essence of neo-patrimonial rule is that 'the right to rule ... is ascribed to a person, rather than an office'. In this sense, the construct represents a regression from modern to traditional authority (explicated by Weber) but, crucially, this regression occurs with the apparatus and scope of the modern state at its disposal. As argued in section 5.6 this mismatch between traditional patrimonial authority and the modern rational-legal bureaucracy undermines the administrative attributes of state in particular, thereby promoting state dysfunction. In effect, the state becomes a vehicle through which traditional acts of patronage can be fulfilled and maintained.

Bratton & van de Walle (1997:63-66) identify three components of neo-patrimonial rule, which will be utilised in this study to operationalize the construct. The reader will notice that these components relate to aspects in the preceding sections, as well as that of the politics of survival, to be discussed in the next section.

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- *Presidentialism* is highlighted by Bratton & van de Walle as an important component of neo-patrimonial rule, which implies the systematic concentration of power in the hands of one individual. This process has two outcomes, namely greater *centralisation* of political power in the hands of the leader (see the discussion of centripetal political force, below) and the *personalisation* of that power. Presidentialism, where leaders exercise power by the authority of their office, not their person stands in contrast to institutionalism.
- The centralisation of political power leads to the emergence of *clientelism*, whereby leaders award personal favours to loyalists (clients) through the institutions and agencies of state. By awarding sought after positions and economic opportunities (such as licences and tenders) to clients, networks of patronage can eventually extend throughout government.
- Much of the manifestation of state dysfunction at institutional level centres on access to and use of *state resources*. Whether it be corruption, patronage and clientelism, or the tactics of accommodation and submission, most dysfunctional tendencies which subvert institutional quality are aimed at economic self-enrichment. Additionally, the capture of the levers of power within the institutions of state enables the incumbent leader/party to monitor and suppress political dissent and contestation, thereby securing the continuation of their position of privilege.

In operationalizing the construct of neo-patrimonial rule, empirical verification of the abovementioned three components must be sought. Trends such as greater centralisation of political control, the expansion of the office and powers of the president, frequent intervention from the centre in other spheres of state, seeking to develop a cult of personality, the proliferation of cabinet positions and ministries and political favouritism may all point to the presence or emergence of presidentialist and clientelist practices. The abuse of state resources, insofar as it is discoverable, can be identified in government and independent audit reports, which cite instances of irregular, wasteful, or frivolous expenditure of public funds. This theme of the subversion of public interest for private gain is continued in the form of the politics of survival, which often reflects the growing paranoia that beset leaders that have over-centralised the functions of government amidst the context of state dysfunction.

6.4.5 The politics of survival

No construct more vividly represents the personalisation of institutional power and authority than the politics of survival practiced by state leaders in dysfunctional states, described by

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Migdal (1988:207) as a 'pathological set of relationships within the state organisation itself, between the top state leadership and its agencies'. According to Migdal's (1988:206-213) analysis, this particular dynamic emerges as a result of a state leader's perception of competing and/or threatening powerbases in the institutions of state, and resonates with the construct of neo-patrimonial rule, discussed above.

Even in the context of a dysfunctional state, certain agencies may retain a comparatively high level of institutionalisation amidst general institutional decay. When such agencies are able to appreciably influence the mobilisation of resources for political support in the state it may pose a threat to the state leader. This threat manifests in what Migdal (1988:208) terms 'centrifugal force'. The analogy with physics is an obvious one, where a centrifugal dynamic refers to force that draws a rotating body away from the centre of rotation. Similarly, in the institutional dynamics of state, a centrifugal force draws agencies (and therefore power) away from the central leadership which is, in effect an outcome of greater institutional autonomy, discussed previously. In the context of state dysfunction, the anomaly of a highly institutionalised agency might therefore find itself being able to radically influence the mobilisation of resources and support, in contrast to its decaying peers in cabinet, to an extent where it may usurp political power entirely. The prospect of losing power in this manner becomes even more pronounced when the institutions/agencies responsible for state security show signs of centrifugal drift. Since the police, armed forces, and intelligence agencies are the institutional embodiments of the state's function and privilege of coercion, they are by far the most threatening to a leader.

In order to counter the development of such institutional autonomy, a state leader has two options: firstly, the creation of 'centripetal forces', which serve as institutional ballasts to autonomous agencies (Migdal, 1988:211). Particularly in cases where the coercive institutions of state are involved, this strategy has involved the balancing of two or more strong agencies against one another, or the reliance on specific social groupings to counteract a strong state institution. Examples of this option would include the creation of an irregular force/party militia to counterweight the formal armed forces of state, or the formation of a Praetorian Guard unit with special privileges and status, to be commanded by the leader personally, rather than the chief of staff (these have been favoured strategies in the Arab world).

The second and more prevalent option is the employment of tactics to intentionally undermine institutions that are perceived as threats. This option was discussed in chapter 5 (section 5.2.3) where it was noted that, in this sense, the politics of survival is represented by

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the abuse of the executive powers of the state leader. Migdal (1988:214-226) highlights three prominent tactics in this regard, which aid the operationalization of this construct, namely:

- The continuous deployment and redeployment (i.e. forced circulation) of elites (the so-called 'big shuffle')
- Appointing individuals with ties of loyalty to the leadership to influential positions, regardless of aptitude or merit
- Utilising deceitful and illegal means to neutralise perceived enemies and threats ('dirty tricks').

Therefore, in operationalizing this construct and its accompanying tactics, a qualitative evaluation of political leadership and elites is required to determine the prevalence of such practices. For example, the regularity with which national and provincial cabinets are shuffled and reshuffled may provide important insights, and so too the nature of the appointments which are made during such changes. Furthermore, non-merit appointments are difficult to conceal at senior level, and usually attract much coverage from the media (e.g. police commissioners, ministers, heads of state-owned companies). Although dirty tricks are often employed covertly, instances which come to light are usually well documented in the media (e.g. smear campaigns), enabling the evaluation of this tactic.

6.4.6 Praetorianism

The construct of praetorianism represents an institutional parallel to Migdal's conception of fragmented social control in the societal context. Indeed, both these constructs are key theoretical cornerstones in this study's conceptualisation of state dysfunction, as well as its operationalization, which this chapter aims to facilitate. This study's discussion of praetorianism in section 5.3.4 revealed three main themes in its analysis of the construct.

First, a society exhibiting a praetorian dynamic is also a society with *fragmented social control*. Huntington (1968:196) explains that 'the absence of effective political institutions in praetorian societies means that power is fragmented: it comes in many forms and in small quantities'. Thus, without effective political institutions capable of 'mediating, refining, and moderating group political action' social groups 'confront each other nakedly' (Huntington, 1968:196). Furthermore, in this relative vacuum of authority, each group naturally seeks to maximise its own interests, but without institutional channels to facilitate this 'each group

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employs the means which reflect its peculiar nature and capabilities' resulting in a situation where, in order to achieve political goals, 'the wealthy bribe; students riot; workers strike; mobs demonstrate; and the military coup' (Huntington, 1968:196). Essentially, this praetorian dynamic premised upon the fragmentation of power and authority points to the fundamental *politicisation of social forces*.

Second, in certain instances of praetorianism, the *military and security establishments* feature prominently, as noted in the quote above. Huntington (1968:194) explains that the propensity for military intervention in dysfunctional states is more due to the fragmented institutional and societal contexts, rather than the inherent ambitions of the armed forces: 'the most important causes of military intervention in politics are not military but political and reflect not the social and organisational characteristics of the military establishment *but the political and institutional structure of the society*'. Thus, in a society where groups engage directly with each other without institutional mediation 'society as a whole is out of joint, not just the military' and 'countries which have political armies also have political clergies, political universities, political bureaucracies, political labour unions, and political corporations' (Huntington, 1968:194). However, the reason why the armed forces establishment can rise above the chaotic praetorian political dynamic is because 'the military can be cohesive, bureaucratized and disciplined. Colonels can run a government; students and monks cannot' (Huntington, 1968:239). Thus, the military assumes a dominant role because of (i) its organisational ability, and (ii) perhaps more importantly, its ownership of the coercive ability of the state. Simply put, amidst the political instability of a praetorian society, the military can bring guns to a knife-fight.

Third, the praetorian society may serve as a *staging ground for revolution*. As discussed previously Huntington (1968:198-263) identifies three progressive stages of praetorianism, namely oligarchical, radical, and mass praetorianism. This progression essentially reflects the increased levels of political participation which characterises a society's modernisation. Whereas oligarchic praetorianism is confined to traditional systems of rule, dominated by a traditional patriarchal leader or strongman, radical praetorianism evolves as a result of urbanisation and the expansion of the middle class (two fundamental tenets of modernisation). In societies where political institutionalisation remains underdeveloped and participation is extended to the lower and working classes, mass praetorianism emerges. Given these circumstances, this stage of praetorianism is marked by political instability and volatility (often necessitating military intervention).

In operationalizing the construct of praetorianism, each of the abovementioned three themes should be evaluated. Thus, the political environment should first be evaluated to determine

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the extent to which social forces have become politicised, thereby confronting each other directly without institutional mediation. Indicators of such a dynamic may be raw participation in the form of violent protests, riots, and strikes. Second, tendencies towards greater securitisation should be evaluated, including encroachment by the military, police, and intelligence establishments in the political sphere. Third, given these insights, the progression of praetorianism must be assessed because it approximates the move to either radical or mass praetorianism. Since the advent of mass praetorianism signals greater political instability, its presence will necessitate an appraisal of the potential for revolution.

6.4.7 Assessing the potential for revolutionary regime change

The revolutionary potential which the mass praetorian society harbours also has the potential to destroy the state itself – i.e. it brings in a terminal stage of state dysfunction. In this context, Huntington explicates revolution as the rapid expansion of political consciousness and the rapid mobilisation of new groups into politics at such a rate that it makes it impossible for existing political institutions to assimilate them (Huntington, 1968:266). Therefore, by the eve of a revolution, the process of modernisation has assumed a momentum of its own and becomes an inevitable and unstoppable force of political change. In assessing this possibility, two variables are of importance. First, a combination of *actors* must emerge to stimulate revolutionary impetus. In the urbanised context, the middle and working classes must share a common intent (during the stage of mass praetorianism), but crucially, the rural classes must also be co-opted. Only if these three groups are alienated by the state to the same extent can a revolution be dispatched. Second, the *timing* of this alienation is critical, as Huntington (1968:277) notes that ‘revolutions are ... unlikely to occur if the period of frustration of the urban middle class does not coincide with that of the peasantry’.

In an operational assessment of the potential for revolution, the insights gained from the evaluation of praetorianism (conducted in the preceding section) must be taken into account. If a society has progressed to the threshold of mass praetorianism, the specific actors must be identified, with particular reference to the means of direct action at their disposal. Subsequently, the level and timing of communal dissatisfaction amongst these actors must be assessed, to determine whether it may result in a revolutionary confluence. Empirical verification of these aspects may be readily found in the preceding analysis of the societal and institutional contexts, as well as additional perspectives from current affairs. Conversely, if a society is adjudged not to exhibit mass praetorian characteristics, an evaluation of the potential for revolution is premature, and therefore not necessary.

6.4.8 Towards operationalization

This section outlined the key scientific constructs which need to be operationalised in evaluating the intermediate dimension of state dysfunction in the institutional context. Accordingly, in the chapter which follows, these constructs will be operationalised in the South African context. This will be conducted by answering a set of critical research questions, utilising suitable quantitative and qualitative textual sources. Primary amongst these questions is:

- What is the nature of regime institutionalisation in the South African environment, taking into account the criteria of adaptability, complexity, autonomy, and coherence?

To comprehensively address this question and operationalise the scientific constructs related to the intermediate dimension of state dysfunction, the following secondary research questions will be answered:

- How prevalent is corruption and maladministration in the regime context, with particular reference to the institutions of government and the ruling party? Can it be described as systemic?
- Are there notable instances where the state submits to, or accommodates, non-state actors contrary to the interests of the state? Does such a relationship exist within the regime?
- Does the regime exhibit neo-patrimonial tendencies, taking into account the practices of presidentialism, clientelism, and the use of state resources for private ends?
- Does the regime exhibit practices related to the politics of survival, taking into account the tactics of the 'big shuffle', non-merit appointments, and the use of dirty tricks?
- Does the regime exhibit praetorian tendencies, taking into account the phenomena of the widespread politicisation of social forces, the securitisation of the state, and a progression toward mass praetorianism?
- If the conditions for mass praetorianism have been established, what is the potential for revolution?

By answering these research questions the key scientific constructs that comprise the intermediate dimension of state dysfunction will be operationalised, whilst simultaneously establishing the nature and extent of the manifestation of state dysfunction in its institutional applicational context.

6.5 The external dimension and the international applicational context

The external dimension of state dysfunction encompasses the manifestation of the phenomenon in the international relations and in the symbolism of a given state. Accordingly, in identifying a level of application, the interactions with other members of the international community represent the locus of this dimension.

At the heart of Jackson's interpretation of state dysfunction lies the dramatic reconfiguration of the constitution of the international order of states after the Second World War. According to Jackson (1993:17) 'the crucial principle of the contemporary international constitution as it applies to formerly dependent areas of the world is universal and categorical self-determination of the indigenous people'. Accordingly, colonies became independent states and equals in the realm of international relations (at a great rate in a very short period). However, independence was mostly achieved through reliance on the normative grounds of 'categorical self-determination', and not positivist criteria such as institutional capability and viability. Indeed, the rapidity of decolonisation in the developing world represented a form of pacted revolution, which stood in stark contrast to the evolutionary development of states in Europe and North America. The result was that a new group of *independent*, but simultaneously largely *incapable* states were created – states in name, but not in nature (i.e. quasi-states).

The societal and institutional dynamics which characterise these dysfunctional states have been evaluated in the previous sections, using the scientific constructs developed in preceding chapters. This final section will evaluate the international facet of state dysfunction, which centres on Jackson's construct of negative sovereignty.

6.5.1 Negative sovereignty

As established in chapter five, the construct of negative sovereignty is derived from that of negative liberty. At their core, both negative liberty and sovereignty are predicated upon freedom *from* outside interference, and thus represent the realm where individuals/states can act unobstructed by others (Berlin, 1969:22). The construct as it relates specifically to states in the international community, is described by Jackson (1993:27) as directly linked to decolonisation, referred to earlier as 'the distinctive liberty acquired by former colonies as a consequence of the international enfranchisement movement'. Since negative sovereignty is a legal entitlement which is conferred by the international community, it is also a passive

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attribute. Thus, both superpowers and dysfunctional states can claim the benefits of negative sovereignty, as the framework of international law view all sovereign states as equals. However, a functional state has the capabilities (i.e. positive attributes of state) to further strengthen and protect this entitlement to negative sovereignty, whilst for dysfunctional states it remains a reality which exists only because of the observance and forbearance of *other* states.

It is from this skewed interpretation of sovereignty, and the historical and contemporary disparity between the capabilities of states, that the construct of negative sovereignty has emerged as a feature which maintains and tacitly promotes state dysfunction in the postcolonial developing world. Much of its current manifestation is observed in symbolic and rhetorical form. Favourite themes of the negative sovereignty narrative include the injustices of colonialism, the threats of neo-colonialism and neo-imperialism, and the general vilification of the West, portrayed in many instances in the Leninist idiom of 'reactionary' and 'counter revolutionary' forces. Often, the perceived machinations of the developed world are used by postcolonial leaders as justification for the circumstances of decay in dysfunctional states, citing factors such as global conspiracies and associated intrigues.

By means of illustration, during a 2004 visit to Venezuela, President Robert Mugabe stressed the importance of poor countries co-operating to build 'integrated, strong economies able to resist the dominance of the North', whilst President Hugo Chavez remarked in a speech in honour of his Zimbabwean counterpart that 'We are confronting conspiracies and coups supported by Washington, whose government is once again charging with the fiercest flags of imperialism' (News24, 2004). The decision of the International Criminal Court (ICC) to prosecute Sudanese President Omar al-Bashir for 7 counts of crimes against humanity was received and was interpreted by Bashir's regime as proof that the ICC has 'consigned Africa only as a laboratory for politically motivated prosecutions' (International Refugee Rights Initiative, 2008). Similarly, Ugandan President Yoweri Museveni accused the ICC of 'blackmail' and attempting to 'install leaders of their choice in Africa and eliminate the ones they do not like' (Institute for War and Peace Reporting, 2013). Leaders in postcolonial Africa frequently lament the existence of a 'new conspiracy to recolonize it in the name of democracy' by Western states in order to have access to the natural resources of the continent (Ghana Broadcasting Corporation, 2011), whilst former Ivorian President Laurent Gbagbo accused the West of 'a project of destabilization and fragmentation of peace and social cohesion' after violence occurred

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when he refused to acknowledge his 2010 electoral defeat (Cocks, 2010).¹⁵⁵ Such exaggerated allegations are usually easily disproved through the mere application of reason, and are in many cases the product of a leader's own paranoia (which is itself a symptom of the politics of survival, discussed previously). None of the abovementioned claims have ever been substantiated.

The examples above are by no means exhaustive, and are cited to demonstrate that demonization of the developed world is a frequently invoked symbolic method of asserting negative sovereignty. Indeed, the lack of positive capabilities in the international arena and the hostile nature of certain dysfunctional states relegate them to a level where symbolism and rhetoric become the prominent tools of international relations – where domestic inadequacies and failure are mentioned only to blame. The quintessential normative and legal grounds upon which this postcolonial orientation is based are the complementary rights to self-determination and non-intervention.

6.5.2 The rights to self-determination and non-intervention

As alluded to in the preceding section, the construct of negative sovereignty has become a general orienting feature of the postcolonial world in its interaction with the developed world (most typified by the West) in the international arena. This symbolic orientation is, however, premised upon two formal and enshrined legal principles.

It was established previously that the right of self-determination developed in the immediate post-war era, and was integrated into the framework of international law and diplomacy under the auspices of the United Nations:

- Chapter 1, Article 1, part 2 of the United Nations Charter states that purpose of the charter is: 'To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace'
- Article 1 in both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights read: 'All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.'

¹⁵⁵ Incidentally, Laurent Gbagbo subsequently hired two prominent French lawyers to provide legal counsel, of which one is Jacques Vergès, notorious for defending Klaus Barbie, a Gestapo officer known as the "Butcher of Lyon", and for his association with terrorist Carlos the Jackal and Serbian dictator Slobodan Milosevic.

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- The United Nations Universal Declaration of Human Rights, article 15, states that everyone has the right to a nationality and that no one should be arbitrarily deprived of a nationality or denied the right to change nationality.

It is on the basis of these articles, and the spirit they represent, that erstwhile liberation movements justified their struggle against colonialism, thereby occupying the moral and legal high ground. Of course, the concept of self-determination is in itself just, and concurs with the broad liberal-democratic tradition that acknowledges the human rights of the individual and many other virtuous principles that collectively promote a civilised human existence. However, the central argument forwarded by Jackson in relation to dysfunctional states is that enshrining self-determination as an *unconditional right* (as the abovementioned articles do) resulted in the crucial determinant of *feasibility* being wholly disregarded (in fact, it was demoted to the rank of political incorrectness). It was, therefore, an extreme example of idealism triumphing over realism. Its extreme idealism was demonstrated by the fact that indigenous governments had neither the social nor the institutional control, authority, and functional capabilities to consolidate and develop the state, as demonstrated in the preceding chapters of this study.

Thus, a state which is born solely because of the normative and formal legal dictates of the right to self-determination, according to the rules of the negative sovereignty game, and which is largely or wholly lacking in the attributes of statehood, cannot but be a dysfunctional state.

The second aspect to be considered in this section is the principle of non-intervention. If the right to self-determination serves as the legal grounds for the *founding* of states in the postcolonial era, the right to non-intervention serves as a mechanism to *perpetuate* their existence. According to United Nations resolution 2131 (UN, 1969):

In fulfilment of the principle of self-determination, the General Assembly, in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in resolution 1514(XV) of 14 December 1960, stated its conviction that all peoples have an inalienable right to complete freedom, the exercise of their sovereignty and the integrity of their national territory, and that, by virtue of that right, they freely determine their political status and freely pursue their economic, social and cultural development ... All States shall respect the right of self-determination and independence of peoples and nations, to be freely exercised without any foreign pressure, and with absolute respect for human rights and fundamental freedoms. Consequently, all States shall contribute to the complete elimination of racial discrimination and colonialism in all its forms and manifestations.

This resolution links the constructs of self-determination and non-intervention with the purpose of permanent and inviolable sovereign states. Presumably, the guiding purpose of

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this resolution (given its ratification in 1965) was to prevent the re-emergence of colonialism and the acquisition of territorial possessions by states capable of doing so. It can be said, almost fifty years later, that this goal has been achieved. Colonialism has never re-emerged in the post-war period and is, as of today, a non-existent feature of international relations. However, the doctrine of non-intervention has also hermetically sealed the postcolonial configuration of states, eliminating the possibilities of subsequent self-determination for ethnic groups or nationalities other than those represented by liberation movements in the struggle for independence (see section 5.4.2). The volatile and acute nature of this configuration has been demonstrated many times in recent history, where fragmented societies (consisting of multiple ethnicities, religions, or languages) are contained within postcolonial territorial boundaries, and civil conflict subsequently emerges during which one side is normally supported by the state.

The doctrine on non-intervention is often invoked by regimes as a stratagem to obstruct international involvement in domestic crises, in which it is often evident that the extent of state dysfunction makes any constructive domestic action unlikely. For example in July 2008 under the agenda item entitled 'Peace and security in Africa', the UN Security Council failed to adopt a draft resolution by which the Council would have imposed sanctions on Zimbabwe. The representative of Zimbabwe strongly opposed any Council action against his country, emphasising that the draft resolution was a clear abuse of Chapter VII of the Charter. He held that it was not the role of the Council to certify national elections of member states and that Zimbabweans had a right to choose their own leaders (UN, 2009:33-34). In this instance, solidarity with the Zimbabwean representative was shown by Libya and Vietnam (rotating members of the Security Council at the time).

However, the right of non-intervention is applied selectively by many dysfunctional states, particularly in their interaction with other states of the developing world. For example, the United Nations (2009:17) noted that in the period 2008-2009:

... there were a number of instances in which the Council condemned hostile acts across the border of a State and the support by States of foreign armed groups, including through use of their territory. In particular, the Council constantly encouraged the respective Governments of the Sudan, Chad and the Central African Republic to ensure that their territories were not used to undermine the sovereignty of others and to cooperate with a view to putting an end to the activities of armed groups in the region and their attempts to seize power by force.

The most problematic contemporary example of the selective and often hypocritical application of the right to non-intervention as it relates to dysfunctional states can be found in the DRC. The Second Congo War (1998-2003) destabilised the entire region, resulting in

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numerous related hostilities such as the Lord's Resistance Army Insurgency (active in South Sudan, Central African Republic, and the DRC), and the Kivu (eastern DRC) and Ituri (northern DRC) conflicts. Neighbouring states were drawn into the conflict, either in support of (Zimbabwe, Namibia, Angola, Chad, Sudan) or fighting against the DRC (Rwanda, Uganda, Burundi). Belligerents in the DRC conflict also fought amongst themselves in related but separate conflicts (Rwanda vs. Uganda), and armed non-state groups were co-opted to the various conflicting blocs. The resulting complex and confusing morass of conflict exhibits many instances of wanton disregard for the right of non-intervention, so prized by postcolonial states. A United Nations Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the DRC (UN, 2002:5) noted that:

Criminal groups linked to the armies of Rwanda, Uganda and Zimbabwe and the Government of the Democratic Republic of the Congo have benefited from the micro-conflicts. They have built up a self-financing war economy centred on mineral exploitation ... The Governments of Rwanda and Zimbabwe, as well as powerful individuals in Uganda, have adopted other strategies for maintaining the mechanisms for revenue generation, many of which involve criminal activities, once their troops have departed.

The purpose of this lengthy discussion is to demonstrate that the normative aspects of sovereignty in the developing world are in certain instances applied in a duplicitous manner, which may maintain and promote state dysfunction. In operationalizing the constructs of self-determination and non-intervention as they relate to the concept of negative sovereignty, an evaluation must be conducted of their use by a given state or regime. If a given state is the product of historical decolonisation, the role of the doctrine of self-determination, in the context of the liberation movement must be understood, particularly if that liberation movement represents the current government/regime (as is the case in many postcolonial and dysfunctional states). If the right to self-determination was claimed categorically and unreservedly, despite the lack of capacity to govern a post-independence state, it would represent the invocation of negative sovereignty – and the distinctly inauspicious beginnings of an independent state.

Similarly, any claim to the right of non-intervention by the regime must be evaluated. Clear distinction should be made between bona fide instances of the appeal to this doctrine and hypocritical and politically expedient examples, where ulterior motives are pursued under the guise of occupying the international moral high ground. Unlike the operational aspects discussed in the preceding sections dealing with the societal and institutional contexts, the operationalization of negative sovereignty is largely symbolic. To a certain extent, it is representative of the psyche and self-image of many dysfunctional states in the postcolonial

developing world. Thus, negative sovereignty and its related constructs are not readily measurable in empirical terms, but nonetheless add significant value to this study's integrated approach to the phenomenon of state dysfunction.

6.5.3 International affirmative action

It has been established in the course of this study that dysfunctional states are characterised by fundamental deficiencies in the primary attributes of state. The effects of these deficiencies manifest in many aspects of state dysfunction. These have been analysed in this study according to a set of scientific constructs. One of the most pronounced symptoms of state dysfunction is the inability of the state to deliver public goods. This stems largely from the subordination of public interests in favour of personal gain, and its root can most readily be identified in the institutional context of state, discussed previously. Given this incapacity to produce and deliver public goods in the domestic context, many dysfunctional states maintain a profitable relationship with other states in the international system and with the most developed states in particular. This relationship involves 'wealthy' (i.e. developed) states granting financial and developmental aid to 'poor' (i.e. developing or underdeveloped) states.

This relationship represents a further deviation from traditional sovereignty. As such, not only does negative sovereignty entitle its claimant to the benefits of sovereignty without possessing the relevant capabilities and attributes, it also warrants the claim of *additional* economic benefits in the form of aid. The flow of assistance from the developed world is motivated by a perceived moral obligation (reinforced by symbolic overtures from the developing world) to provide underdeveloped (and usually dysfunctional) states with the means to uplift (i.e. develop) themselves. This, according to Jackson (1993:132), translates into an international form of affirmative action: 'Third World states which have experienced colonialism are the international equivalent of racial minorities whose ancestors suffered under slavery or other legal or economic disabilities'. Affirmative action thus represents a skewing of relations between sovereign (and therefore supposedly equal) states, in an attempt to provide a less demanding playing field for states in the developing world.

In relation to the phenomenon of state dysfunction, it is important to determine whether this preferential treatment received by developing states is capitalised upon to develop true autonomy and sovereignty (i.e. positive attributes of state) or squandered through incompetence and criminality (corruption and maladministration). It should be remembered that the donor nation has no jurisdiction over the expenditure of such aid, since such

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interference may be construed to violate the recipient state's right to non-intervention. In operational terms, a given state would therefore be evaluated according to the quantity of aid received from more developed states, as well as the manner in which that aid is employed by the government/ regime. Also of importance, are the entreaties made to the developed world for assistance, in particular the symbolism employed, as it relates to the manipulation of sentiment and the moral high ground.

6.5.4 Neglect of human rights

The civility with which donor states in the developed world fulfil their aforementioned *noblesse oblige* towards underdeveloped states often stands in stark contrast to the abuses of human rights in many dysfunctional states. However, the dictates of negative sovereignty insulate such human rights abuses in the domestic context, obstructing external intervention which may be justified on humanitarian grounds. In many dysfunctional states, the institutions of state are complicit in the perpetrations of human rights' violations (particularly in authoritarian regimes), whilst in others, systemic dysfunction has rendered the state incapable of intervention.

In certain cases, the symbolism of negative sovereignty is extended to the realm of human rights, where it is employed as a smoke screen for sustained violations. With reference to the involvement of human rights NGO's in Zimbabwe, the Minister of Justice, Legal and Parliamentary Affairs, Patrick Chinamasa (2006:2) noted that:

our sad experience with Non-Governmental Organisations (NGOs) operating in our country in the area of human rights and governance issues is that they are set up and funded by developed countries as instruments of their foreign policy ... Their objectives include destabilisation and interference with the evolution of our political processes, undermining our sovereignty, creating and sustaining opposition groups that have no local support base, and promoting disaffection and hostility amongst the local population against their popularly elected government. NGOs in developing countries ... are invariably used as conduits by developed countries to channel dirty money to destabilise governments of the Third World especially those that dare take an independent line in international affairs.

Since 2001, Zimbabwe has been classified as 'not free' by the Freedom in the World report, published by Freedom House (2012), and the excerpt above demonstrates hostility towards the monitoring of human rights, predicated upon the rights to non-intervention and self-determination.

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In operational terms, an evaluation of the protection afforded to human rights must therefore be conducted in the domestic sphere. Substantive rights that must be surveyed in this process include (UN, 1948):

- The right to life
- Freedom from torture
- Freedom of speech
- The right to a fair trial
- Freedom of thought, conscience, and religion
- Freedom of movement

This survey can be done by consulting the findings of many NGOs specialising in human rights, such as Amnesty International, Freedom House, and the United Nations Human Rights Council.

6.5.5 Low intensity warfare

It was noted in the previous chapter that the phenomenon of low-intensity warfare is not exclusively limited to the external dimension of state dysfunction. This is in large part due to the fact that low intensity conflict is characterised by irregular combatants, not states, and who therefore employ unconventional warfare. Accordingly, just as the doctrine of conventional warfare is disregarded, so too are national boundaries ignored in waging war. Armed non-state actors may therefore move freely between states, thereby destabilising states domestically and internationally (regionally). In this regard, the evaluation of the internal dimension of state dysfunction can also identify the existence of non-state actors that may potentially engage in low intensity warfare.

The changing nature of this manifestation of warfare and its impact on contemporary statehood was theoretically reconstructed in the preceding chapters, by employing van Creveld's (1991) central concept of non-trinitarian warfare, according to which the distinction between armies, states, and the people disappears. Non-trinitarian low intensity conflict was defined as 'a political-military confrontation between contending states or groups below conventional war and above the routine, peaceful competition among states... Low-intensity conflict ranges from subversion to the use of the armed forces. It is waged by a combination of means, employing political, economic, informational, and military instruments' (United States Department of the Army, 1990).

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In operational terms, non-trinitarian low intensity warfare may be readily identified, due to the violent nature of such activities. Additionally, the preceding analysis of the societal context of state dysfunction would have revealed the existence of non-state actors and groups that employ violence and undermine the attributes of state. The evaluation of this construct should also be expanded to include *regional* manifestations of the phenomenon, which may result in a spill over effect from one state to another.

6.5.6 Towards operationalization

This section has outlined the key scientific constructs which need to be operationalised in evaluating the external dimension of state dysfunction in the international context. Accordingly, in the chapter which follows, these constructs will be operationalised with reference to the South African state. This will be conducted by answering a set of critical research questions, utilising suitable quantitative and qualitative sources. Primary amongst these questions is:

- To what extent are aspects of negative sovereignty employed in South Africa's relations with the international community, in both historical and postcolonial contexts?

-

To adequately answer this question and to operationalize the scientific constructs related to the external dimension of state dysfunction, the following secondary research questions will be answered:

- Are the unconditional rights of self-determination and non-intervention invoked (both historically and currently) in such a manner that they undermine the core attributes and functionality of the state?
- Is developmental assistance claimed from the developed world on grounds of redress, and how is such aid employed domestically by the regime?
- Are human rights observed and protected domestically, and does a transparent relationship with the international community exist in this regard?
- Are there instances of domestic or regional low-intensity warfare which threaten the functionality and geographical integrity of the state or parts of it?

By answering these research questions the key scientific constructs that comprise the external dimension of state dysfunction will be operationalised, whilst simultaneously establishing the nature and extent of the manifestation of state dysfunction in the external dimension.

6.6 Summary and framework for operationalization

As noted in the introduction, the purpose of this chapter was to construct a methodological bridge to link the conceptual and theoretical realms to the operational sphere (see figure 14). The scientific constructs that collectively denote state dysfunction were analysed with the purpose of identifying related empirical areas of application. Based on the preceding discussions, the place and role of these constructs as well as their relationships in the applicational context are represented in the model below:

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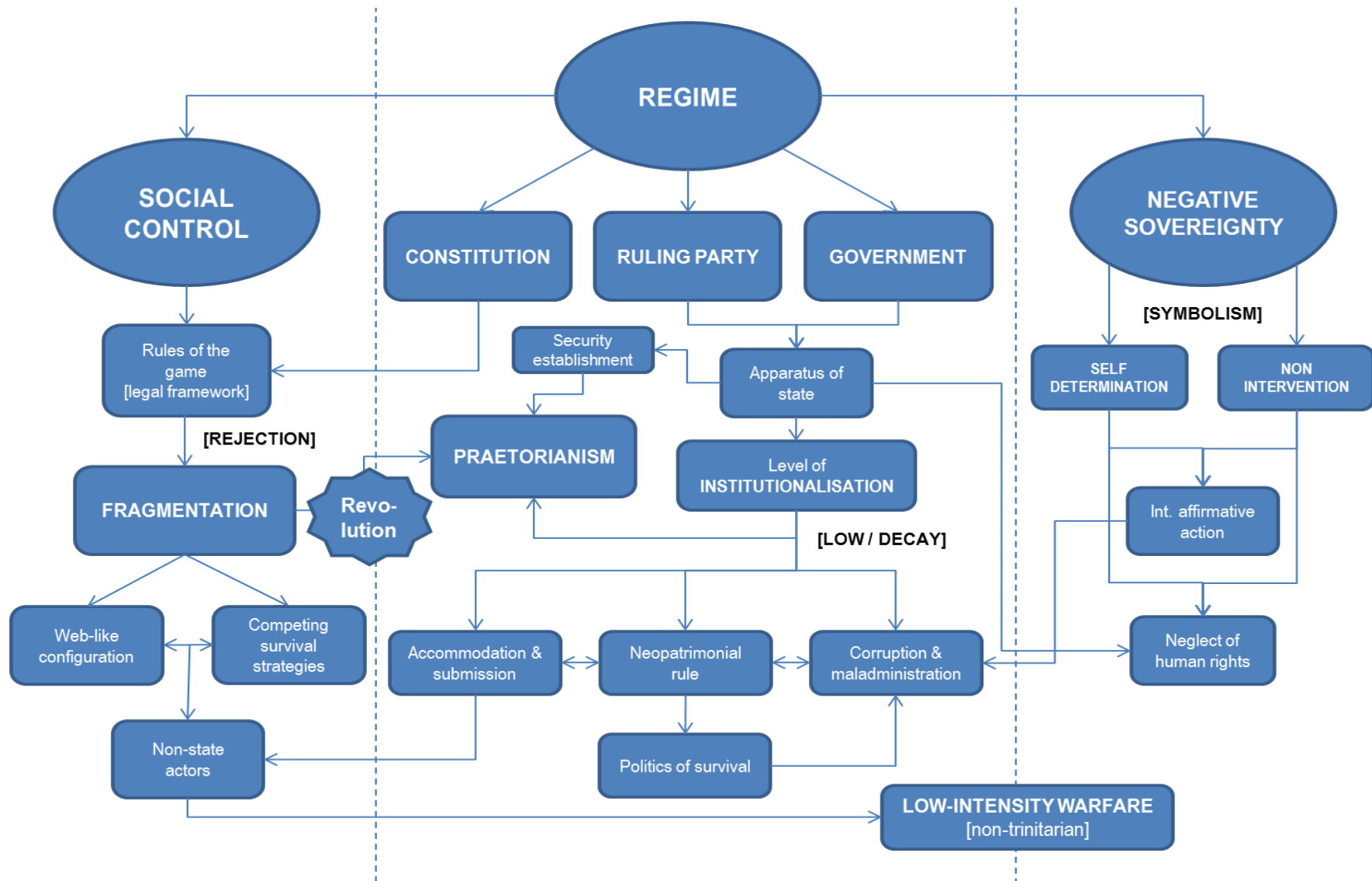


Figure 17: Modelling the application of constructs that constitute state dysfunction

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For each construct, a research question was formulated which reflects its application in reality, and enables its operationalization. It was noted that two methodological points of departure stand centrally in the research design adopted in this process:

- The formulation of descriptive research questions as outcome, rather narrow empirical applications that may restrict a holistic operationalization of the construct.
- The favouring of pragmatism over prescription in identifying suitable sources which may be both qualitative and quantitative in nature.
-

The result is a holistic, adaptive, and standard framework for operationalizing the concept of state dysfunction. The descriptive nature of the research questions enables the study to gauge the *incidence* and *extent* of the constructs being operationalised, as well as the *prevalence*, *depth*, and *impact* of their manifestation.

These traits ensure that the research questions which comprise the operational framework may be reliably applied in a stand-alone manner to any case study, enhancing the scientific merit of this study, as well as expanding its practical applicability. Thus, the manifestation of state dysfunction in any particular state context may be determined through the operationalisation of the following framework:

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Table 16: Framework for the operationalisation of the concept of state dysfunction

CARDINAL RESEARCH QUESTION RESEARCH PROBLEM OF THIS STUDY		
Internal Dimension	Intermediate Dimension	External Dimension
Primary research question	Primary research question	Primary research question
To what extent does South African society exhibit evidence of the fragmentation of social control which manifests in the disregard for the binding authority of the laws of state?	What is the nature of regime institutionalisation in the South African environment, taking into account the criteria of adaptability, complexity, autonomy, and coherence?	To what extent are aspects of negative sovereignty employed in South Africa's relations with the international community, in both historical and postcolonial contexts?
Secondary research questions	Secondary research questions	Secondary research questions
<p>Are there nodal points in South African society around which a web-like configuration of society has developed? If so, what is the exact nature of these nodal points? (e.g. ethnic, linguistic, religious, cultural).</p> <p>Does South African society contain influential non-state actors who utilise violence or other means to undermine and supplant the primary attributes of state? If so, do they relate the web-like configuration of society, and what is their role in such a configuration?</p> <p>If South African society exhibits a web-like configuration with influential non-state actors that undermine the state's function of social control, what is the nature of the strategies of survival that these phenomena offer to citizens? Additionally, why do these strategies of survival appeal to citizens, and what are the factors that perpetuate their existence, pointing to deficiencies in the state's approach to social control?</p>	<p>How prevalent is corruption and maladministration in the regime context, with particular reference to the institutions of government and ruling party, and can it be described as systemic?</p> <p>Are there notable instances where the state submits to, or accommodates, non-state actors in contradiction of the interests of the state, and does such a relationship exist within the regime?</p> <p>Does the regime exhibit neo-patrimonial tendencies, taking into account the practices of presidentialism, clientelism, and the use of state resources for private ends?</p> <p>Does the regime exhibit practices related to the politics of survival, taking into account the tactics of the "big shuffle", non-merit appointments, and the use of dirty tricks?</p> <p>Does the regime exhibit praetorian tendencies, taking into account the phenomena of the widespread politicisation of social forces, the securitisation of the state, and a progression toward mass praetorianism?</p> <p>If the conditions for mass praetorianism have been established, what is the potential for revolution?</p>	<p>Are the unconditional rights of self-determination and non-intervention invoked (both historically and currently) in such a manner that they undermine the core attributes and functionality of the state?</p> <p>Is developmental assistance claimed from the developed world on grounds of redress, and how is such aid employed domestically by the regime?</p> <p>Are human rights observed and protected domestically, and does a transparent relationship with the international community exist in this regard?</p> <p>Are there instances of domestic or regional low-intensity warfare which threaten the functionality and geographical integrity of the state or parts of it?</p>

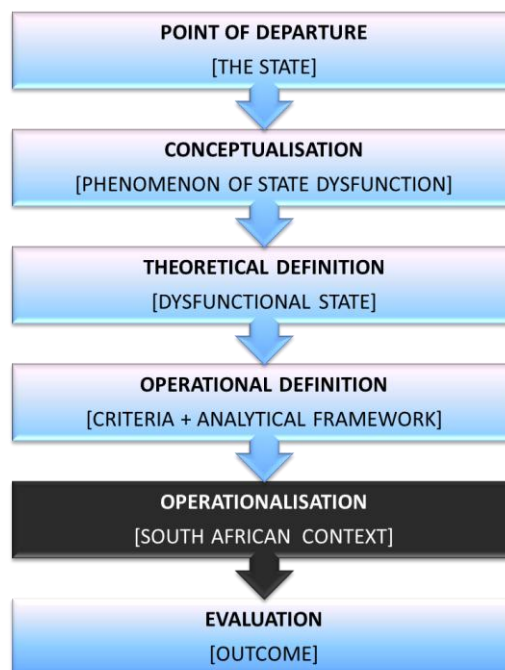
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This framework represents the bridge between the theoretical and operational divide, which was the purpose of this chapter. In the next chapter, each of these research questions will be answered utilising suitable qualitative and quantitative sources, in order to determine the manifestation of state dysfunction, according to each of its three dimensions and also to gauge the threshold of state dysfunction in the South African context. This represents the operationalization of the concept of state dysfunction and will be the final methodological stage of this study.

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7.1 Introduction

In the preceding chapter, the theoretical framework of state dysfunction was adapted to an applicational context. In this process, each of the constructs that denote state dysfunction was related to an aspect of empirical reality which may be applied to it for the purpose of verification. The outcome of this process was a set of descriptive research questions, representing the totality of the theoretical framework (including all its constructs) which finds application in the realities of the societal, institutional, and international contexts of state dysfunction. The interrelationship between these constructs, and their representation in the form of research questions are illustrated in figures 17 and table 16. Thus, a methodological bridge was constructed between the theoretical realm and the operational environment. The place and role of this chapter in relation the rest of the study is represented as follows:



Accordingly, the purpose of this chapter is to take the final step towards fulfilling the goal of this study - determining the extent to which South Africa approximates a dysfunctional state. This will be achieved by systematically answering the research questions identified in the previous chapter.

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Methodologically, the chapter will be structured according to the three dimensions of state dysfunction which were identified in chapter 5 and were employed subsequently. The number of constructs and the interrelationships that denote state dysfunction has been demonstrated to harbour significant complexity (see figure 17). In conducting this chapter's task of operationalisation, all efforts will be made to acknowledge this complexity, whilst simultaneously endeavouring to achieve a depth of analysis in answering each of the 16 research questions. However, given the constraints of space a concise and high-impact approach will be adopted, eschewing lengthy conceptual and theoretical descriptions (which have, of course, already been provided in preceding chapters). The reader will therefore appreciate that the empirical referents employed in this chapter are not selected because they are exhaustive, but rather because they are deemed to be representative, given the analytical framework developed previously in this study. Therefore, the outcome of this chapter will be a *thorough*, yet *compact* account of the manifestation of state dysfunction in the domestic environment aimed at providing a macro-perspective that can facilitate trend identification in the South African context.

7.2 PART ONE – The South African societal context

In the previous chapter it was noted that the primary research question that must be operationalised regarding the internal dimension of state dysfunction is: *To what extent does South African society exhibit evidence of the fragmentation of social control which manifests in a disregard for the binding authority of the laws of state?* In order to operationalise the constructs related to the internal dimension, and adequately answer the primary research question, three secondary research questions were identified. Each of these questions will be evaluated below, thereby operationalizing their related constructs, after which a summative answer will be provided to the primary research question related to the internal dimension of state dysfunction. However, before these questions are considered, a brief profile of South African society will be sketched, with the purpose of orienting the reader.

7.2.1 Profile

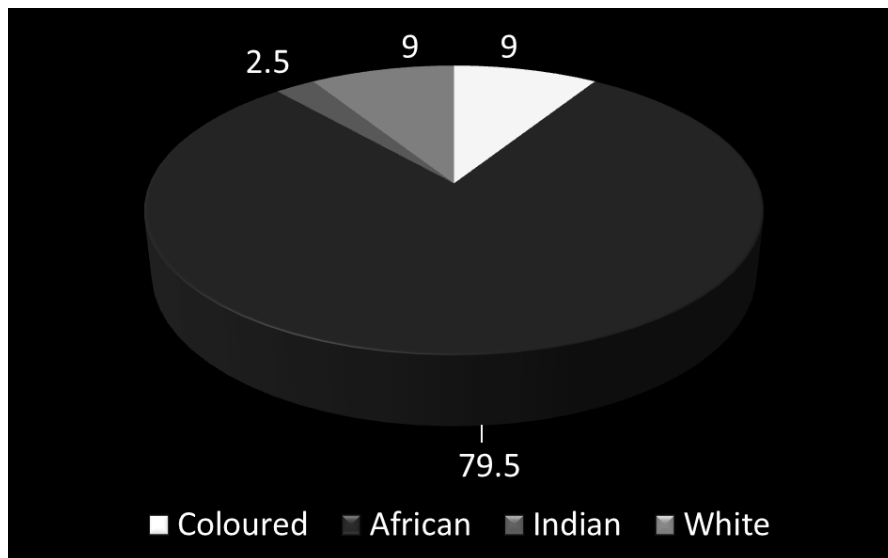
Contemporary South African society is the product of approximately 360 years of social, political, and economic development. This period has witnessed the northward geographic expansion of what is now called the Republic of South Africa, successive conflicts between domestic and foreign actors, and the particular political dynamics of British, Afrikaner, and majority rule. The latter of these epochs is the focus of this operationalisation of the concept

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of state dysfunction, which spans from 1994 to the present day and will be referred to as the democratic era. A related analysis of the ANC *regime dynamic* will be conducted in part two of this chapter, which is of great significance for this study. This section will deal with the *contemporary societal dynamic*; in so far as it may be separated from the institutional/regime context.¹⁵⁶

The Republic of South Africa is a state with a population of 51,770,560 people, making it the 5th most populous in Africa, and the 25th most populous in the world (Stats SA, 2012a:18). Of the total population, 12,272,263 people reside in Gauteng, which although being the smallest of the 9 provinces geographically, is also the most urbanised and densely populated. The racial composition of the national population is illustrated below:

Graph 1: South African population according to race



SAIRR, 2012:2

The approximate ethnic composition of the largest population component, namely Africans, may be deduced from the distribution of home languages within this demographic group:

Table 17: Home language of African population

Afrikaans	English	Ndebele	Pedi	Sotho	Swati	Tsonga	Tswana	Venda	Zulu	Xhosa	Other
1.5%	2.9%	2.6%	11.4%	9.4%	3.2%	5.6%	9.9%	3.0%	28.5%	20.1%	2.0%

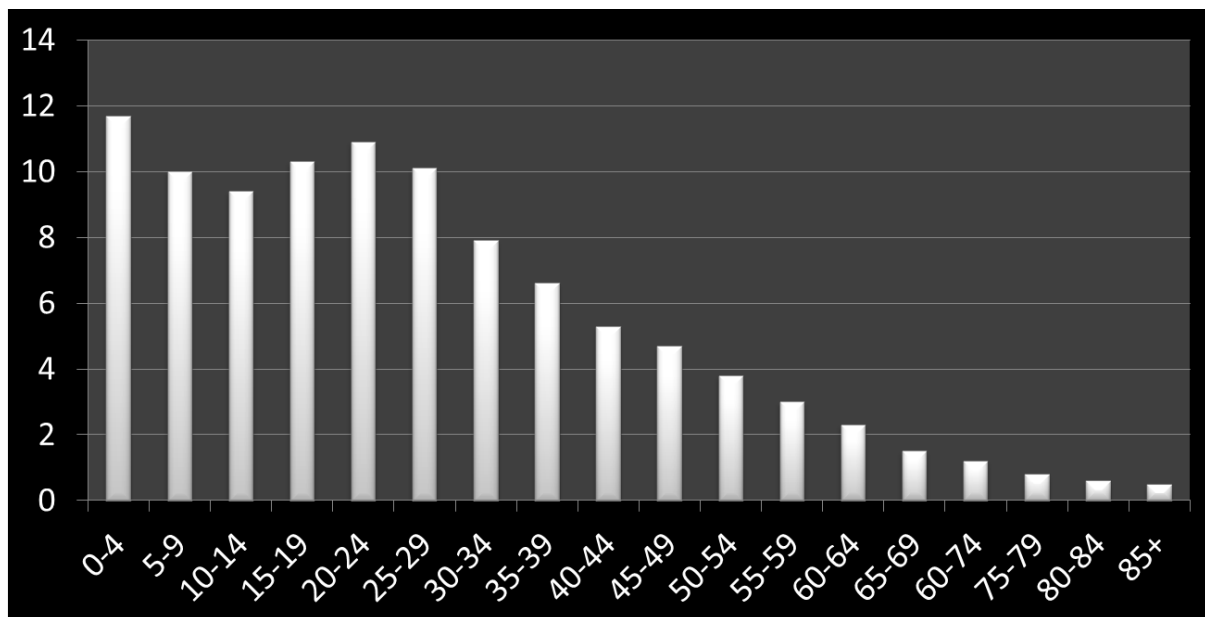
Stats SA: 2012a:27

¹⁵⁶ This study regards trade unions as highly influential non-state actors in the South African environment. Yet, due to the manner in which they have been co-opted to the regime, the role of trade unions as non-state actors will be evaluated in the operationalisation of the institutional context.

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If it is assumed that there is an approximate correlation between home language use and ethnicity, it can be seen that the two largest African ethnic groups are Zulu (28.5%) and Xhosa (20.1%). When considering the age profile of the African population, the relative youth of this demographic group is striking.

Graph 2: Percentage of African population according to age



According to the 2011 census, 45.7% of the African population was aged between 15 - 39 years, whilst 44.3% of South Africa's total population falls within this age group (Stats SA, 2012a:34). In terms of quality of life, South Africa has a Human Development Index (HDI) score of 0.629, placing it 121st among the 187 states surveyed (UNDP, 2013:144-147). South Africa has the 9th highest HDI score in Africa, and is ranked 4th out of the 5 BRICS states.¹⁵⁷ Several aspects impact negatively on the average South African's standard of living, among which the most significant is the number of HIV infections, estimated at 10.6% of the total population. Another factor which has a detrimental effect on human development is unemployment. According to Statistics South Africa's Quarterly Labour Force Survey (Stats SA, 2013:4) the official unemployment rate stands at 25.6% (representing a 125% increase since 1994). This figure compares poorly to other emerging nations such as those of the BRICS group and particularly China and India who, despite their vast populations, have unemployment rates of only 4.1% and 9.8% respectively. Furthermore, South Africa has the highest long-term youth unemployment rate among medium-income nations, with those between the ages of 15 - 24 accounting for 48.2% of those unemployed (Stats SA,

¹⁵⁷ India has a score of .554, although its population is 20 times larger than SA's at approximately 1.2 billion people.

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2013:16). This is particularly worrisome, given the young demographic profile sketched in the figure above. The problem of South African unemployment is further aggravated by its racial character, with 29.1% of Africans and 25.1% of Coloureds being unemployed, compared to only 6.1% of Whites (Stats SA, 2013:15). Whilst the root of this disparity lies in the policies of racial segregation during apartheid, it has deteriorated further in the democratic era. Chronic unemployment also translates into high levels of poverty. It is estimated that there are still more than 1.6 million informal dwellings (shacks) in South Africa (20% more than in 1996), and 18 million people living in poverty (Stats SA, 2012b:102; SAIRR, 2012:322).¹⁵⁸

One of the more overt and visible strategies the state has developed to maintain social control amidst such grim socio-economic conditions is the expansion of social grants. In essence, this strategy represents the establishment of an all-encompassing welfare state that attests to the socialist inclinations of the ANC regime. Indeed, the priority that this notion enjoys with the regime is clearly illustrated by the fact that since 1994, there has been an astonishing 1250% increase in social security expenditure (SAIRR, 2012:580). In 2011/2012, a total of R104.3 billion was disbursed by the South African Social Security Agency, and it plans to pay social grants to 16.8 million beneficiaries by 2015 (South African Treasury, 2012:452).¹⁵⁹ Since South Africa has approximately 6 million individual taxpayers, this means that there are almost three social grant recipients for every taxpayer – the unsustainability of which economists such as Schüssler (2013) have commented on extensively. The expansion of the social security system has undoubtedly improved living standards amongst the poor, although it runs the risk of developing an associated culture of dependency on state hand-outs. However, such dependency also serves as a highly effective method of maintaining social control by the state, since its vast resources cannot be matched by any non-state actor who might aspire to offering similar strategies of survival to the poor.

The relatively high crime rate in South Africa may also be related to the adverse socio-economic and unemployment situation. According to the South African Police Service (SAPS), 16259 people were murdered in 2012/2013, representing a rate of 31.1 murders per 100000 people (SAPS, 2013:56), which translates into the 15th highest homicide rate in the world (UNODC, 2012). High levels of other serious crimes include attempted murder

¹⁵⁸ The poverty income threshold ranges from R1,376 per month for one individual, to R4,930 for a household of eight members or more.

¹⁵⁹ These include grants for old age pensions (threshold lowered from 65 to 60), war veterans, disability, foster care, care dependency, child support (threshold raised from 16 to 18), institutional (e.g. orphanages), and combinations of the above mentioned.

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(16,636 cases), sexual offences (66,387 cases), assault with the intent to inflict grievous bodily harm (185,893 cases) and robbery with aggravating circumstances (105,888 cases). The high number of sexual offences has created a public perception of South Africa as 'the rape capital of the world' – a label that is perhaps sensationalist, but disturbing nonetheless.¹⁶⁰ Even more alarming is the estimation that less than 1% of rape cases are reported to police (SABC, 2012). The South African Institute of Race Relations (2012:740) calculated that there were more than two million incidents of serious crime reported to the police during 2010/11. However, according to the Victims of Crime Survey (Stats SA, 2012b:39) as much as 57% of all crimes in South Africa go unreported. Factors that have been cited in explaining the violent nature of South African society include: the existence of a subculture of violence and criminality as a career (or *strategy of survival*); inequality, poverty, unemployment, social exclusion and marginalisation; the vulnerability of young people; the normalisation and widespread tolerance of violence; and an inefficient and corrupt criminal justice system (CSVR, 2010:1-5). The latter of these perspectives is supported by the fact that in the period 2010/2011, only 15% of cases reported to the SAPS produced convictions (The Presidency, 2012:71). Particularly worrisome, is the poor conviction rate for so-called trio crimes,¹⁶¹ with only 4% of reported incidents resulting in convictions (SAPS, 2012:65-66). When representatives of the National Treasury were summoned by a Parliamentary Portfolio Committee in order to ascertain if the R41.5 billion police budget was providing 'value for money', one representative commented that 'Criminals know they have little chance of being caught. Should they be arrested, they know the chances are even less that they'll eventually appear in court. And, should they appear in court, the chances are even less that they'll be found guilty' (Steenkamp, 2009).

Innovation in the criminal justice system has also been mired by bureaucratic inefficiency and incompetence. The much anticipated establishment of the Electronic Case Management System (ECMS), that would ensure better management of crime information across the criminal justice system, is still being developed in 2014 – twelve years after its *implementation* was agreed upon – with the SAPS noting that it may take 10 more years to be fully operational (Lancaster, 2013). Furthermore, the integrity of those tasked with ensuring the safety of South African citizens was cast in an embarrassing light when revelations emerged that the newly appointed Police Commissioner of Gauteng (arguably the most challenging of the nine provincial commands), Maj. Gen. Bethuel Mondli Zuma, has criminal charges pending against him, and that the acting head of Police Crime Intelligence,

¹⁶⁰ The 'rape capital' claim is one that is often repeated, even though there is a lack of evidence to support it (see Africa Check, 2014).

¹⁶¹ Trio crimes refer to hijackings, business robberies, and residential robberies. Combating these crimes was identified by the SAPS as a priority. These crimes are particularly lucrative to their perpetrators.

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Maj. Gen. Chris Ngcobo, had falsified his academic qualifications (Maphumulo & Serrao, 2013). Furthermore, the beleaguered National Prosecuting Authority (NPA) and Special Investigations Unit (SIU) (both of which have been mired by controversy and political interference) have not had permanent heads for several years.¹⁶² The dubious nature of policing in South Africa and the public's loss of faith in the SAPS was highlighted after the Minister of Police's admission that 1448 members of the police force have criminal records (Mnisi, 2013).

This apparent ineffectiveness in the prevention, investigation and prosecution of crime has not only had the obvious effect of escalating crime levels in South Africa, but has also contributed to the establishment and rapid growth of a lucrative private security sector. According to the Private Security Industry Regulatory Authority (2011:29) there were 8828 security business active in 2011, employing a total of 411,109 security officers. Given that during the same period the SAPS had 150,373 sworn police officers, *private security officers now outnumber police by a ratio of almost three to one*. The prevalence of crime and the costs incurred by private citizens in securing themselves, through private security companies, has become onerous enough to the point of stimulating debate surrounding tax rebates for the installation of private security measures (Lamprecht, 2013). Whilst the implementation of such concessions seems unlikely, it cannot be denied that the state is not fulfilling its Constitutional obligation of ensuring 'freedom and security of the person' (Section 12). More fundamentally, however, it can be argued that the state is not fulfilling the terms of the *social contract* with its citizens, which lies at the very core of its purpose (as established in chapter 3). Indeed, if it is conceded that the high levels of crime and the absence of meaningful sanctions translates to contractual default on behalf of the state, it offers a crucial perspective on the escalation of civil vigilantism in South African society. As such, vigilantism represents a form of 'system defection' whereby solutions to individual problems are sought separately from the state – essentially a form of 'DIY' politics. A 2013 survey of young people aged between 15 and 34 revealed that 47% of respondents believed that police were not effective in combating crime, whilst 79% felt it was acceptable for people to apprehend and punish criminals themselves (City Press, 2013). Even though no official police record is kept of vigilante crimes, news reports of necklacing in the informal settlements of the Western Cape and Gauteng are a regular feature and contributed, in part, to the 9,137 instances of public violence documented since 2004 (SAPS, 2012:41). Additionally, the phenomenon of vigilantism exhibits a xenophobic dimension, with high

¹⁶²According to Underhill, Mataboge & Sole (2014): 'For more than a decade, the NPA has been entangled in leadership crises, primarily as a result of politicians' attempts to meddle in prosecutions. In the eye of the storm is whether to prosecute or not to prosecute Zuma and those aligned to him, such as [Richard] Mdluli'.

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levels of crimes against foreign nationals who have streamed across South Africa's borders. Since the withdrawal of the SANDF from border protection duty in 2004 there has been an influx of illegal immigrants, which finally reached lethal proportions in the winter of 2008 when xenophobic riots erupted across the country and 62 people were killed (Radebe, 2013). Since then, sporadic xenophobic violence continues, particularly against foreign shopkeepers and vendors whose shops are looted in the process (Vena, 2010). The sustained nature of this violence has prompted the Somali Prime Minister, Abdi Farah Shirdon (2013) to make a personal appeal to the South African government to 'as a matter of urgency to intervene and contain this unnecessary and unfortunate violence against Somali business communities'. In April 2015, this xenophobic trend again erupted, disconcertingly, in Durban following remarks by Zulu King Goodwill Zwelithini that foreigners should "pack their bags and go home". The attacks on foreigners were once again accompanied by widespread looting, with public order police being overrun in the process (Wicks, 2015). This concise profile of the South African society has highlighted several important aspects that inform the remainder of this chapter.

7.2.2 Conclusion

It was established in the previous chapter that the fragmentation of social control is brought about by (i) the disregard of the legal framework of a state and (ii) the inability of the state to project adequate infrastructural power through its apparatus in order to impose sanctions for such transgressions. Given the high levels of crime and the prevalence of vigilantism, it is evident that there is widespread disregard for the state's legal framework or 'rules of the game' in the South African societal context. Furthermore, the state apparatus' ability to enforce its 'rules of the game' appears to be compromised. Even though significant progress has been made in curbing crimes such as murder (27% reduction in last 9 years) and attempted murder (51% reduction in last 9 years), lucrative trio crimes are on the rise (e.g. business robberies have risen by 296% in the last 9 years) (SAPS, 2013:20). It seems that the police are not only besieged by crime from society but also within its own ranks, ranging from lost and stolen duty firearms (2,603 in 2011/12 alone) to serious misconduct and criminal cases (the Independent Complaints Directorate (ICD) received a total of 6,026 complaints against SAPS members in 2012) (ICD, 2012:26). The establishment of a comprehensive social security system has mitigated this fragmentation to a certain degree and may be viewed as an important instrument of social control. However, such a strategy of social control only manages to ameliorate the *symptoms* of the South African socio-economic situation, whilst failing to address the underlying causes. It is therefore reasonable to posit that despite the provision of comprehensive social security, the state's

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maintenance of social control is fragmented in South African society. This fragmentation manifests most visibly in the form of high levels of crime that the responsible institutions of state appear unable to address effectively.¹⁶³

Given the fragmented nature of social control wielded by the state, it becomes necessary to determine the *particular nature* of this fragmentation – i.e. is it the product of opportunist criminality and pragmatic lawlessness, or of a web-like society with autonomous centres of power that concertedly undermine the social control of the state? This prompts the following secondary research question, operationalised below.

7.2.3 Secondary research question # 1

Are there nodal points in South African society around which a web-like configuration of society has developed? If so, what is the exact nature of these nodal points? (e.g. ethnic, linguistic, religious, cultural).

The preceding discussion highlighted an important aspect of criminality in South African society, citing both its prevalence and the state's response as examples of fragmented social control. This would suggest that the specific nature of fragmented social control in South Africa relates more to the *expediency and/or profitability of breaking the law* than any ideologically coordinated and purposeful attempt to undermine the state.

The fragmentation of society along ethnic, linguistic, regional or religious fault lines is not as overtly violent when compared to other states on the African continent where civil wars and genocides have been perpetrated. In fact, the South African transition to democracy, in the early and mid-nineties, was hailed as an example of racial reconciliation, given the preceding decades of racial segregation under British colonialism and apartheid which discriminated against non-whites. The absence of a severely fragmented society in the democratic era is made more remarkable when taking into account Kotze & du Toit's (2005:259) perception that: 'the overriding objective of the politics of apartheid was to prevent the emergence of a single moral community straddling the lines of [the] racial division built up during colonial times. Instead, the policy intended to build racially distinct communities, separated by spatial, social and political distance.' It could therefore be argued that the paramount goal of apartheid was to *intentionally* fragment society in order to *maintain* social control (i.e. divide and rule) – the ten Bantustans of grand apartheid were only the most visible manifestation of

¹⁶³ However, it is manifesting in more benign forms of low key resistance and protest, such as the apparent public defiance against the payment of E-Tolls in Gauteng.

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this policy, which aimed to exploit the ethnic diversity of the African population in South Africa (compare table 17, above).

Whilst autonomous interests did develop in certain Bantustans under the personal leadership of figures such as Lucas Mangope (Bophuthatswana) and Kaiser Matanzima (Transkei) the reintegration of these homelands occurred more or less smoothly in 1994. The exception to this rule of relative tribal harmony was the conflict between the UDF/ANC and the Inkatha movement/IFP that spanned the early 1980s to the mid-1990s during which time the Kwa Zulu Bantustan was an IFP and Zulu ethnic stronghold. At times the conflict mirrored civil war (Gilliomee, 2012:406) with incidents such as the 1992 Boipatong massacre. Violence occurred not only in Kwa Zulu, but also in the hostels and townships of the rand, where migrant miners were housed. It is estimated that more than 15,000 people were killed during this conflict (Jeffery, 2012). Since the early 2000s, the IFP's influence has waned considerably, whilst the ANC has managed to co-opt Zulu nationalism into its own ranks through the Zulu royal household and prominent ANC Zulu figures such as Jacob Zuma.¹⁶⁴

From a historical perspective, the general absence of politicised ethnic conflict in South Africa can most likely be ascribed to the symbolic effectiveness of the UDF and ANC anti-apartheid campaigns, especially in the domestic arena which fostered solidarity between Africans opposed to the apartheid regime – the urgency of the struggle painting over ethnic fractures. As van Kessel (2000:124) explains: ‘... UDF leaders ... mentioned the need to combat tribalism, they referred to the need to overcome ethnic conflict ... In the battle against Bantustans, youth organisations were encouraged by the UDF leadership to organise along non-ethnic lines, so that people would not be fighting ‘the wrong battles’. This strategic imperative was ultimately underpinned by the ANC's ideological variant of African nationalism, which was squarely opposed to tribalism. In the words of Pixley kaSeme, founder and fifth president of the ANC: ‘The demon of racialism, the aberrations of the Xhosa-Fingo feud, animosity that exists between the Zulus and Tongas, between the Basuthu and every other native must be buried and forgotten. We are one people, these divisions, these jealousies, are the cause of all our woes today’ (ANC, 2012). Indeed, the party professes to having ‘fought racial segregation, tribalism, and regionalism since formation 100 years ago. The ANC was formed by people across many racial lines and it has been home to all people regardless of their tribal origin’ (ANC, 2012). Thus, the appeal of *African* nationalism as a means to liberate the ‘masses’ represented a potent unifying

¹⁶⁴ Whereas the IFP managed to win 50.3% of the vote in KwaZulu-Natal during the 1994 elections, it managed only 10.8% in 2014.

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ingredient that generally surpassed tribal interests – even those of established apartheid homelands. However, emergent tribalism tendencies are discernible in the contemporary ANC, and became particularly prominent during the tribulations of Jacob Zuma from 2006 onward. At that time Pro-Zuma clothing and paraphernalia brandished slogans of ‘100% Zuluboy’¹⁶⁵ in tacit defiance of a historical Xhosa domination of the ANC (referred to by some as the Xhosa-Nostra), of which Thabo Mbeki’s leadership was a contemporaneous example. After Zuma’s ascension to the Presidency of both party and state, allegations have been made of a concerted process of ‘Zulufication’ in both arenas (Booyesen, 2012). This ethnic fragmentation and factionalisation is largely limited to the party/regime contexts, but has the possibility of permeating society as a whole, given the latent issues alluded to earlier. As such, it should be regarded as an emergent issue which could contribute to the development of nodal points along which a web-like configuration of society may develop. A thorough evaluation of this dynamic will be conducted in the second part of this chapter when dealing with the regime/institutional context.

The unifying hegemony the ANC has created amongst Africans in society does not mean that distinct ethnic identities do not exist. Particularly in rural areas, traditional values and affiliations remain strong, and institutions of traditional leadership have remained even into the democratic era.¹⁶⁶ It could even be argued that the regime has tried hard to preserve structures of traditional and tribal leadership (given South Africa’s large rural population), even though traditional feudal practices sit uncomfortably within a constitutional dispensation. The Congress of Traditional Leaders of South Africa (CONTRALESA) lobby has historically been aligned with the ANC as the ruling party, even though disagreements between traditional and political rights have led to periodic disputes between the two organisations (Mashele, 2004:35). Traditional leadership still carries significant weight in rural areas, and is well financed by government. The Zulu royal household is funded by taxpayers to the tune of R59 million per year and the private sector, particularly mining companies, deposit royalties into so-called “D-Accounts” for tribal use, one prominent example being the Bafokeng tribe, which is today the largest shareholder in Impala Platinum mining company.

However, there is currently little evidence to suggest that these traditionalist groups aspire to political self-determination and independence, or that they challenge the binding authority of

¹⁶⁵ The 100% Zuluboy slogan actually emerged after the hoax e-mail saga believed to have been perpetrated by agents of Mbeki. Zuluboy was used in the e-mails to refer pejoratively to Zuma, but was then adopted by his supporters.

¹⁶⁶ See for example the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003) and Chapter 12 of the Constitution.

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the state. Quite the opposite may in fact be true, since the position of traditional leadership has in fact been sheltered by the regime. Given the fact that modernisation, and particularly the economic pull of urbanisation, appears to have supplanted the primacy of tribal affiliation in society, it is reasonable to assume that traditional authority exists by the grace of the state/regime and not by its own merits. Accordingly, institutionalised traditional authority does not represent a threat to the integrity of the state.

The ethnic and tribal differences, encountered amongst Africans, do not exist within the demographic minorities of South Africa's population. There is no evidence of political movements emphasising Indian or Coloured nationalism, which could act as rallying points for overt opposition to the social control exercised by the state. Even the once mighty Afrikaner nationalist movement has all but dissipated, and along with it the prospect of a secessionist Afrikaner volkstaat.¹⁶⁷ Remaining remnants of the latter are confined to small right-wing groups, or moderate Afrikaner self-sufficiency initiatives such as the Orania project.

Yet, there are also emergent indicators of greater racial (and general) *intolerance* in South African politics which, after 1994, was typically characterised by relative racial harmony., given the historic apartheid context discussed earlier. Although such tendencies are not necessarily encountered in general, the political arena in particular exhibits growing polarisation between whites and Africans. Such public racial intolerance has become heavily politicised, and is increasingly being used as a rallying call to mobilise radical political elements. Examples include: the slogan 'Kill the boer, kill the farmer' which was coined by ANCYL president Peter Mokaba and subsequently reinvigorated by a later incumbent, Julius Malema and the latter's remark in October 2012 that 'whites must surrender their land and mineral resources, through bloodshed if necessary'; Free State ANCYL president, Thebe Meeko's 2009 statement that 'Like President Jacob Zuma when he said the police must meet fire with fire, the shoot-to-kill approach must also apply to all the racists, including [Jonathan] Jansen — because he is a racist'; and various slogans encountered at the 2013 launch of the Economic Freedom Fighters (EFF) political party that include 'To be a revolutionary you have to be inspired by hatred and bloodshed' and the explicitly racist 'Honeymoon is over for white people in South Africa' (see van Onselen, 2013). Furthermore, 2013 saw the launch of the Red October campaign, which protested against the 'oppression of White South Africans' and the 'brutal torture of the elderly and defenceless people of our Ethnic Minority', which the movement perceived as components of genocide against white

¹⁶⁷ Even the Freedom Front Plus, which has traditionally campaigned on the promise of Afrikaner self-determination, has recently de-emphasised this possibility.

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South Africans (Red October Website, 2013). Given these examples, it can be argued that race relations have become strained over the course of the last five years. Such racial pronouncements are usually linked to the political arena and although they are still censured, either through public opinion or the courts (as statutory hate speech) they are becoming an accepted feature of the political and ideological status quo. Jeffery (2013:30) for one anticipates the deterioration of racial harmony in future, noting that 'Racial rhetoric is also growing as the ANC prepares the ground for the "radical shifts and decisive action" recommended by its policy conference in June 2012'. Whilst the possible resurgence of race politics is a concerning prospect, in addition to being a highly emotive issue for minorities, it does not promote the fragmentation of the state's social control but rather represents a human rights issue. White 'political power' and influence has vanished since 1994 and as such it neither poses a threat to African interests (represented by the regime), nor is it sufficient enough to develop as a nodal point in a web-like society.

7.2.4 Conclusion

Thus, regarding the research question posited above, the preceding operationalisation indicated that there are no nodal points in South African society that could currently stimulate the development of a web-like configuration that could undermine the binding authority of state in a coordinated manner. An emergent issue was identified in the form of competing ethnic and tribal identities, although this phenomenon is currently limited to the intra-regime context and not society at large.

This conclusion must be set against the fragmentation of the state's social control which manifests in criminality, as discussed previously. Given the socio-economic profile sketched earlier in this section, *it becomes clear that social control is compromised, not because of political or ideological motives, but rather because of crime and lawlessness*. These reflect the dire socio-economic circumstances of many South Africans (especially the unemployed and poor). This is an important insight, which implies that relative political stability and valuable ethnic/racial harmony may be negated by unresolved socio-economic problems. These problems create *societal* reactions which erode the state's social control and undermine the state's legal framework, thereby contributing to state dysfunction (perhaps even on a more fundamental level than *political* fragmentation can). This nuanced perspective prompts the next research question, operationalised below.

7.2.5 Secondary research question # 2

Does South African society contain influential non-state actors who utilise violence or other means to undermine and supplant the primary attributes of state? If so, do they relate to the web-like configuration of society, and what is their role in such a configuration?

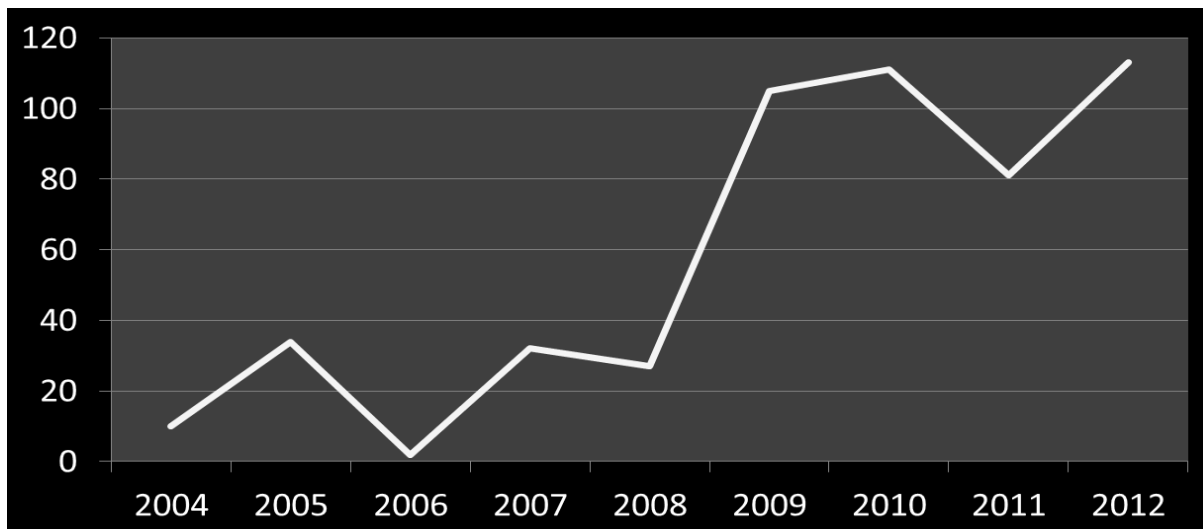
Having established that the fragmentation of social control in the South African societal sphere is *criminal* rather than *ethnic/demographic* or *political*, a similar shift of focus is required in operationalizing the role of non-state actors in society. Whereas in many instances influential non-state actors in the context of web-like societies with fragmented social control are groups concerned with secession or the struggle for self-determination, the South African context does not appear to exhibit such aspirations or actors. Rather, the operationalization of the construct of non-state actors should be considered in the light of the particular nature of the fragmented social control in South African society that was discussed previously, namely the willingness to employ violence and a disregard for the state's legal framework.

In this regard, the role of criminals as non-state actors becomes relevant. Criminals (particularly in South Africa) routinely employ violence in the commission of crimes, which undermine the attributes of state, as discussed previously. However, by virtue of the inherent self-interest which motivates crime, criminals do not represent a group of non-state actors that aims to supplant the attributes of state. Furthermore, criminals do not tend to coordinate their activities in an institutionalised manner with other criminals, through which their interests may become formalised and legitimate. Rather, organised crime and syndicates represent the height of criminal association. Once again, such syndicates are characterised by the motivation of profit and self-interest, and not the political and/or ideological goals of demographically defined non-state actors. However, this does not mean that criminal activity cannot attain the status of becoming organised and institutionalised, even assuming state-like functions and attributes, as demonstrated by the powerful drug cartels of Latin America.¹⁶⁸ This dynamic is exemplified by the Colombian guerrilla group FARC, who have employed the illegal drug trade as a means to fund a low-intensity war, and who at one stage controlled 40% of Colombia's sovereign territory (Cilluffo, 2000:4). Nevertheless, the South African societal context currently exhibits no examples of organised crime of this magnitude.

¹⁶⁸ In this regard, see Schneckener (2006).

There is another category of non-state actor which has gained much publicity in recent times and that often employs violence in placing demands upon the state. So-called service delivery protests have become a habitual feature of South African society over the last decade. These public protests are a response to the perceived failure of government (particularly local government) to render basic public services, and relate directly to the pertinent socio-economic problems of poverty and unemployment, discussed earlier. As such, this escalating wave of protest has been described as ‘a massive rebellion of the poor’ (Alexander, 2012:34). Data from the South African Institute of Race Relations (SAIRR) (2012:811) records a *tenfold increase* in the number of service delivery protests since 2004, as illustrated below:

Graph 3: Major service delivery protests, 2004-2012



Such protests are frequently characterised by violence, which includes blockading roads, assaulting motorists, damaging public property and attacking police. In turn, this has led to an escalation in complaints of police retaliation and abuse during protests that has resulted in the deaths of numerous protesters¹⁶⁹ (Ferreira, 2011) and increased use of lethal ammunition (Patel, 2013). Recently, an overtly criminal element has accompanied several protests, as protesters loot shops (particularly those of foreigners, underscoring a xenophobic climate) and vandalise ATM's, as occurred in Zamdela in January 2013. However, these protests are also characterised by their localised and transient nature. At this stage, service delivery protests are not coordinated on a national or even regional

¹⁶⁹ Notable amongst these is the death of Andries Tatane on 13 April 2011, who died after he was filmed being beaten and shot by police in Ficksburg. More recently on 30 September 2013, the 17 year old Nqobile Nzuzua was shot and killed by police during a protest in Cato Manor.

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level¹⁷⁰ and are often fuelled by local municipal issues. Therefore, given their sporadic and often opportunistic nature, they do not represent an organised and sustained attempt to undermine or supplant the attributes of state. Nevertheless, service delivery protests are a concerning phenomenon in the South African context that may have significant destabilising outcomes which may contribute towards state dysfunction in the societal context.

A parallel development, also stemming from service delivery shortcomings is the withholding of municipal rates and taxes by citizens. This represents a non-violent alternative to service delivery protests, as well as a form of system defection (referred to earlier), since private citizens assume responsibility for basic services usually rendered by the state – i.e. ‘DIY’ politics. A notable example is that of Sannieshof where local residents withheld municipal taxes and performed the delivery of basic services themselves, including water provision and refuse removal (Gouws, et.al, 2010:30).¹⁷¹ Jaap Kelder, Chairman of the National Taxpayers’ Union (NTU), claims there are approximately 335 active taxpayers’ associations in South Africa affiliated with the NTU (Kelder, 2011). However, these associations are restricted mainly to rural municipalities and have no real influence beyond the confines of their respective towns. Taxpayers’ associations represent non-state actors who have supplanted certain functional attributes of state. Yet, they do not employ violence, are not criminal in their actions,¹⁷² and do not have a political agenda of undermining social control exercised by the state. As such, it cannot be said that ratepayers’ associations contribute towards state dysfunction in the societal context.

7.2.6 Conclusion

Thus far, the operationalisation of the research questions relating to South African society has revealed that social fragmentation is present, although it does not manifest in the form of organised and sustained political dissent, motivated by ideological or demographical drivers. In this context, the activities of non-state actors are driven by profit and opportunism (crime), localised frustration with governance issues (ratepayers’ associations), and socio-economic drivers (service delivery protests). These non-state actors are not institutionalised to such a degree to permanently undermine the attributes of state, nor do they have such ambitions. However, even though their purpose may not be to undermine and supplant the functions

¹⁷⁰ The landless peoples’ movement Abahlali baseMjondolo represents an organised association of shack dwellers which emerged in Kwa-Zulu Natal, but has since spread to other parts of South Africa. The movement represents an exception to the uncoordinated nature of service delivery protests, although it generally eschews violence. It claims to have approximately 25,000 active supporters in 64 shack settlements.

¹⁷¹ Other examples include Barkly-West, Warrenton, Winterton, and Swartruggens.

¹⁷² Section 152 (1)(e) of the Constitution provides for the active participation of residents in municipal affairs, however the Supreme Court of Appeal ruled in December 2011 that municipalities were the sole collector of rates and tax-related revenue and that it was therefore illegal for residents to withhold such payments.

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and attributes of state, their existence reveals a clue to possible fault lines which may develop into significant drivers of state dysfunction. This prompts the final research question related to the internal dimension of state dysfunction.

7.2.7 Secondary research question # 3

If South African society exhibits a web-like configuration with influential non-state actors that undermine the state's function of social control, what is the nature of the strategies of survival that these phenomena offer to citizens? Additionally, why do these strategies of survival appeal to citizens, and what are the factors that perpetuate their existence, pointing to the deficiencies in the state's approach to social control?

It has been established that even though South African society hosts non-state actors who place demands upon the state through unconventional means, this does not constitute a web-like configuration, as the construct is employed by Migdal. Rather, what characterises these non-state actors are their narrowly defined objectives (often related to a single issue/motive) and the absence of coordinated organisation on a national scale. Therefore, even though their increasing prevalence (rising levels of trio crimes, service delivery protests, etc.) might create the impression of a sustained phenomenon, *there is no evidence to suggest that these activities are coordinated so as to constitute permanent web-like relations between non-state actors that aim to undermine the state's social control.*

Although these non-state actors organise themselves spontaneously and unpredictably in reaction to certain perceived deficiencies it does not mean that they do so without a rational motivation and the prospect of gain. These gains might not constitute a strategy of survival in the literal sense, but they do offer non-state actors certain benefits which the state, evidently, does not or cannot provide. It was noted in a previous chapter that Migdal (1988:27) defines such strategies of survival as 'blueprints for action and [a] belief in a world that hovers on the brink of Hobbesian state of nature ... roadmaps used to guide one through the maze of daily life, ensuring one's existence and, in rare instances, pointing the way toward upward mobility'.

Migdal's depiction of a strategy for survival finds direct application in the context of social fragmentation characterised by criminality. In a society where the state's 'rules of the game' are routinely undermined, it is inevitable that order will be replaced by increasing disorder (reversion to a state of nature). Whilst chaos is not a predetermined outcome, non-state actors will increasingly act with pragmatism, being governed less by rules, and more by

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expediency and personal gain – usually in contravention of the law, which is usually ill-enforced. Should the state fail to assert its rules and punish transgressors, crime may become ever more convenient and profitable, eventually becoming a roadmap ‘ensuring one’s existence’, even ‘pointing the way toward upward mobility’. It was noted previously in this discussion that the motivation for criminal acts by non-state actors in South Africa is rooted in *adverse socio-economic conditions* and is linked to the state’s deficiencies in the maintenance of social control and its *ineffective law enforcement body* (exemplified by the police force as the primary instrument of state tasked with this duty). It can also be posited that the easier it becomes to break the law without sanction, the more prevalent crime will become as a strategy of survival.

Socio-economic adversity is certainly at the root of the service delivery protests staged by non-state actors. Often, it is the state’s inability to provide for the most basic Constitutional stipulations of access to housing, water, education and security of the person that motivates such protests.¹⁷³ Indeed, in the many settlements where these basic human requirements are absent, living conditions also approximate a Hobbesian state of nature. Protest therefore represents a tactic which forms part of a broader strategy of survival in which the poor are forced to fend for themselves given the state’s neglect of its constitutional obligations towards its citizens – and its responsibilities in terms of a fundamental social contract. It is questionable whether protest is effective as a means of securing benefits for its participants since the state’s reaction is often exemplified by management of the symptoms in the form of social grants and police coercion rather than diagnosis and treatment of the malady itself. One is inclined to think that political participation through electoral means may be a more reliable (and less socially fragmenting) method of achieving change, however, the chosen method is perhaps an indicator of the level of desperation which has come to motivate vulnerable groups in South African society. In point of fact more citizens are choosing *not* to vote with each successive national election.

Having established that non-state actors employ crime and protest *tactically* in the South African societal context, the second part of the research question asks *why* this is the case. It was noted that the root of both crime and service delivery protests (and therefore social fragmentation in general) can be found in the socio-economic reality of South African society. Poverty, unemployment, economic inequality, and a lack of basic services contribute to increased dissent amongst the most vulnerable sections of society. The urgency of this situation becomes even more pronounced given the Constitutional obligation

¹⁷³ See Chapter 2, the Bill of Rights.

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of government to render the positive economic, social and cultural rights enshrined in the Bill of Rights, in addition to the promises of a governing party which promised 'A better life for all' with the advent of the democratic era.

7.2.8 Conclusion

Consequently, in assessing the deficiencies in the state's approach to maintaining social control, it can be posited that because it has in many respects neglected basic aspects of governance (the outcome of which in large part manifests in the socio-economic sphere) its threshold of social control has been eroded and fragmented as time has progressed, leading to certain sections of society rejecting the state's 'rules of the game', resulting in a culture of crime and protest. In responding to this reality, the state can adopt one of two courses of action. First, it can attempt to consolidate social control through force. This entails the mobilisation of the coercive apparatus of state, spearheaded by the police, to effect order and stability in society. This can only be achieved through repressive means and expanded securitisation of the state, and does not address the root cause of the fragmentation of social control, namely the socio-economic dilemma. The demise of the former apartheid regime attests to the futility of such a reactionary and authoritarian approach. Alternatively, the state can adopt a progressive course of action, whereby it endeavours to systematically address the socio-economic causes of the fragmentation of social control in the societal context. Such a strategy will in large part rest upon a steadfast and autonomous political will in the governing party, and capable governance in the apparatus of state and its institutions (both of which converge in the regime context). The next section of this chapter will analyse this crucial nexus, when the South African regime context is operationalised.

7.2.9 The South African societal context: concluding perspectives

At the commencement of this section that aims to operationalise the constructs related to state dysfunction in the societal context, the question was asked: *To what extent does South African society exhibit evidence of the fragmentation of social control which manifests in the disregard for the binding authority of the laws of state?*

The subsequent analysis demonstrated that South African society exhibits a relative absence of social fragmentation along ethnic lines, which is remarkable given its political history, and the demographic diversity of its population (factors that would normally contribute towards the fragmentation of social control). However, it was noted that the socio-

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economic challenges that are the most prominent feature and challenge in South African society have indeed resulted in the fragmentation of the state's social control, albeit not along political or ideological lines. Rather, the disregard for the state's 'rules of the game' by non-state actors first manifests in the criminality which is motivated by adverse socio-economic conditions and sustained by inadequate law enforcement, and secondly through protest, which is also motivated by adverse socio-economic conditions and sustained by the state's inability to deliver basic services to vulnerable sections of the population. Furthermore, it was noted that even though both these lines of fragmentation reject the state's 'rules of the game', neither currently poses a critical threat to the integrity of South African society or state. This is because they do not represent the well-coordinated and organised nodes of political mobilisation which characterise a web-like configuration of non-state actors. Instead, they tend to be transient and opportunistic. However, if left unattended through state incapacity or apathy, they might evolve into organised and institutionalised movements which may come to actively undermine the state and offer alternative strategies of survival to adherents. As such, the conclusion of this operationalisation of the internal dimension of state dysfunction is that: *Even though South African society exhibits evidence of the fragmentation of state control, and by extension a rejection of the state's 'rules of the game', this does not constitute a threat to the integrity of the state at this time. However, high levels of violent crime and public protest have the potential to act as significant drivers of state dysfunction, if they are not addressed timeously and effectively by the state.*

7.3 PART TWO - The South African institutional context

Having operationalised the research questions applicable to the internal dimension of state dysfunction, this section focuses on the intermediate dimension relating to the institutional/regime context. It was noted in chapter six that the primary research question that must be operationalised in this context is: *What is the nature of regime institutionalisation in the South African environment, taking into account the criteria of adaptability, complexity, autonomy, and coherence?* In order to operationalise the constructs related to the intermediate dimension and adequately answer the primary research question, six secondary research questions were identified. Once again, each of these questions will be evaluated below, thereby operationalizing their related constructs. This process will commence with a profile of the South African institutional context, focusing on the nature of the formal South African state and its current regime arrangement (representing the nexus between state, government and ruling party).

7.3.1 Evolution of formal statehood

The Union of South Africa came into being on 31 May 1910, through the unification of the previously separate British colonies of Natal, Transvaal, Cape and Orange Free State. It was the first manifestation of a South African state, in the formal sense of the word (albeit as a dominion of the British Empire at the time), that persists to this day. In 1910, South Africa was established as a unitary state with four provinces, rather than a federation of former colonies. This shift would set a precedent of centralisation which in practice has remained unchanged since then. In 1961 the state became a republic after a referendum in which white voters, by a narrow margin, supported independence from the Empire. Consequently, the British monarch was no longer the queen of South Africa and the position of Governor-General (as Her Majesty's representative in the Union) was replaced with the ceremonial office of State President. The head of government was a Prime Minister, in line with the Westminster tradition. The whites-only legislature was composed of the Senate (upper house) and the House of Assembly (lower house). The Senate was abolished in 1981, shortly before the Constitution Act of 1983. The 1983 Constitution abolished both the posts of State President and Prime Minister, replacing them with a President that served as both head of state and government (as it remains to this day). However, the 1983 Constitution's most notable provision was the establishment of a Tricameral Parliament, a legislative arrangement that would permit the Coloured and Indian race groups to be represented in parliament on a segregated basis, alongside whites. This arrangement represented the first formal liberalisation of the era of apartheid statehood that would eventually culminate in the unbanning of the ANC and other organisations in 1990, and lead to the 1992 referendum, providing the Nationalist regime with a mandate to reform through negotiation. This period of negotiated transition reached its apex in 1994 with the transition to a fully inclusive democratic political system, operating within the parameters of a constitutional state. Since then, the South African state has been a presidential unitary republic with federal characteristics, demarcated geographically according to nine provinces. The legislature returned to a bicameral configuration, in the form of a National Assembly (lower house) and a National Council of Provinces (nominally an upper house).

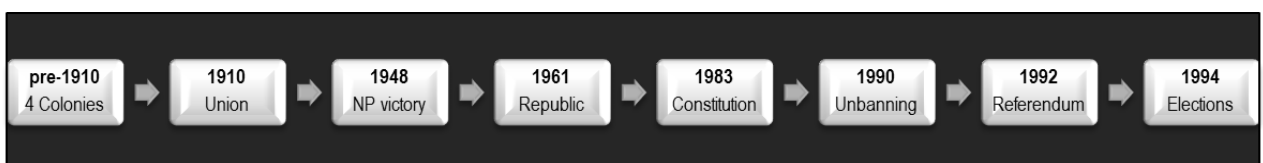


Figure 18: Simple political timeline of South African statehood

With the adoption of the (final) 1996 Constitution, South Africa was proclaimed to be founded on the values of human dignity, the achievement of equality, and the advancement of human rights and freedoms; non-racialism and non-sexism; supremacy of the constitution and the rule of law; universal adult suffrage, a national common voters roll, regular elections and a multi-party system of democratic government to ensure accountability, responsiveness and openness (Constitution, 1996). These founding provisions therefore represent the basic formal framework of contemporary South African statehood.

This brief introduction has been included to highlight three important aspects of the South African state. First, during the course of the last 100+ years, South Africa has advanced from its formation to colony, dominion, apartheid republic, and finally the democratic republic which exists currently. This indicates a *progressive institutionalisation of the South African state as a geopolitical construct*. Second, for as long as the South African state has existed, it has been democratic. Even though *inclusive* democracy only emerged in the 1990's, there exists an *established historical tradition of democracy and legislative politics*. Third, the progression through different configurations of statehood has in general been peaceful and *evolutionary*, even in times of severe political instability (such as the transition to democracy). These perspectives should serve as background to this institutional operationalisation.

7.3.2 The ANC as political party

After the South African state itself, the ANC is arguably the most prominent political institution in the intermediate context. It not only dominates the political arena, but appeals to many South Africans on a personal dogmatic level that transcends conventional politics. This unique legitimacy is rooted in its long (100+ year) history, and its claim to being the political liberators of South Africa. A visit to the website of the ANC reveals much of the self-image of the party.¹⁷⁴ The site's heading reads 'African National Congress: South Africa's National Liberation Movement'. The ANC continues to describe itself as a liberation movement (significantly, a *national* liberation movement) almost two decades after South Africa's emancipation from apartheid. This self-description alludes to the notion that the ANC views the process of liberation as an on-going endeavour and struggle,¹⁷⁵ not fulfilled with the demise of apartheid, in which it was so instrumental. In the words of the party's former Secretary General, Kgalema Motlanthe (2007:5): '... the revolution is not over. In fact it has just begun in earnest following the 1994 democratic elections'.

¹⁷⁴ The ANC website can be accessed at: www.anc.org.za.

¹⁷⁵ The phrase *a luta continua!* still serves as a popular valediction in ANC correspondence and communication.

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It is important to note that, in terms of the hard-core of ANC ideology, the negotiated transition was considered an unfulfilled revolution, in reference to the doctrine of the National Democratic Revolution (NDR), discussed below.¹⁷⁶ Indeed, the ANC concedes that the “revolutionary transformation of the state has not been adequately addressed” (ANC, 2007:Par.77). It could be argued that the revolutionary character of the ANC stands directly in contrast to the constitutionally sovereign dispensation of a post-apartheid South Africa. In fact, the ANC considers the constitution to be *subservient* to the ideology of the party, noting that ‘the Constitution and the state system provide the requisite wherewithal to implement the objectives of the NDR’ (ANC, 2007:Par.75). It is thus of crucial importance to bear in mind that the Constitution and the South African state are considered to be tools of the ANC, through which the objectives of the NDR are to be realised. Taking into account that the Constitution is subservient to the ANC’s ideology, the amendment of the Constitution, in order to reflect and facilitate the goals of the National Democratic Revolution is almost inevitable, especially when considering that the Constitution is the product of a negotiated transition with the former National Party.

As an ideological framework, the NDR identifies inequality and poverty as an unacceptable reality which must be rectified through transformation. It defines the manner through which this change must occur, in order to realise a utopian vision for the future – a National Democratic Society. As the Strategy and Tactics of the ANC (2007:Par.29) confirms: ‘A national democratic society constitutes the ideal state we aspire to as the ANC and the broad democratic movement’. Taking into account these characteristics, one is able to relate the NDR to Seliger’s (1976:119-120) view that: ‘an ideology is a more or less coherent set of ideas that provides a basis for organised political action, whether this is intended to preserve, modify or overthrow the existing system of power relationships’.

The National Democratic Revolution has the clear and explicit aim of transforming South African society. The definition of the NDR, as found in the Strategy and Tactics of the ANC (2007:Glossary) describes it as: ‘A process of struggle that seeks to transfer power to the people and transform society into a non-racial, non-sexist, united, democratic one, and changes the manner in which wealth is shared, in order to benefit all the people’. Key to this description is the notion of transforming society. The ANC commits itself to intensifying its work surrounding the ‘five pillars of social transformation’ (ANC, 1997a:17), namely to:

¹⁷⁶ The two defining streams of the ANC’s ideological heritage are African nationalism and socialism. The NDR was largely formulated by members of the SACP, who have traditionally played an influential intellectual and ideological role in the ANC and tripartite alliance. For a recent and thorough reconstruction of the NDR and its provenance, see Venter (2012).

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- Build and strengthen the ANC as a movement that organises and leads the people in the task of social transformation
- Deepen the democracy and culture of human rights and mobilise the people to take an active part in changing their lives for the better
- Strengthen the hold of the democratic movement on state power, and transform the state machinery to serve the cause of social change;
- Pursue economic growth, development and redistribution in such a way as to improve the people's quality of life; and
- Work with progressive forces throughout the world to promote and defend our transformation, advance Africa's renaissance and build a new world order.

To this end, the ANC has developed many policy initiatives and programmes that have transformation as primary aim. Bills, statutes and amendments on Employment Equity, Black Economic Empowerment, land tenure reform, restitution and redistribution are all examples of legislation that seek to transform society from an unacceptable state of affairs, to a desired future. Southall (2007:7) explains the ANC's abiding faith in the transformation paradigm when he notes that: 'For the ANC, the striving towards "representivity" (including measures to address gender and disability imbalances) has been simultaneously a bid to extend its control of the state, a strategy to meet the expectations of its constituency, a thrust to redress the social injustices of apartheid and a hope that the commitments to delivery and growing work experience of black employees will compensate for any lack of formal education and training for the jobs they do'.

7.3.3 Regime: the fusion of party, government and state

It is therefore apparent that the NDR has served as the guiding ideology for the ANC's project of politically transforming the state (through government) and ultimately society as a whole, in realising the national democratic society. Noting this, Duvenhage (2005:11) defines political transformation as the rapid, progressive, all-encompassing and fundamental political change of society, emanating from an unacceptable political past, taking the form of central planning (social engineering and political manipulation), sometimes managed hegemonically, emphasising change in general and conflict management in particular. Taking this definition into account, particularly the emphasis on the hegemonic nature of transformation, the ANC defines transformation as: 'first and foremost, extending the power of the National Liberation Movement over all levers of power: the army, the police, the

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bureaucracy, intelligence structures, the judiciary, parastatals and agencies such as regulatory bodies, the public broadcaster, the central bank and so on' (ANC, 1998). The 'levers of power' referred to in the quotation above logically refers to the machinery of state, and the various branches of the state apparatus (the police, bureaucracy, etc.), which the ANC (as incumbent of government and leading force of the National Liberation Movement) controls through means of ideologically adherent party members. Such members, referred to as cadres, are deployed by the party primarily in institutions and the apparatus of government, but also in the private sector and non-governmental organisations, and are expected to promote the ideological expediencies of the NDR in whatever context they find themselves (SAIIA, 2011:33). During the ANC's 50th national conference held in Mafikeng, the party's resolutions noted that 'the need to deploy cadres to various organs of state, including the public service and to other centres of power in society' mandated the ANC's national executive committee (NEC) to first, put in place a deployment strategy; second, identify key centres of power and deploy cadres there; and third, establish deployment committees which would deploy cadres to the 'public service, parastatals, structures of the movement and the private sector' and to ensure that these cadres remained accountable to the party (ANC, 1997b).

The practice of cadre deployment has been the ruling party's mainstay in transforming the public sector and all institutions of state (i.e. the 'levers of power'). Essentially, it represents the practical application of a 'revolution from above', whereby socio-political transformation is imposed by the elite upon the population it dominates, in contrast to a conventional revolution, which is driven by pressure from 'below', i.e. the citizenry. It is, however, frequently criticised on the grounds that it substitutes individual merit with political connectedness as the main criteria in appointing civil servants and officers of state. As early as 1999, the erstwhile leader of the opposition, Tony Leon (Democratic Party), noted that: 'The ANC will not accept that there is such a thing as a neutral civil service. They are making political appointments at the top of the civil service the norm, not the exception. In the process, they are collapsing the wall between party and state. They have decided to go for hegemony and believe that this aim should trump all other considerations.' (Barrell, 1999:7). Despite sustained criticism and condemnation of cadre deployment over the last 15 years (see South African Cities Network, 2011:138; SAIIA, 2011:34) the ANC has maintained and defended this practice (Nhlabiti, 2012). Similarly, Labuschagne (2011:21) argues that this infiltration of party influence points toward the development of an organic state (antithesis of the modern constitutional/Weberian state) that is directed by the ANC:

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The shift in emphasis within South Africa's constitutional state towards stronger populist tendencies, in tandem with the dilution of the separation of powers principle, represents a dangerous embracing of the principles of the organic state. The ANC's reliance on its numerical majority, and the fact that hardly any separation between party and state exists, increases the inherent danger.

7.3.4 Conclusion

Noting the ANC's political hegemony as demonstrated through successive electoral victories, as well as the party's agenda of transformation of the institutions of state, executed through the practice of cadre deployment, it is accurate to refer to the emergence of an *ANC regime*, given the fusion between the ruling party, successive governments and the state over a sustained period of time. As such, this frame of reference and point of departure will inform the remaining discussion of the manifestation of state dysfunction in the institutional context, and it is anticipated that the regime dynamic represents an important construct in evaluating state dysfunction in the South African context writ large. From these preliminary insights, the following secondary research questions will be examined:

7.3.5 Secondary research question #1

How prevalent is corruption and maladministration in the regime context, with particular reference to the institutions of government and the ruling party, and can it be described as systemic?

Levine's (1975:65) widely cited definition of political corruption identifies the phenomenon as the 'unsanctioned or unscheduled use of public resources for private ends', and Huntington (1968:59) notes that 'corruption is, of course, one measure of the absence of effective political institutionalisation. Public officials lack autonomy and coherence, and subordinate their institutional roles to exogenous demands', and links the emergence of political corruption with the process of modernisation (see chapter 5). Transparency International's (2012) annual corruption perceptions index ranks South Africa as the 69th least corrupt state in the world (out of 176 states surveyed), which represents a significant regression from the position of 48th, which it occupied in 2003. This indicates that corruption is prevalent, and corroborates the frequent accounts of corruption encountered in the press. Regarding petty corruption, the Statistics SA Victims of Crime Survey (StatsSA, 2011:34) indicated that in Gauteng, as much as 10.6% of households surveyed reported being asked for money for a service by a government official, with 62.2% of those instances being related to bribes in

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avoiding traffic fines (other areas where bribes were habitually solicited included policing, driver's licences, job seekers and passports).

However, it is the prevalence and frequency of corruption on a grander scale, often involving government and party officials, that has cemented perceptions of widespread corruption in the South African regime context. Whilst the sheer number of such instances prohibits all of them being listed here (as well as their often complex and obfuscated nature due to political meddling), the following cases are prominent examples of corruption in the democratic era, at the highest levels of government:

- The Arms Deal (officially known as the Strategic Defence Acquisition) concluded in 1999 and involving the purchase of R30 billion worth of armaments has been the subject of consistent and repeated allegations of corruption. An inquiry into the matter was opened in 2013.
- The “Travelgate” affair of 2005, in which 40 members of parliament were found to have illegally used parliamentary travel vouchers worth R18 million for personal use (all were ANC MP's).
- The conviction of Police Commissioner Jackie Selebi in 2010 for accepting bribes amounting to at least R120000 from alleged drug lord, Glen Agliotti. Selebi was chairman of Interpol at the time.

With regards to the drastic proliferation of corruption (of which the abovementioned represents but a fraction) political commentator and academic Adam Habib (2013b) noted that South Africans have become desensitised to scandals around leaders in the government's top ranks, particularly ‘those associated with (Jacob) Zuma and his family, which have occurred so often in the last few years that it is no longer shocking because South Africans have become resigned to the first citizen's predisposition to immerse himself in scandal after scandal’. Examples of scandals implicating Zuma include the use of public funds to build his private homestead in Nkandla, the involvement (and losses) of SANDF forces in the Central African Republic, his close personal relationship with the wealthy Gupta family, and allegations of corruption (linked to his relationship with fraudster Schabir Shaik) and rape.

Furthermore, at local government level the prevalence of maladministration (which usually involves corrupt activities) is truly concerning. The Auditor General's 2011/2012 review of municipal government revealed that of the 338 municipalities and municipal entities that were audited, only 17 (i.e. 5%) produced financially unqualified audits (AGSA, 2013:10).

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During the same period, a staggering R20.1 billion of public funds was lost due to unauthorised, irregular, and fruitless expenditure (AGSA, 2013:21). Particularly at local government level, such maladministration and corruption is related to the growth in so-called “tenderpreneurism”, that refers to politically well-connected individuals who have abused the government tendering system in order to acquire wealth (essentially a system of illicit patronage). Often these service providers are incapable of fulfilling the terms of their tender, resulting in non-delivery of services.

Given these insights pertaining to the prevalence of corruption, as well as the proximity and relation of corruption to members of the ruling party at all levels of government, it came as little surprise when the Institute for Democracy in South Africa reported that levels of corruption had reached their highest point since 1994 (Political Analysis SA, 2012). Similarly, the Public Protector, Thuli Madonsela, was quoted as saying that corruption was “endemic in our country both in the public and private sectors” (Jones, 2012). This view is echoed by many South Africans according to a TNS opinion poll. The poll found that 83% of metropolitan adults agreed with the statement that “corruption has become a way of life” and 78% of respondents agreed that “there was corruption in senior levels of government (TNS, 2012). This problem of corruption in the regime context, particularly at senior levels, resonates with Basdeo’s (2012:396) views on the importance of credible and trustworthy leaders: ‘Leadership is critically imperative. To ensure sustainability, strong, ethical, exemplary, incorruptible and dedicated leadership; leadership beyond reproach is essential to champion the anti-corruption war’. It would appear as if such leadership is currently lacking in the South African regime context.

7.3.6 Conclusion

It is therefore evident that corruption in South Africa may be described as widespread, particularly in the public sector. Given the regime dynamic explored earlier, whereby the ruling party, government and state become ideologically and functionally synonymous, it is reasonable to posit that corruption is as widespread in the ANC as it is in government. Furthermore, the problem of corruption appears to be attaining *systemic proportions*, not only at local government level (where its adverse effects are perceptible) but also at senior levels of government (perhaps even its *most* senior office). As such, this is indisputably an urgent issue, which contributes significantly to South African state dysfunction.

7.3.7 Secondary research question #2

Are there notable instances where the state submits to, or accommodates, non-state actors in contradiction of the interests of the state, and does such a relationship exist within the regime?

As a point of departure when addressing this secondary research question, it is relevant to note that the emergence of a regime dynamic that encompasses the ruling party and the state presupposes a certain level of state submission. When successive governments of a ruling party occupy government for an extended period of time, the resultant fusion of the offices of political parties (which are ostensibly private, i.e. non-state) and government (which are by definition public offices of state) may lead to the routinized submission and accommodation of the state. Such submission may be accelerated through overt policies aimed at transforming the state according to party-ideological goals. The distinct South African regime dynamic, identified in the preceding sections, points towards just such a submissive dynamic, particularly when taking into account the ANC's practice of cadre deployment and the ideological imperative of transformation. Given widespread public sector corruption in South Africa, it may be posited that the interests and resources of state are regularly subverted for the private gain of individuals, particularly those affiliated to the regime.¹⁷⁷ If practices of corruption, maladministration and tenderpreneurism continue to proliferate in the regime context, South Africa may well approach a scenario of state capture. The South African institutional-societal interface highlights certain non-state sectors and private interests that appear to regard the state with contempt and, at times, appear to be beyond the state's reach. Societal examples cited previously include criminals and protesters, but businesses interests such as the taxi industry and organised football also evade state control. However, probably the most *influential* group of non-state actors in the South African political environment is organised labour. The largest trade union federation, the Congress of South African Trade Unions (COSATU) is also a key component and an ally of the current ANC regime. Since 1994 the ANC, South African Communist Party (SACP) and COSATU have constituted the so-called Tripartite Alliance. This was formalised after the historical cooperation between the organisations during the apartheid years, based on a combination of liberal, socialist, Marxist, and black consciousness values, and centred on

¹⁷⁷ Aside from political criminality and corruption, the guidelines of the Ministerial Handbook, which regulates the benefits and perks of public office bearers from cabinet ministers to local mayors, have also proved to be controversial. Officials have interpreted the Handbook to justify lavish expenditure of state funds on, inter alia, R53,159 worth of fast food (Northern Cape Premier Sylvia Lucas), R734,448 for luxury hotel accommodation (Minister of Police Nathi Mthethwa) and several BMW 750i motor vehicles for various cabinet ministers (each priced at R1.1 – R1.3 million). As a result, the Handbook has been described as a 'get-out-of-jail-free card for officials caught with one or more hands in the state cookie jar' (Parker, 2011).

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the goals of the National Democratic Revolution. Currently, the SACP and COSATU do not participate in elections directly, but field candidates through the ANC, many of whom hold senior positions in the ANC and influence party (and regime) policy and discourse.¹⁷⁸ COSATU in particular (through the mobilisation of its various affiliates) is a valuable organising force for the ANC during election times (Johnson, 2010:170).

The result of this tripartite configuration is that communist and labour interests enjoy a level of representation in the regime which is entirely disconnected from electoral success. COSATU's proximity to the regime, in combination with its very large membership base, makes it a powerful non-state actor with great influence in the institutional context of the South African state. The trade union federation is the largest in South Africa by some margin, constituted by 20 affiliate trade unions covering every sector of the economy. It has a total membership of 2.2 million members, which represents 14% of the total South African workforce (four times more than its closest trade union federation rival, FEDUSA) (COSATU, 2012:6). Despite the trade federation's dominant position, labour unrest has increased markedly in recent years, with several affiliate unions striking on a regular basis. In August 2010 an unprecedented public sector strike led by the South African Democratic Teachers' Union (SADTU) and National Health and Allied Workers' Union (NEHAWU) caused the countrywide closure of schools and hospitals, and necessitated the deployment of the South African Military Health Service to various health facilities. The strike lasted 15 days, and a total of 12 million man-days were lost, including critical preparation time for learners writing matric exams in the months that followed – the number of patients that died as a result of this dereliction of duty has never been verified. Labour strikes have indeed become a perennial feature of South African industrial relations, with the annual period of wage negotiations becoming known as 'strike season'. Since August 2012, the Marikana massacre has been etched into the South African public consciousness as an event that typifies the violence and instability associated with labour disputes in the country (South African Chamber of Mines, 2012:6).

The nature of organised labour's approach to industrial action is demonstrated by the incidence of violence during strikes, illustrated in the table below:

¹⁷⁸For example Gwede Mantashe, the current Secretary General of the ANC, is also a former Chairperson of the SACP. Similarly, Nelson Mandela was a member of both the ANC and the SACP (as Jacob Zuma is currently), whilst Cyril Ramaphosa (ANC Deputy President) combines ANC and COSATU memberships.

Table 18: Incidence of strikes and violence during strike action, 2004-2012

YEAR	DEATHS	INJURIES	ARRESTS	MAN-DAYS LOST
2004	-	6	3	1 100 000
2005	1	27	931	2 300 000
2006 ¹⁷⁹	69	35	937	2 900 000
2007	7	-	11	12 900 000
2008	-	7	-	990 000
2009	-	-	30	2 900 000
2010	7	31	271	14 600 000
2011	2	9	112	6 200 000
2012 ¹⁸⁰	60	150	643	3 500 000
TOTAL	146	265	2938	47 390 000

Source: SAIRR, 2013:446&451

These figures paint a startling picture of labour disputes in South Africa particularly the sometimes heavy-handed response by police in maintaining order. They underscore the problematic nature of the largest trade federation's political and organisational proximity to the ANC regime. The result of this relationship has been to the detriment of the South African economy and the interests of state. The International Monetary Fund (IMF) noted in a 2013 report that with regards to the South African economic situation that 'In recent years, South Africa's growth has underperformed and vulnerabilities have increased considerably. While weak external demand contributed, domestic factors—such as flagging competitiveness, an environment not conducive to investment, labour unrest, and infrastructure bottlenecks—played an important role ... The outlook is for sluggish growth, with considerable downside risks ... Escalating labour tensions is a key domestic risk' (IMF, 2013:23). The report recommended a social bargain between business and labour, based on 'wage restraint in return for industry's hiring commitments, measures to enhance product market competition, and improved public services' (IMF, 2013:21). Such restraint has been absent in recent wage negotiations, with the COSATU affiliate National Union of Mineworkers (NUM) striking for a 60% wage increase in the mining sector and breakaway rival Association of Mineworkers and Construction Union (AMCU) for 150% increase. In November 2013 investment firm Goldman Sachs also cautioned that increases in industrial

¹⁷⁹ High number of deaths, injuries and arrests due to the security guard strike between March and May 2006.

¹⁸⁰ All but one of the deaths due to strike action in 2012 was in the mining sector.

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strike action and consistent above-inflation 'come at a cost to broader growth, investment and job creation' (Goldman Sachs, 2013:50).

Given its association with the ruling regime, COSATU has also exerted pressure in the legislative arena with regards to labour policy. The Labour Relations Amendment Bill of 2012 seeks to ban the practice of labour broking,¹⁸¹ which provides jobseekers with temporary and fixed term appointments. Furthermore, the bill seeks to impose a maximum of six months temporary employment, after which employers will be obliged to take on temporary employees as permanent staff. The related Basic Conditions of Employment Amendment Bill of 2012 aims to entrench the positions of trade unions and promote unionisation by giving trade union's right of access to employer premises to meet and recruit, as well as the right to enforce the deduction of union subscriptions from employees' salaries. Both these bills have received vocal and vociferous support from COSATU (COSATU, 2012a). Commentators have noted that accepting these bills in their current form will not be conducive to job creation and will contribute to further rigidity in an already inflexible South African labour market (SAIRR, 2013:454-455). The detrimental influence of organised labour's dominance in the South African economy is plainly illustrated by the World Economic Forum's most recent Global Competitiveness report (WEF, 2013:347) which ranked 148 states according to their competitiveness in various sectors. In the category Labour Market Efficiency, South Africa scored thus:

Table 19: Selected WEF global competitiveness scores for South Africa

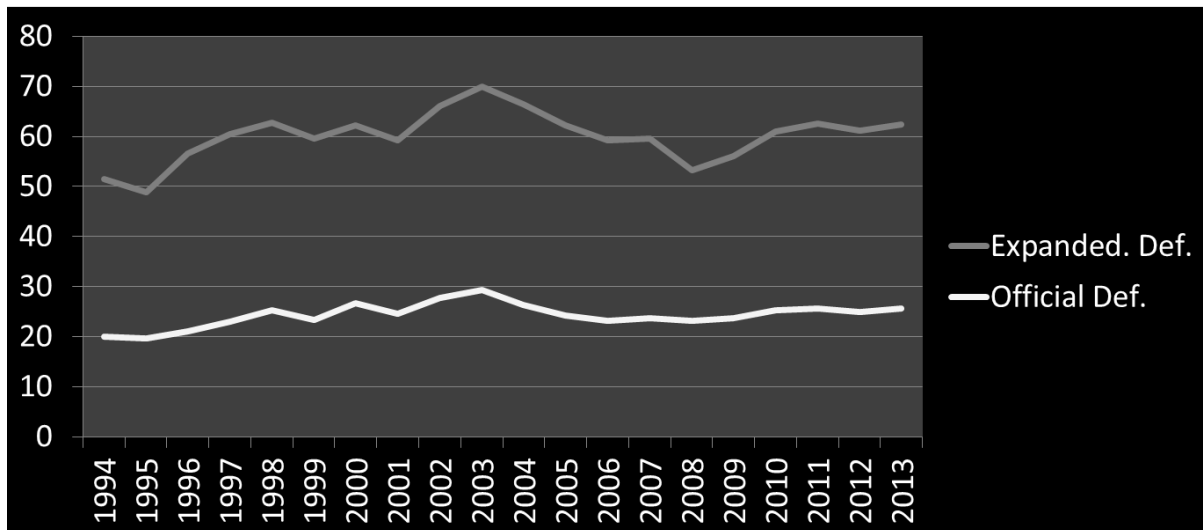
LABOUR MARKET EFFICIENCY	RANK / 148
Cooperation in labour-employer relations	148
Flexibility of wage determination	144
Pay and productivity	142
Hiring and firing practices	147

In response, COSATU has accused the WEF of being part of a "concerted right-wing campaign" against South African workers (COSATU, 2013). Ironically, the close relationship between COSATU (as the main representative of organised labour) and the ANC regime has not yielded progress in alleviating unemployment, which is one of the South African state's most persistent challenges. As evidenced by the figure below, South African unemployment

¹⁸¹ This aspect has since been abandoned by the ANC as it would likely fail a constitutional challenge. However, COSATU remains steadfastly in support of the proposal to ban labour broking.

has been stubbornly high over the last two decades, with the expanded definition of unemployment peaking at 70% in 2003:

Graph 4: Unemployment in South Africa, 1994-2013



Source: SAIRR, 2013:265

Despite the fact that COSATU's hegemony is being eroded, the organised labour context in general exhibits signs of fundamental instability. In particular, 2014 has seen the radicalisation of labour relations in the mining sector, which was once the sole preserve of COSATU's most influential constituent, NUM. The upstart mineworker's union AMCU staged a record-breaking 70,000-man strike that endured for more than 18 weeks and effectively singlehandedly plunged the national economy into recession. This episode serves as a stark example of the powerful (and potentially dysfunctional) role that organised labour occupies vis-à-vis the South African state.

7.3.8 Conclusion

From this discussion of the secondary research question posited earlier, it transpires that organised labour, and in particular its largest trade federation, COSATU, represents a non-state actor which exerts notable power and influence in the South African institutional sphere. This influence, coupled with its proximity to the regime as a member of the tripartite alliance, has resulted in the ANC regime submitting to, and accommodating the demands of COSATU, as evidenced by labour legislation and policy since 1994. Given the growing instability and accompanying violence in South African industrial relations, in addition to exorbitant wage demands, chronic strike action, poor competitiveness and productivity, as

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well as persistent unemployment, it is reasonable to posit that this relationship of submission to and accommodation of COSATU and organised labour in general has not been in the interests of the South African state.

7.3.9 Secondary research question #3

Does the regime exhibit neo-patrimonial tendencies, taking into account the practices of presidentialism, clientelism, and the use of state resources for private ends?

One of the most visible characteristics of the ANC regime which has governed South Africa in the democratic era is the wealth accrued by its cadres. It is indeed a fact that the ANC and its members, through the policy of cadre deployment, control access to government funds, contracts, and tenders (Sikhakhane, 2012). As such, the regime facilitates patronage on a grand scale, the nature of which may at times verge on the corrupt. Such patronage represents a vital component of the maintenance of a clientelist network whereby loyalty is rewarded with material gain. Prominent members of the regime who have utilised political credentials to further their own private business interests include:

- Tokyo Sexwale, former ANC Premier of Gauteng Province and Minister of Human Settlements. Founded Thebe Investments along with Vusi Khanyile (head of ANC finance in exile) in 1992. Also owns Mvelaphande resources (a mining company), 22% of Trans Hex (diamond mining), 15% of Gold Fields, and 10% of ABSA.
- Patrice Motsepe, South Africa's wealthiest person and largest ANC donor. Founded African Rainbow Minerals after a BEE deal with Anglo American in 1997.
- Cyril Ramaphosa, Former Secretary General and current Deputy President of the ANC and husband of Tshepo Motsepe (sister of Patrice Motsepe). Founded the Shanduka Group in 2001.
- Cheryl Carolus, former member of the ANC National Executive Committee. Founded Ponahalo Investments along with Manne Dipico (former ANC Premier of the Northern Cape Province) after a BEE deal with De Beers in 2005.
- Bridgette Radebe, wife of Jeff Radebe (Minister of Justice and Constitutional Development) and sister of Patrice Motsepe (see above). Purported to be South Africa's richest woman. Founded Mmaku Mining, a beneficiary of several BEE deals in the mining sector, in 1995.
- Bulelani Ngcuka, former Director of Public Prosecutions, staunch ally of Thabo Mbeki and husband of former Deputy President of South Africa, Phumzile Mlambo-Ngcuka.

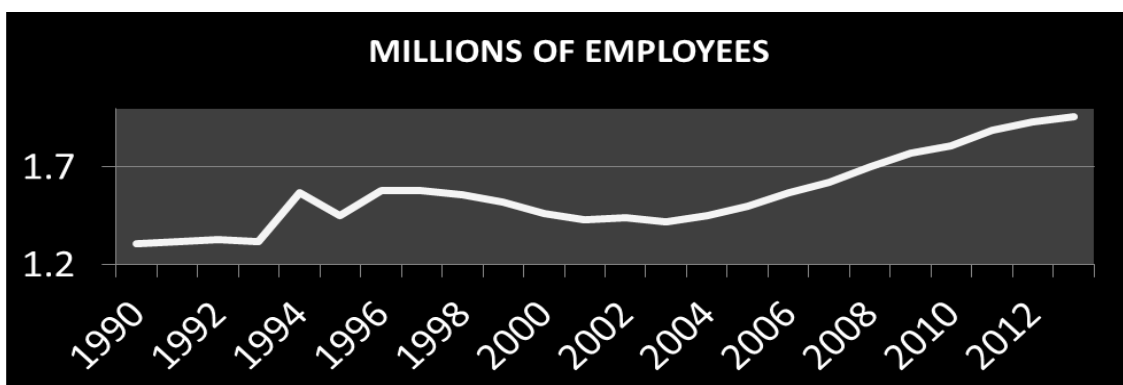
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Founded Amabubesi Investments along with several former members of the security forces, which acquired 51% of Basil Read in a BEE deal in 2006.

This list is by no means exhaustive and is merely intended to demonstrate the correlation between the regime and private sector wealth (and the often patrimonial/clientelist structure of the relationships between role-players). Several other businesses have benefited richly from their intimate connections with the ANC regime, including the Batho Batho Trust (founded by Nelson Mandela, Walter Sisulu and Beyers Naudé in 1992) and Chancellor House (founded as an ANC front company in 2002). The latter of these was a recipient of a government contract to supply Hitachi boilers for two Eskom power stations worth approximately R40 billion (McKune & Sole, 2012). Effectively, the ANC became the recipient, via Chancellor House, of public funds through a contract awarded by the ANC regime, highlighting a clear conflict of interest. A similar incident in 2005 became known as the 'Oilgate scandal', after the state owned enterprise PetroSA paid out a total of R15 million for oil condensate to Imvume Management, owned by Sandi Majali (an associate of Kgalema Motlanthe). It was later revealed that R11 million from that transaction was transferred to the ANC a mere four months before South Africa's April 2004 election (Laurence, 2010).

However, it would appear as if the development of clientelist networks is primarily located in the public sector, where the regime has total control of patronage. In this realm, the ANC's policy of cadre deployment has ensured that party loyalists receive government employment, with all its concomitant benefits, often regardless of merit or professional aptitude. Bearing in mind the persistently high level of unemployment that plagues South African society (see graph 4) the allure of a government position as a form of patronage cannot be overstated. From this perspective, the proliferation of government jobs in the democratic era may be cynically interpreted as the expansion of an immense clientelist network of patronage. Indeed, some have ventured so far as to argue, with reference to Jacob Zuma's presidency, that: "We now have a state clearly led by a man whose method of governance is purely patrimonial" (Mbatha, Joseph & Wild, 2015), whilst Munusamy (2015) contends that "those in power want to develop a loyalist cult in the bureaucracy rather than having a skilled, capable state". Consider the graph below:

Graph 5: Public sector employment in South Africa, 1990-2013



Source: SAIRR, 2013:245

Although the above graph suggests a general pattern of increase in the number of people employed in the public sector since 1994, it would also appear as if there has been a *concerted effort to create public sector employment since 2003/2004*. In fact, in only the period 2003 to 2013, an additional 534,505 government jobs were created. The multiplication of cabinet posts has occurred at the most senior level of the regime. Whereas Nelson Mandela's first (1994) cabinet consisted of 27 portfolios, Jacob Zuma's current (2014) cabinet now comprises 35.¹⁸² When figuring in the additional 37 deputy ministers, the expanded South African cabinet costs the taxpayer a staggering R134,021,079 per year (Ferreira, 2014). However, it has been at provincial level where the most startling expansion of government employment has occurred. In 1990, a total of 424,663 civil servants were employed at provincial level. Bearing in mind that during the political transition, the number of provinces was increased from four to nine, which was in itself not an uncontroversial exercise (see Greffrath, 2012a), it is rational that the number of provincial civil servants increased from 697,364 in 1994 to 761,117 in 1995. Yet, this expansion of employment in the provincial sphere of government never stabilised and has continued unabated over the last two decades, with the result that there are now a staggering 1,093,170 government employees involved in provincial administration (SAIRR, 2013:245). It is however doubtful if this investment in provincial human resources has translated into better governance, since only 47 out of 262 (i.e. 18%) provincial departments and entities received unqualified audits without adverse findings during the most recent audit (AGSA, 2013a:6).¹⁸³

¹⁸² By comparison Germany, a state with a population of 80 million people and GDP ten times that of South Africa's, has a cabinet numbering only 16 members.

¹⁸³ The Limpopo and North-West provinces failed to produce a single clean audit outcome for 2012/13.

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One outcome of maintaining such a highly populated provincial sphere of government (with nine duplicated sub-divisions) is the large clientelist network which can be constructed by regime cadres in each of the provinces. Indeed, there has been much contention in the ANC regarding the appointment of provincial premiers, since the position of premier is both a powerful dispenser of patronage in its own right (i.e. locally in a province), as well as a valuable client in support of the president of the country (i.e. upward in the chain of command). Thus in 1998 the ANC NEC (under the orders of Thabo Mbeki) delinked the positions of provincial premier and provincial party secretary, adopting a resolution that premiers will henceforth be appointed by the president himself (Johnson, 2010:145). Mbeki's personalised and often controversial premierships appointments were a major contributing factor to his ousting at Polokwane in 2007¹⁸⁴ and highlighted the high stakes involved in controlling provinces and premiers in the regime context (see Myburgh, 2009). The opportunity to construct provincial clientelist networks of patronage has resulted in unprecedented levels of party factionalism and related violence in certain provinces, chief of which are the Free State, North-West, and Limpopo. These provinces have witnessed political killings and assassinations, paralysis of party functions and structures, along with a general decay in standards of service delivery. These provincial iterations of the South African institutional sphere, show that the functionality of the state has truly been eroded as the intrigues and machinations of the regime multiply at the expense of the public good. Perhaps the role of patronage in the regime was best summed up by former ANC Secretary-General, Kgalema Motlanthe (Paton, 2007):

This rot is across the board. It's not confined to any level or any area of the country. Almost every project is conceived because it offers opportunities for certain people to make money. A great deal of the ANC's problems are occasioned by this. There are people who want to take it over so they can arrange for the appointment of those who will allow them possibilities for future accumulation.

The *centralised nature of the ANC regime*, that has been alluded to earlier, also has an effect on the occurrence of neo-patrimonial tendencies. During the presidency of Thabo Mbeki, the centralisation and concentration of political and party power reached new limits. In this regard, Johnson's (2010:166-167) account of Mbeki's ascent to the presidency in 1999 is insightful:

Under Mandela, the Deputy President's office had been far bigger than the President's. Now the two offices were combined and Zuma's (then deputy president) brief was simply to fulfil whatever tasks the President allocated to him ... At Luthuli House, the party presidency 'had

¹⁸⁴ After 2007, the premierships would be decided by the ANC NEC, based upon a list of preferred candidates supplied by the relevant PEC. However, according to the Constitution (Chapter 6 Section 128) premiers are to be elected by the provincial legislature, from within its ranks. This procedure is therefore made completely redundant by the fusion of party and government in the regime dynamic.

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only existed in name' under Mandela, but once Mbeki became ANC president he moved in Smuts Ngonyama ... as head of the party president's office. The office ran the political life not just of Mbeki but of Zuma and the party chairman, Terror Lekota.

As his presidency progressed, Mbeki continued to concentrate power around himself and his acolytes, in line with his 'ultra-centralist' style (Johnson, 2010:166). Close allies were deployed in key regime positions such as Essop Pahad¹⁸⁵ (Minister in the Office of the Presidency), Steve Tshwete¹⁸⁶ (Minister of Safety and Security), Manto Tshabalala-Msimang¹⁸⁷ (Minister of Health), Mbhazima Shilowa (Premier of Gauteng) and Aziz Pahad¹⁸⁸ (Deputy Minister of Foreign Affairs). Mbeki's presidency was characterised by the consolidation of various government administrative departments into a few administrative 'cluster' committees that were centrally co-ordinated and controlled from the President's Office. Mbeki faced much criticism for his micromanagement of government, both domestically and abroad, earning for his tenure the moniker of the 'imperial presidency' (Landsberg & van Wyk, 2012:22). Ultimately, his centralist and aloof style of presidential governance was an undoubted contributor to his ousting as party president, and later as President of the Republic in 2008.

Yet, it would appear that Mbeki's personal approach to government was only an accentuation of an inherent regime practice of centralisation. As Gumede (2007:372) notes: '... the tenets of the ANC's political style in exile had become the mantra of the ANC in government: centralised decision-making, unquestioned loyalty, no public criticism and the preordained election leaders'.

Even though the more populist (and at the time, popular) Zuma replaced Mbeki in both presidential capacities in 2009, the centralist regime architecture developed by the latter essentially remains intact. However, Zuma's specific configuration of this centralism appears to favour two groupings in particular – the so-called 'security cluster' (to be discussed later in this chapter) and ethnic Zulus (in the form of 'Zulufication', discussed previously).

¹⁸⁵ Pahad was Mbeki's closest personal friend and ally. The position of Minister in the Office of the President was created for Pahad, and essentially functioned as a *de facto* prime minister in the context of the cabinet. It is widely believed that Mbeki's trust in Pahad was based upon the latter being an Indian, who would find it difficult to mobilise broad support in the ANC with which to further an independent political career which could threaten Mbeki.

¹⁸⁶ Tshwete was a staunch and vocal supporter of Mbeki, both during Mandela's presidency and the subsequent campaign to elect Mbeki as ANC president.

¹⁸⁷ Tshabalala-Msimang was favoured by Mbeki for her aligned stance on the HIV/Aids issue, which mars his political legacy to this day.

¹⁸⁸ Brother of Essop Pahad. Was strategically deployed to the Ministry of Foreign affairs to provide Mbeki with unimpeded access to the portfolio, where his self-image of international statesman could be cultivated.

7.3.10 Conclusion

It is apparent, from the afore mentioned examples, that the elements of clientelism are to be found in the South African regime dynamic. Gaining access to this regime holds the alluring promise of access to state resources, which are either employed for private gain (corruption, maladministration) or the establishment and extension of networks of loyalty and patronage – or indeed both. Given the stakes at play, such networks of power are often guarded jealously, promoting presidentialist tendencies, not only at the national level, but at local and (especially) provincial level where opportunities have the alluring qualities of being both lucrative and manifold. The centralised nature of the ANC party organisation and its parallel manifestation in the government/regime context has the effect of imposing uniformity, which breeds resentment and eventually factionalism. Often, factionalist struggles appear less inspired by ideological or policy differences than by the control of, and access to, the politics of neo-patrimonialism. Without exception, all the above constructs, and their manifestation in the South African context, promote state dysfunction.

7.3.11 Secondary research question #4

Does the regime exhibit practices related to the politics of survival, taking into account the tactics of the 'big shuffle', non-merit appointments, and the use of dirty tricks?

In the previous chapter, it was noted that leaders often create centripetal forces to counteract the emergence of autonomous political centres of power that may challenge their position of power. According to such a strategy, a party militia might be developed to counteract the growth in power and autonomy of a national (independent) police force. However, given the fact that the South African institutional context exhibits centralised characteristics, with a strong fusion between party, government and state that results in a regime dynamic, the strategy of creating separate centres of power to counteract autonomous interests is largely redundant. Within the regime ideology the attainment of the 'levers of power' ensures that any institutions of state, whether it be the police, armed forces, certain government departments, or even the national broadcaster are firmly accordant with the broader ideological paradigm of the party. Hence, with the regime's fusion of party and government (and the deployment of loyalists in as many offices of state as possible) and the resulting political homogeneity it produces, the risk of intra-regime schisms are minimised. The interwoven regime relationship between party and government also mean that, if and when such fault lines do appear, they may be addressed through *party mechanisms* (i.e. in a

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closed system), rather than through government procedures (i.e. a system that requires openness and accountability). Mbeki's loss of the party presidency and subsequent recall as President of the Republic is a prime example of such a process.¹⁸⁹ In this manner the regime has pre-empted the development of autonomous institutional centres of power which may challenge regime hegemony. However, from time to time certain *individuals*, both within and outside the regime, may be perceived as hostile or potentially threatening. In such cases the big shuffle, loyalist non-merit appointments, and dirty tricks may be used to neutralise potentially threatening contenders. The South African regime context is characterised by all three mentioned above.

Cabinet shuffles are a regular occurrence at both national and provincial levels of government. Since ascending to the Presidency on 9 May 2009, Jacob Zuma has reconfigured his cabinet four times (roughly once every year). In the North-West province, chronic political instability and factionalism has been both a symptom and cause of frequent provincial cabinet shuffles by Premier Thandi Modise,¹⁹⁰ who was appointed to the office by Zuma in 2010, after he recalled former Premier Maureen Modiselle (she only served 18 months in office).¹⁹¹ Each reshuffle is routinely followed by allegations of political purging of opposition and is aligned with provincial party structures (Mataboge, 2013). However, the big shuffle is not only limited to the cabinet levels of national and provincial government – these are only the arenas where it is most visible. A massive subterranean shuffle is constantly occurring in the middle and senior levels of public sector management, where regime cadres are continuously deployed and redeployed in the administrative apparatus of the state. According to Omotye & Malan (2011:162) it is at this level 'where the political administrative interface generally occurs ... especially among the President, Deputy President, Minister, Member of Executive Council, Premier on the one hand and the Directors-General or heads of departments on the other hand. However, it is also at these levels where tensions, as a result of role conflict or competition, are known to occur'. The Public Service Commission (PSC, 2010:18) found a staggering turnover rate of 68% amongst senior managers in government departments, noting that: 'Provinces appear to be particularly severely affected by high staff turnover at the professional levels. Most of the staff turnover occurs as a result of the internal movement of staff through promotions and

¹⁸⁹ According to the Constitution (Section 89) the President of the Republic may only be recalled by a resolution of the National Assembly that is supported by at least two-thirds of MP's.

¹⁹⁰ She is also the daughter of the late Joe Modise, who was Minister of Defence from 1994-1996. He was the architect of the controversial arms deal that remains unresolved to this day.

¹⁹¹ The North-West province is a prominent example of discord between the offices of state (the Premier) and the ruling party (the Provincial Executive Committee of the ANC).

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transfers within and to other departments/organisations'.¹⁹² This continuous transfer and redeployment of government officials has a crippling and destabilising effect on the functionality of institutions so that, according to Chipkin (2011:16): 'such volatility is the single greatest cause of the failures in state performance'. However, such instability may also represent an aspect of managing clientelist networks of patronage and neutralising potential centrifugal forces.

A subsequent component of the politics of survival, identified by Migdal, relates to the appointment of individuals with ties of loyalty to the regime leadership regardless of aptitude or merit. In the South African institutional context, this tactic has become virtually institutionalised in the form of a cadre deployment policy pursued by the ANC, which has previously been discussed at length. Without repeating what was discussed previously, it can be noted that many high profile examples of regime appointments, which exhibit lack of merit and/or aptitude, have been in the area of policing (a Ministerial portfolio at the heart of the security cluster):

- The appointment of police commissioners: Since 1994, only one of the four serving commissioners had a professional police background.¹⁹³ Since 2000, all commissioners have had close ties to the ANC and lacked police experience (all three of these commissioners attracted considerable controversy to themselves and the force). Regarding the appointment of police commissioners by the regime, Burger (in Smith, 2012) notes that '[the ANC leadership] decided the only way they could control the police was to appoint someone from the ranks of the ruling party rather than the police itself' – this perspective is also of importance for the discussion on praetorian tendencies that follows.
- The appointment of Robert McBride as head of the Independent Police Investigative Directorate is another controversial appointment by the regime in which the candidate ostensibly lacks merit and aptitude for the position.

According to the policy of cadre deployment, many other appointments have been made in governmental departments, state-owned enterprises, and the SANDF where the qualifying criteria were political allegiance, rather than merit or aptitude for the position concerned. As

¹⁹² There is also anecdotal evidence to suggest that in certain provinces it has become standard practice to appoint middle and senior managers on a short term contract basis (usually 3 months at a time) in order to counteract the creation of support bases around specific individuals.

¹⁹³ The first commissioner of the South African Police Service was George Fivaz, who had extensive policing experience and served until 2000.

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such, the ANC's approach to cadre deployment in the institutional context may be interpreted as an important component of the politics of survival practiced by the *regime*.

The use of dirty tricks in maintaining regime rule and neutralising political threats was a prominent feature of the Apartheid era. The securitisation of the state and the growing praetorian nature of the institutional sphere, particularly towards the end of the regime's tenure, contributed to the pervasiveness of covert and illegal means in dealing with opposition. These dirty tricks were the focus of considerable media attention during the Truth and Reconciliation hearings during the 1990s. The use of dirty tricks has not been nearly as prevalent in the democratic era (to the extent that such actions can be distinguished from corruption and maladministration).

However, two discernable dirty tricks have manifested in recent years in the form of illegal espionage and politically motivated killings. The recent increase in political assassinations suggests that factions within the regime may have become more willing to use lethal means to settle disputes than they were in the past, although this tendency may well apply to the South African landscape in general. Regarding political killings in the regime context, Suttner (2013)¹⁹⁴ opines that 'wholesale assassinations have become a regularised way of deciding on leadership and access to wealth within the ANC and its allies. This is a time when lawlessness is widespread ... This period has seen the undermining of constitutionalism and the distinction between public and private wealth being blurred'. Suttner's view corroborates many of the constructs analysed in this chapter, and indicates how closely they have become interrelated in the context of state dysfunction. Bruce (2013:20) estimates that there have been at least 120 politically motivated killings since 2003, of which less than 10% resulted in convictions. The majority of these murders involved ANC members, with the remainder relating to the IFP/NFP rivalry which is mainly localised in KwaZulu-Natal. Bruce (2013:15) further notes that the last decade in particular 'seems to have involved an increase in the killing of ANC members and many of these killings are believed to have been connected to internal ANC rivalries' (such killings reached climaxes ahead of the party's 2007 Polokwane and 2012 Mangaung conferences). There has also been a noticeable trend of assassinating whistle-blowers and individuals involved in the investigation of regime corruption:

- Jimmy Mohlahla was shot and killed on 4 February 2009. He was the ANC Speaker of the Mbombela Local Municipality who exposed tender corruption involving the municipal

¹⁹⁴ Suttner is himself a veteran ANC/UDF activist and a professor of law.

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manager, Jacob Dladla. Prior to his assassination, Mohlaha was pressured to resign from the ANC as a result of his whistleblowing.

- Moss Phakoe was shot and killed on 14 March 2009. He was an ANC councillor and involved in exposing corruption in the Bojanjala District Municipality. A former ANC mayor and bodyguard were later arrested for the murder.
- Andile Matshaya was found strangled in Pietermaritzburg on 25 May 2012. As an internal auditor in the national department of transport, he uncovered corruption and misuse of state funds.
- Lawrence Moepi was shot and killed outside his office on 18 October 2013. He was a forensic auditor who was appointed to work on the arms deal investigation.

Additionally, a more covert variation on the theme of dirty tricks has also emerged in recent times in the form of espionage. Although spying is inherently a clandestine activity, certain instances of espionage by the regime have come to light. Most notable of these was the period of political contestation between Mbeki and Zuma, in the period leading up to the ANC's Polokwane conference in 2007. The National Prosecuting Authority (NPA), Scorpions, and National Intelligence Agency (NIA) were all mobilised and counter-mobilised in a series of political intrigues that resembled a Mbeki-driven campaign of dirty tricks, intended to neutralise the growing popularity of Jacob Zuma, who threatened Mbeki's thendual-presidency. Johnson (2010:540-541) relates that during this time 'The activities of NIA and other privately contracted intelligence operatives increased exponentially. By the end of 2007 veterans of the apartheid intelligence services claimed to the author that at the height of apartheid, phone-tapping and letter-opening had never reached such epidemic proportions ... In the last four months of 2007 Zuma's security guards removed twenty six electronic bugs from his sitting room, and reckoned there had been four separate assassination attempts on Zuma that year'.

Apart from intra-regime espionage, opposition political parties have also allegedly been targeted by the National Intelligence Agency. In 2002 a 'spy scandal' in the Western Cape Province captured headlines as the DA alleged that members of the opposition were under constant surveillance (Ntabazalila, 2002) The timing and location of this episode was of particular sensitivity, since the then-governing NNP would soon merge with the ANC, thereby turning over control of the province to the latter.¹⁹⁵ Five years later, when the DA had gained political control of the Western Cape and the City of Cape Town, they too were

¹⁹⁵ At the time, former head of the apartheid National Intelligence Service, Neil Barnard, was serving as Director-General of the Western Cape. He had installed sophisticated counter-espionage equipment in the provincial administration headquarters to ostensibly insulate sensitive information from NIA eavesdropping. Following the NNP/ANC coalition he was summarily dismissed from his position.

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accused of spying on a member of the African Muslim Party prior to a floor-crossing window.¹⁹⁶ There is also reason to believe that the regime is using the NIA to spy on opposition parties in parliament. Democratic Alliance MP, James Selfe, confided to RW Johnson (2010:263) that ‘... the DA also became worried about the security of its parliamentary caucus room. Already in December 1999 a security sweep had revealed that a ray was being beamed into the caucus window from the NIA building opposite, thus enabling electronic eavesdropping to take place ... the DA were reduced to taking security measures even within parliament – a ‘white noise’ producer was played at caucus meetings, MPs were instructed not to use telephone landlines and members would frequently walk outside to hold confidential discussions’. It is, however, impossible to determine the true extent of regime espionage on both its members and opponents.

The domains of civilian and police intelligence are highly contested and volatile areas that have been repeatedly purged by successive leaders of the regime (under Mandela, Mbeki and Zuma). Control of intelligence institutions are a valuable resource in regime consolidation and maintenance, both in terms of pre-empting potential threats and neutralising existing ones. To the extent that a state’s intelligence apparatus is used to engage with socio-political forces, it also forms part of the politics of praetorianism, which is discussed in the section that follows.

7.3.12 Conclusion

From the preceding operationalisation, it would appear that the presence of the politics of survival in the institutional context can be confirmed. In particular, the regime has adopted the tactics of the ‘big shuffle’ and non-merit appointments not only as a pragmatic political expedient, but has also interwoven it with the identity of the regime on an ideological level (according to the doctrine of cadre deployment). Additionally, the sustained number of politically motivated murders would suggest that it has become an accepted method of solving political disputes within the political arena in general and the regime in particular. This institutionalisation of political violence has been well documented in relation to KwaZulu-Natal in particular,¹⁹⁷ and represents a deeply disconcerting and problematic phenomenon related to the institutional context of state dysfunction. The unmediated and direct confrontation between political and social forces (of which political violence is an

¹⁹⁶ Speaker of the City of Cape Town, Dirk Smit (DA) had hired the firm George Fivaz and Associates to spy on Badih Chaaban (AMP) to ascertain if the latter was bribing councillors to defect to the ANC.

¹⁹⁷ This geographic reference becomes all the more significant given the heightened importance attached to the province by the ANC’s internal power dynamics and the previously noted process of Zulufication in regime leadership.

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important example) is also typical of praetorian political conditions, which are evaluated in the section that follows. In closing, it is therefore clear that the constructs related to the politics of survival feature prominently, even centrally, in contributing to state dysfunction in the South African institutional/regime context.

7.3.13 Secondary research question #5

Does the regime exhibit praetorian tendencies, taking into account the phenomena of the widespread politicisation of social forces, the securitisation of the state, and a progression toward mass praetorianism?

Thus far, in the course of operationalizing the constructs related to state dysfunction in the institutional context, many aspects related praetorian politics have already been explored. Issues that bear pertinent relevance to a South African praetorian dynamic where (i) social forces confront each other directly, (ii) social groups use methods inherent to their nature, and (iii) political authority appears to be increasingly fragmented include:

- Chronic labour instability and deteriorating labour relations that exhibit a growing momentum in scale and violence
- Widespread public dissent in the form of service delivery protests that also exhibit an escalating trajectory and prevalence and particularly violence
- Patterns of factionalism in the ruling party/ regime wherein violence is readily utilised.

Recent times¹⁹⁸ have also witnessed a perceptible radicalisation of party politics. Since the party's formation, the Economic Freedom Fighters (EFF) under the leadership of former ANC Youth League president, Julius Malema, has garnered much attention. The party describes itself as a "radical and militant economic emancipation movement that brings together revolutionary, fearless, radical, and militant activists" (EFF, 2013) and has not shied away from controversy and overt racism.¹⁹⁹ Indeed, the South African political arena, and the tripartite alliance in particular, regularly invoke the spirit of political intolerance with references to political opposition as 'cockroaches'²⁰⁰ and appeals to 'kill the Boer' and 'bring me my machine gun' (Van Onselen, 2013). All of the above-mentioned examples attest to

¹⁹⁸ Particularly in the run-up to the 2014 national and provincial election.

¹⁹⁹ A by now well-known banner produced for the EFF inaugural rally proclaimed that "A revolutionary must become a cold killing machine motivated by pure hate". Another banner at the same event read "Honeymoon is over for whites"

²⁰⁰ This derogatory term is particularly loaded with significance, given its use by Hutu militias during the Rwandan genocide.

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significant, violent and intensifying activities that are in most cases *extra-institutional* in nature, particularly where violence or the threat of violence is employed.

Despite the democratic and constitutional foundation of the South African state, certain features pointing toward the securitisation of the state can be identified. In evaluating the praetorian nature of authoritarian states, it is evident that the coercive institutions of state figure prominently in political life, in the form of both the military and police establishments (as was the case during apartheid South Africa). The contemporary South African context exhibits no such domination by the armed forces, whose influence has waned with the demise of the apartheid regime. After 1994, the South African National Defence Force (SANDF) absorbed the personnel of the SADF, the former Bantustan homelands forces, as well as personnel from the former guerrilla forces. It could be argued that this process of post-apartheid reconfiguration has prevented the institutionalisation of the SANDF along the lines of, for example, Arab militaries that have historically enjoyed dominant positions of privilege and prestige in society. Certainly, in the democratic era, the military is no longer a priority in terms of funding in South Africa (see Wessels, 2010) and has not aspired to an autonomous political identity, nor been employed as an instrument of political exclusion or oppression (as has been the case in Zimbabwe, for example), whilst apparent decay in the capabilities of the SANDF has recently garnered attention after defeat in the Central African Republic at the hands of irregular forces in March 2013. Perhaps the most concerning perspective on the state of the SANDF is that of the South African Defence Review committee,²⁰¹ which noted in its final report (2014:ix) to the Minister that:

The Defence Force is in a critical state of decline ... Left unchecked, and at present funding levels, this decline will severely compromise and further fragment the defence capability. It is clear that certain defence capabilities, if not addressed now, will be lost in the very near future. The longer this prevails, the greater the effort, time and cost will be [needed] to restore the Defence Force.

The extent of the armed forces' 'activist' nature was exhibited during a protest in 2009, outside the Union Buildings, over salaries and working conditions, which turned violent and resulted in the arrest and dismissal of several hundred soldiers, though this was interpreted more as a manifestation of ill-discipline and insubordination than an attempt at political interference (DefenceWeb, 2012). Given these insights, it is questionable whether the SANDF could be relied upon by the regime to provide uncompromising coercive support, in the event of an escalating revolutionary tide.

²⁰¹ In 2011 the Minister of Defence and Military Veterans tasked the Defence Review Committee to develop an independent report on the future long-term defence policy for South Africa. The Committee was chaired by Roelf Meyer, who was briefly Minister of Defence for 9 months during 1991/2.

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However, it is in the context of the *police* and *civilian intelligence* establishments that disconcerting tendencies related to securitisation and praetorianism are observable. As noted previously, the re-militarised SAPS has in the recent past tended to be somewhat heavy-handed in its management of protest situations, demonstrated by a trajectory which culminated in the Marikana massacre. Certainly, the SAPS represents the frontline of the state's coercive capabilities, and is seemingly increasingly being employed to quell social unrest, as opposed to traditional policing roles (in 2011/2012, police were present during 11,033 crowd management incidents (Alexander, 2012:34)). This may rekindle the perception that the police force serves to protect and preserve the regime from citizens (as it did during apartheid), which would be a worrisome indicator of creeping praetorianism.

In the intelligence arena, signs of greater regime interference are evident. The National Intelligence Agency (NIA) has been turned into a 'political battleground' where the internal conflicts of the ANC regime are settled (specifically during and after the ascent of Jacob Zuma in 2009). Purges in the intelligence community have ensured that all senior officials are regime, and particularly Zuma, loyalists drawn from the erstwhile Umkhonto we Sizwe intelligence structures (Sole, 2010). It has been alleged that the state's intelligence apparatus has been employed to spy on independent newspapers, opposition politicians, and even the state broadcaster. The increased securitisation of the regime during Zuma's presidency is likely to escalate, given the urgency with which legislation was proposed such as the Protection of State Information Bill, General Intelligence Laws Amendment Bill, in addition to existing legislation such as the Regulation of Interception of Communications and Provision of Communication-related Information Act (RICA). These laws are designed to endow the so-called "security cluster" with wide-ranging powers that may be used to protect regime interests. Certainly, there is clear evidence of the security cluster mobilising in such a manner during the Public Protector's investigation into the use of public funds to upgrade Jacob Zuma's private Nkandla homestead in KwaZulu-Natal (Munusamy, 2014). In reality, this amounts to nothing more than the state's coercive and intelligence apparatuses being employed to protect private interests.²⁰²

However, given the heightened levels of factionalism in the ANC, it currently appears more likely that praetorian tactics involving the intelligence community will be employed in intra-party conflicts than to foster authoritarianism – a disconcerting tendency which potentially

²⁰² The tactics employed by the various ministries that comprise the security cluster included banning the publication of photographs of the Nkandla estate (since they might compromise the security of the President) and the designation of Nkandla as a National Key Point.

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undermines constitutional democracy and liberties, given the political hegemony of the ANC. Evidence of just such an exercise emerged prior to the 2014 election, with the announcement of 'Project Veritas' by the ANC, intended as a vetting process for aspirant members of parliament. It emerged that the 'project' is under the direction of former NIA officer, Thabo Kubu²⁰³ who had recruited several colleagues from the intelligence arena to join him at Luthuli House (Letsoalo & Mataboge, 2014). Party members have expressed concern that Project Veritas amounts to 'deep intelligence screening' and is in reality a poorly disguised attempt by Zuma to tighten his control over the party's caucus in order to consolidate internal support for a second presidential term (Mataboge, 2014).

The aforementioned examples from the regime context serve to highlight the important role that intelligence and a securocratic paradigm fulfils in the ANC as party and government. The prominent historian of the ANC, Stephen Ellis (2012:78) relates that after the party's Morogoro conference in 1969 it was decided (due to significant pressure from the SACP) that the ANC 'require[d] a basic organisation of full-time trained officers who have an understanding of the nature of what has to be done', which in practical terms 'implied the creation of a security organ controlled by the Party with authority over the whole of the ANC'. The idiosyncratic nature of the ANC's intra-organisational intelligence and security heritage is further explained by Ellis (2012:152-153):

It was on account of the new demands created by the influx of young recruits that ANC leaders decided there was an urgent need to expand the scope of the security and intelligence department ... The standard course offered to ANC security personnel by trainers from East German state security, or Stasi, aimed to instil a highly ideological view of security, as training manuals show ... Cadres took to calling the beefed-up security apparatus Mbokodo, a Xhosa word used to designate the stone used by women for grinding mealie meal. Some even referred to it as 'BOSS', in reference to the apartheid intelligence service.

In 1993, when glimpses of the true nature of the ANC's security apparatus in exile first began to surface, Paul Trewhela (1993:8) wrote of Umkhonto weSizwe as 'an army tyrannised by the ANC Security Department'. Such perspectives were gradually being corroborated by reports on human rights abuses in the ANC during exile, including that of Amnesty International (1992) and the Skweyiya commission (1992).²⁰⁴ Significantly, Trewhela (1993:13) notes that during the late 1980's there was, within the ANC:

²⁰³ Kubu was active in the exiled ANC's security organ called *Mbokodo* (see below) that was responsible for securing ANC camps outside South Africa, including Quatro in Angola. Jacob Zuma was *Mbokodo*'s deputy head between 1986 and 1993.

²⁰⁴ The exploits of the ANC security apparatus at its Quatro camp emerged as particularly horrific, with accounts of inmates (i.e. other ANC and MK members) being brutally tortured and subsequently executed with RPG7 rocket propelled grenades.

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[A] struggle [that] was of immense importance for the future of democracy and civic conditions generally in the whole of southern Africa. At stake were two different styles of leadership within the ANC, the one — of the 'external' leaders — deriving from three decades of closed, autarkic, command society in the camps with its model derived from the Soviet KGB and the east German Stasi; the other, of the 'internal' leaders, from the more open and pluralistic culture developed in the trade unions and civic associations within the country during the 1970s and 1980s.

It can therefore be argued that there is a clear securocratic tendency within the historical ANC in exile that continues under the auspices of the current ANC leadership that, according to Addison (2013), 'signals a radical determination to force conformity on comrades, criminalising the doubters and the disgruntled in the ruling alliance'. This historical perspective is supported by Boraine (2014:8) who explains that: 'The ANC was in exile for 30 years. During that period the conditions under which its people lived and worked, and the challenges they faced, cultivated a certain climate which was not abandoned on their return to South Africa'. Whether such tendencies are confined solely to the party itself is doubtful, given the South African regime dynamic and mounting evidence that the state's intelligence apparatus is fundamentally compromised. By its nature, the intelligence is a secretive activity and as a result, reliable information regarding its functions and performance is difficult to find. However, in recent years conflicts within the intelligence establishment have spilled over into the public domain. Chief amongst these battles has been that surrounding the former head of Police Crime Intelligence, Lt. Gen. Richard Mdluli, who is currently being investigated following allegations of corruption, maladministration and nepotism.²⁰⁵ Perturbingly, there is evidence that President Zuma and Police Minister Nathi Mthethwa *personally* intervened in the investigation in order to have the charges against Mdluli dropped (Amabhungane, 2012).

Severe problems in the intelligence establishment were also indicated in the most recent report by parliament's joint standing committee on intelligence (JSCI).²⁰⁶ The report (which is not available to the public) describes the JSCI as being 'unable to get the necessary co-operation from crime intelligence' and describes 'infighting and lack of trust' in crime intelligence as having thwarted its efforts (Bhardwaj & Hunter, 2014). The JSCI identified rampant factionalism and infighting in intelligence circles, noting that: 'An unhealthy disagreement emerged between the minister of state security and the senior management of the civilian intelligence, resulting in the director-general of the SSA, the head of the National Intelligence Agency (Domestic Branch), and the head of the South African Secret Service

²⁰⁵ It is alleged that Mdluli appointed and/or promoted his wife, ex-wife, brother in law, other members of his wife's family, daughter, son, and two concubines within Police Crime Intelligence structures. It is also alleged that Police Crime Intelligence acquired several operational "safe houses" that were in fact designated for the exclusive personal use of Mdluli and his extended family.

²⁰⁶ The report, tabled in March 2014, was the first in more than three years, indicating that legislative oversight of intelligence matters is virtually non-existent.

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(Foreign Branch), leaving the services' (Lund, 2014:3). Yet, despite the apparently dubious nature of intelligence activities, the report notes an astounding 263% increase in the number of cellular phone calls intercepted by intelligence structures, during the period 2008-2012. This indicates that despite the lack of oversight and the unstable nature of the intelligence establishment, there is a marked tendency of increased regime securitisation (opposition MP's and politicians have alluded that they are in fact the targets of such cellular interceptions). In 2014, the Right to Know Campaign released a report in which it identified 'an emerging trend towards security-statist approaches to governance' (R2K, 2014:2). The report furthermore identified the following tendencies as being indicative of a 'climate of secrecy and securitisation':

- The use of secrecy to shield political actors, in particular President Zuma, from embarrassment and accountability;
- Increasing limitations on protest, with an extraordinary spike in police violence and growing signs of the criminalisation of protest;
- Apparent increase in the use of state-security policies such as the National Key Points Act;
- Lack of democratic oversight of surveillance tools which are vulnerable to abuse.

Developments of this nature appear to support van den Berg's (2014:141) assertion that: "South Africa seems to reflect the characteristics of both that of a democratic as well as a non-democratic regime and seems to favour the latter in respect of its intelligence practices'.

7.3.14 Conclusion

From the discussion thus far, it is evident that the South African institutional context is characterised by increasing levels of violence and instability that are primarily driven by service delivery protests and labour unrests. Both of these swelling phenomena indicate willingness on the part of social and political forces to circumvent and undermine established political institutions, opting instead for a course of direct confrontation.

Regarding the securitisation of the state, there appears to be an emergent trend within the *regime* of increased securocratisation, where police and civilian intelligence establishments are employed in the service of the party and its leadership/factions.²⁰⁷ This would suggest

²⁰⁷ Given the Soviet and Communist doctrinal, military and intelligence training received by MK and ANC operatives during exile, the prominence of the party points to a disconcerting Stalinist tendency in the use of state power by the regime.

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that the securocratic agenda has a significant inward focus on intra-regime threats that is pursued at the expense of protecting the Republic from enemies of the state. It is therefore unclear whether the current nature of South African securitisation stands in the service of democracy.

Given these perspectives, the final aspect of the *secondary research question #5* that remains is whether the South African institutional context more closely resembles that of oligarchical, radical, or mass praetorianism. In answering this question, a nuanced interpretation of Huntington's praetorian sequence is presented. Consider the figure below:

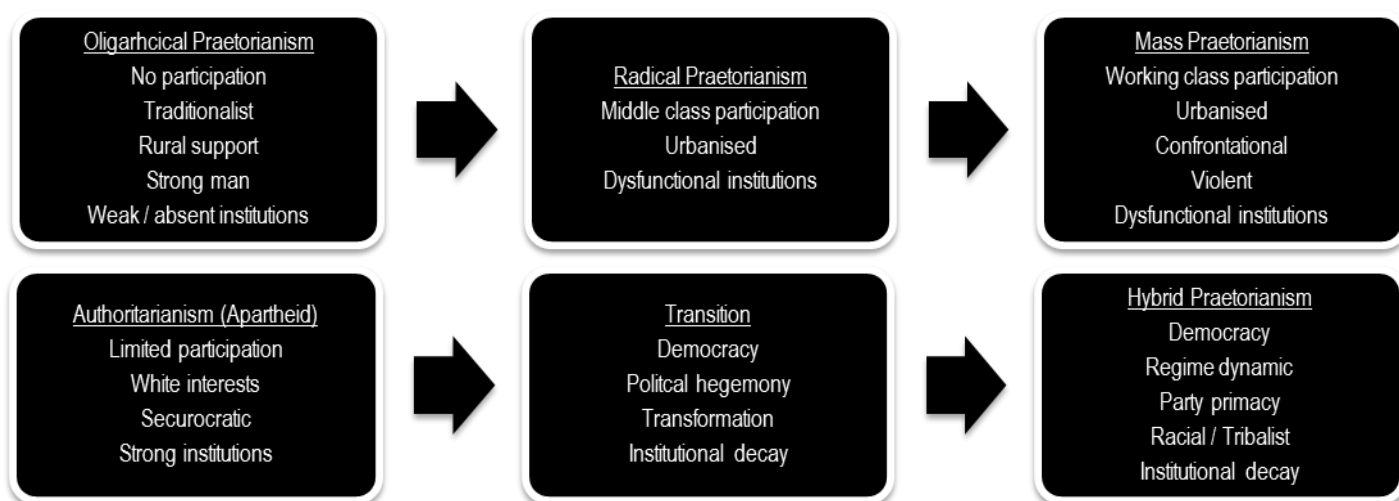


Figure 19: The Huntingtonian norm vs. South African praetorian development

Unlike the Huntingtonian praetorian progression, the contemporary South African institutional context was born of a highly institutionalised authoritarian regime. With the transition to democracy in 1994, the political hegemony of the ANC emerged that motivated a transformative socio-political agenda (this hegemony also served to fuse state, government and party into a regime). During this period, the highly (perhaps over-) functional but exclusionary institutional character of the apartheid regime was transformed according to ideological determinants (NDR), which played a significant part in institutional decay. The result is a hybrid outcome where democratic, ideological, oligarchical, and dysfunctional elements occur that variously marginalise, overlap, complement, or compete with one another depending on the time and place (in this regard, see Venter & Duvenhage, 2008:643).

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Whilst this may be a concise description of a complex outcome that undoubtedly warrants a study of its own, its meaning for the conclusion of this section is threefold. First, the South African institutional context exhibits the general characteristics of praetorianism, where levels of institutionalisation are low/decaying and political participation is simultaneously growing. Second, there exists a heritage of securitisation within the regime which is focussed inward (i.e. as a tool in the politics of survival) rather than towards society (i.e. authoritarian oppression). Third, and most importantly, current levels of extra-systemic political participation and violence point toward the *incremental progression towards mass praetorianism*. The latter, it must be stressed, is an emergent issue that has not yet reached the permutations of classic Huntingtonian mass praetorianism, but that exhibits the potential to do so. This conclusion sheds some light on the last remaining research question concerning the institutional context and its South Africa application.

7.3.15 Secondary research question #6

If the conditions for mass praetorianism have been established, what is the potential for revolution?

The reader will recall that in the previous chapter, the advent of mass praetorianism was described as a staging ground for revolution. In conclusion to the preceding research question, it was argued that the South African institutional context and political climate is characterised by a hybrid praetorian dynamic that does not yet approximate true mass praetorianism. As such, this study posits that currently the potential for revolution in South Africa is low. According to Huntington's analysis, a revolution (as an explosion of political participation) requires the synchronicity of timing and interests between the middle and working classes, as well as the rural and urbanised population (the 'rural-urban alliance' (Huntington, 1969:277)). As of yet, there is no political force or issue in South Africa that can bridge these divides and stimulate concerted action across the socio-economic spectrum. However, it was also previously noted that the current political environment is exhibiting a *shift towards mass praetorianism*, rather than institutionalisation and stability. This would suggest that even though the current potential for revolution is low, the political environment is presently set on a course of *greater volatility* (i.e. not development, but rather decay). Given the preceding discussion in this chapter, it is reasonable to posit the prognosis that if the future of South African politics were to be characterised by greater instability, violence, and confrontationalism (i.e. a heightened praetorian dynamic) the ANC regime will almost certainly react with greater securitisation of the state (as many governments and regimes have done in the past). It is, however, unclear whether the security cluster (and the

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intelligence establishment in particular) will possess the levels of functionalism and institutional integrity to insulate the regime in the future. Even at this stage, it appears exceedingly unlikely that the regime will be able to count on the conventional military to perform an effective securocratic role.

7.3.16 The South African institutional context: concluding perspectives

At the commencement of this section that aims to operationalise the constructs related to state dysfunction in the institutional context, the question was posed: *What is the nature of regime institutionalisation in the South African environment, taking into account the criteria of adaptability, complexity, autonomy, and coherence?*

The subsequent analysis first related the historical nature of the South African institutional context by reconstructing the development of the state. Two aspects emerged that were of particular relevance, namely (i) a heritage of democratic institutionalisation, albeit exclusionary democracy and (ii) centralisation as a defining institutional characteristic. Thus, immediately prior to the truly democratic transition of 1994 the South African institutional context was already 'democratically conditioned' and highly centralised as a result of approximately three centuries of development. Next, the African National Congress was evaluated as, arguably, the most influential political institution in South Africa. It was noted that the ANC too was a highly centralised organisation, guided by an overriding ideology in the form of the National Democratic Revolution. The NDR essentially espouses a 'revolution from above' via a concerted process of transformation, according to which the ANC is the only actor capable of delivering the outcome of a National Democratic Society. In order to realise this ideological goal the party is placed in a position of institutional superiority, trumping all aspects of government and state. The effect of this is the emergence of a regime dynamic, wherein the discernable pillars of party, government and state become fused into a homogenous political regime dominated by the party. In this manner, the interests of the public and of the state become subservient to the party (and in particular the party *elites*).

Subsequently, a series of secondary research questions were answered that concluded that:

- Corruption and maladministration is widespread within the regime context and represent problems that are becoming systemic in nature.

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- State submission and accommodation to organised labour and COSATU (which is an integral part of the regime) in particular has undermined the economic interests of state and has sustained chronic labour instability.
- Neo-patrimonial, presidentialist and clientelist practices are not only present in the regime, but are in fact prominent institutional characteristics.
- The tactics related to the politics of survival, viz. the 'big shuffle', non-merit appointments and, increasingly, the use of dirty tricks are widespread and (in certain cases essential) components of the regime. In fact, the big shuffle and non-merit appointments are ideologically sanctioned.
- There is an escalation of instances where social and political actors choose to bypass political institutions in favour of direct and unmediated confrontation. Additionally, the regime (via the ANC) possesses a securocratic heritage that is once again asserting itself amid intra-regime instability. Both these issues combine to manifest a hybrid praetorianism that signals a progression towards classical mass praetorianism.

Given these insights, and by means of conclusion, it is now possible to evaluate the nature of institutionalisation (according to Huntington's four criteria) with regards to the South African state.

First, in terms of *institutional complexity*, the emergence and nature of an ANC regime has the potential to undermine institutionalisation, since institutional power is centralised completely within the ruling party. Such power, and the actors that wield it, is therefore not diffused and varied in nature where it occurs in the various institutions of state (or levers of power, to use ANC terminology) but ideologically homogenous. This enforced uniformity reduces institutional complexity since all ideological and practical considerations emanate from one source (the party).

Second, in terms of *institutional autonomy*, the emergence and nature of an ANC regime has the potential to undermine institutionalisation, since the fusion between party, government and state eliminates the autonomy of state institutions. Institutions are subsequently dominated by the interests of the ruling party, and may therefore be prevented from acting autonomously in instances where a state action is required which contravenes the narrower interests of the ANC. If procedures of a state institution are subordinated to the procedures of a political party, it cannot be said that autonomy exists within that institution. Additionally, the prevalence of corruption, bribery and maladministration undermines autonomy by subverting public functions to private interests.

Third, in terms of *institutional coherence*, the emergence and nature of an ANC regime has the potential to promote institutionalisation, since the political consensus created by a dominant regime may contribute to institutional discipline and unity. However, such institutional coherence may only be achieved if the party itself exhibits a unified and coherent character – that is, the ability to effectively manage competing internal interests. Currently, this is not the case, since growing factionalist, tribalist and securocratic tendencies are observable.

This application of Huntington's criteria indicates that the South African intermediate context exhibits signs of institutional decay rather than consolidation and development. As such, the conclusion of this operationalisation of the intermediate dimension of state dysfunction is that: *The South African institutional context reveals a strong and centralised regime dynamic, whereby the state and constitution have become subservient to the ruling party. This dynamic exacerbates the effects of various institutional phenomena related to state dysfunction that form part of the analytical framework identified previously, all of which have been found to be present to a certain extent. As a result, this operationalisation concludes that the institutional context is currently dysfunctional, with strong likelihood of further decay.*

7.4 PART THREE - The South African external dimension

Having operationalised the research questions applicable to the internal and intermediate dimensions of state dysfunction this section will focus on the external dimension, relating to the international context. It was noted in chapter six that the primary research question that must be operationalised in this context is: *To what extent are aspects of negative sovereignty employed in South Africa's relations with the international community, in both historical and postcolonial contexts?* In order to operationalise the constructs related to the external dimension and adequately answer the primary research question, four secondary research questions were identified. Each of these questions will be evaluated below, thereby operationalizing their related constructs.

7.4.1 South Africa's international evolution

The history of South African interaction with other states in the international arena can be delineated according to three main periods that run parallel to the development of formal statehood (discussed previously). The first period spans from after Unification to the

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Republic (i.e. 1910-1961) during which, as part of the British Empire, South Africa's foreign relations were aligned with, and in large part determined by, that of Britain. When the United Kingdom declared war on Germany in 1914 during the First World War, Prime Minister Louis Botha and his cabinet were of the view that the Union automatically became involved in the conflict since, like other British dominions, South Africa was not a sovereign state (Thompson, 2001:154). Approximately 231,000 South African troops subsequently saw action in various theatres of war, including the protectorates of German South West Africa and German East Africa as well as on the Western Front. General (and later Prime Minister) Jan Smuts commanded South African forces during the African campaigns and was appointed to the Imperial War Cabinet in 1917. It was during this period that Smuts first used the phrase 'the British Commonwealth of Nations' in reference to what he (with some foresight) anticipated to be the 'future constitutional relations and readjustments in the British Empire' (Crafford, 1945:136). With the outbreak of the Second World War in 1939, South Africa's allegiance to the Empire once again trumped domestic political considerations, when Prime Minister Hertzog (pursuing a strictly neutral stance) was deposed by his parliamentary caucus in favour of Smuts.²⁰⁸ Once again South Africa contributed significant manpower to the war effort, numbering approximately 334,000 men, including Smuts' co-option to the Imperial War Cabinet. After WWI Smuts was the leading proponent for the creation of a League of Nations which he envisaged would 'have to occupy the great position which has been rendered vacant by the destruction of many of the old European empires' (Crafford, 1945:158). Similarly, in 1946 he urged the formation of a new international organisation – the United Nations.²⁰⁹ In 1950, South Africa formed part of a military force assembled by the UN to intervene in the North Korean invasion of its southern neighbour.

The second period spans 1961-1994, during which years South Africa became a republic and its foreign relations were defined as being part of the apartheid state. The Sharpeville massacre in 1960 was a watershed for South African international relations and served to sway a formerly ambivalent international community towards the condemnation of apartheid. Realising that it faced opposition from African and Asian states within the Commonwealth, South Africa withdrew from the group in 1961. Similarly, in 1962, the UN General Assembly passed Resolution 1761, condemning apartheid and in 1963 the Security Council adopted Resolution 181, which called for a voluntary arms embargo against South Africa (the embargo became mandatory in 1977). Thus, the Nationalist regime's commitment to

²⁰⁸ According to the 1931 Statute of Westminster, South Africa was a co-equal dominion of the British Empire and was therefore constitutionally obligated to declare war against Germany under the Polish-British Common Defence Pact.

²⁰⁹ Smuts eventually authored the preamble to the United Nations Charter, and was the only person to sign the charters of both the League of Nations and the UN.

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pursuing a domestic policy of institutionalised racial discrimination led to the gradual isolation of the state in international affairs. During this period, foreign policy was characterised by bilateral relations between key trading partners (such as the UK, USA, and Israel) and other African states under Vorster's 'outward looking' policy which, according to Legum (1972:15) was 'an attempt by the apartheid regime to counter economic sanctions and diplomatic isolation, spearheaded by the ANC and the PAC through the OAU. To counter these efforts South Africa embarked on a vigorous mission to establish bi-lateral and multi-lateral relations with a number of amenable African states such as Malawi in the late 1960s and the 1970s'. However, from the perspective of many Western and Third World states South Africa was increasingly considered a 'rogue state' throughout the 1970s and 1980s (Nel, Taylor & Van der Westhuizen, 2001:111). Another significant determinant of South Africa's international position during this time was the development of the Cold War and related conflicts in southern Africa, among which could be counted the struggle to liberate South Africa. The latter was interpreted by the regime to represent a 'total onslaught' that necessitated a 'total strategy', which required the state to become increasingly militarised and praetorian.²¹⁰ In reaction to the guerrilla wars waged by the ANC, PAC and SWAPO, the South African Defence Force was deployed in South-West Africa, Angola and Rhodesia by 1975. According to Magubane (2007:87) this 'total strategy' effectively turned South Africa into a garrison state, deepening not only its own international isolation but also contributing to regional destabilisation. For the ANC, the Cold War presented opportunities for closer ideological and military alignment with the USSR and other states of the Communist Bloc which, combined with the intellectual input from the SACP, strengthened the socialist/Marxist orientation of the movement as currently articulated in the NDR. Throughout the 1980s, heightened internal instability (prompting PW Botha to declare a state of emergency in 1985) coupled with the increasingly hostile posture of the international community (best exemplified by the volatile UN General Assembly meetings of that time) foisted upon the regime, or at least its moderate constituents, the realisation that political reform was necessary and in all likelihood inevitable. The Presidency of FW de Klerk in 1989 coincided with the demise of the USSR and signalled the beginning of domestic liberalisations and reform, including the release of Mandela and the independence of Namibia in 1990. The early 1990's witnessed the gradual cultural, sporting and diplomatic readmission of South Africa to the international community.

The third period spans the years from 1994 to the present. During this time South Africa was democratised domestically and, under successive ANC governments was reintegrated

²¹⁰ See *Pretoria's Praetorians* (Frankel, 1984).

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internationally. This period also forms the locus of the secondary research questions that will be addressed subsequently. With the first multi-racial democratic election, South Africa was no longer considered a 'pariah' and 'skunk among nations' and became, virtually overnight, a darling on the international stage. By early 1995, South Africa had established full diplomatic relations with most states and was readmitted to full membership of the UN, Commonwealth, OAU and SADC. During his final State of the Nation Address, Mandela (1999:10) remarked that: 'For a country that not many years ago was the polecat of the world, South Africa has truly undergone a revolution in its relations with the international community. The doors of the world have opened to South Africa'. Indeed, during the honeymoon period that followed 1994, international relations were dominated by Nelson Mandela as an individual. As Alden & le Pere (2003:16) elaborate: 'Mandela's towering personality and international stature meant that he dominated every major foreign-policy decision, overshadowing the DFA, the cabinet and parliament'. Subsequently, the late 1990s and early 2000s witnessed two important changes related to South African international relations, namely the transformation of the Foreign Service and the Presidency of Thabo Mbeki (the former being more vigorously pursued during the latter's tenure). The Department of Foreign Affairs was, like all post-apartheid institutions of state, transformed according to the dictates of the NDR. This resulted not only in the loss of much diplomatic experience but also intra-departmental conflict between what van der Westhuizen (1998:444) labels the 'neo-mercantilist' (old order diplomats pursuing the national self-interest and economic gain) and 'internationalist' camps (former exiles who aimed for greater solidarity with the developing world). The lacklustre performance and apparent mediocrity of the Department of Foreign Affairs (as South Africa's primary instrument of foreign policy) from 1999 onwards is reflected in the tenure of Nkosazana Dlamini-Zuma as Minister of Foreign Affairs. An Mbeki loyalist and divorcee of Jacob Zuma, Dlamini-Zuma was moved from her position as Minister of Health during Mandela's presidency, where her oversight of the department had often been controversial.²¹¹ The result of her appointment to the Ministry of Foreign Affairs was a 'disaster', according to Johnson (2010:322):

Despite Dlamini-Zuma's efforts to shield envoys who were political appointees, there was an increasing number of scandals in embassies abroad. By 2001 three full ambassadors and nine junior officials were under investigation for 'unbecoming behaviour', ranging from financial fraud to sexual harassment and insubordination, while the country's high commissioner in Ghana was found guilty of 'persistent drunkenness'.

²¹¹ She, along with Mbeki, was a vociferous supporter of the anti-Aids drug that was not only rejected by the scientific community, but proven to be toxic to humans. Earlier, in August 1995, the Department of Health awarded a R14.27 million contract to the aids awareness musical *Sarafina II*, which was later abandoned after investigations into financial irregularities in the commission and production of the play.

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However, such instances did little to dampen Mbeki's personal predisposition towards the international relations that characterised his presidency. According to Nel, Taylor & van der Westhuizen (2001:5) this 'heroic orientation' adopted by Mbeki dominated South African foreign policy, which was informed by:

- High levels of transformational activism in international forums and endorsing multilateralism as a preferable form of global interaction.
- Attempts to revive and strengthen the multilateral institutions that protect the interests of developing states (in Africa and globally).
- Efforts to change the way in which global governance interacts with developing states and in particular the marginalisation of Africa.

These aspects combined to form a unified theme in Mbeki's Presidency and foreign policy, namely that of an 'African renaissance'. In practice, this required that Mbeki devote a disproportionate amount of Presidential time and effort to fulfilling the role of international statesman. That included chairing the African Union, establishing a Pan African Parliament founding the New Partnership for African Development (NEPAD), resuscitating and chairing the Non-Aligned Movement, mediating conflicts in Burundi, Cote d'Ivoire, and the DRC, facilitating power sharing in Zimbabwe, initiating dozens of bilateral foreign visits, and attending high profile (and often obscure) international gatherings such as conferences, funerals and celebratory occasions abroad. Given his over-commitment in the international arena and frequent absences from home soil, Landsberg (2012:22) explains how 'During his tenure as president, Thabo Mbeki faced criticism for his tendency to micromanage the country's international relations, adopting a position as an "imperial president" in foreign policy'. In a similar vein, van Wyk (2012:277) comments on 'Mbeki becoming the country's *Über* diplomat, side-lining the line department [of Foreign Affairs] ... and Parliament'. Such perceptions, coupled with his centralist style of regime governance at home, played a significant role in alienating him from his party and were decisive factors in his removal as President in 2009.

Since 2009 the Zuma Presidency has largely continued along the foreign policy path blazed by Mbeki in the early-2000s, prompting Olivier (2013) to note that: 'Like former president Thabo Mbeki, President Jacob Zuma is also a foreign-policy president and a frequent flyer', (even though he has displayed less personal involvement in this arena than his predecessor). The majority of Zuma's diplomatic efforts have been focussed on securing South Africa's admittance to the BRICS group of developing states, which was achieved,

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with much fanfare, in 2011. The tangible benefits of this affiliation are, however, yet to emerge. Therefore, despite the recurrent themes of solidarity in the developing world, the transformation of global power relations and the promotion of international human rights, South Africa's post-apartheid foreign policy has been less cogent and decidedly ambiguous in practice. As one commentator recently argued: 'Over the past decade and more ... South African foreign policy has been bedevilled by what could be termed a slow-growing, *ad hoc* amateurism' (Spector, 2013). Although harsh, such a perspective may be substantiated when taking into account recent episodes relating to foreign policy:

- The ill-defined and ambiguous policy of 'quiet diplomacy' that has been adopted towards Zimbabwe over the last decade.
- The contradictory position adopted on the issue of NATO's 2011 aerial intervention in Libya and a tacit support for Muammar Gaddafi during this period.
- The tolerant and largely uncritical stance adopted towards the al-Assad regime in Syria after the Arab uprisings of 2010.
- Support for Ivorian Presidential candidate, Laurent Gbagbo, even though he lost Cote d'Ivoire's 2010 presidential election outright (in a result that was endorsed by the UN).
- An ill-fated military intervention in the Central African Republic, where 13 South African soldiers were killed in action in 2013.
- Ignoring human rights abuses in the neighbouring states of Zimbabwe and Swaziland.

According to Mills (2011) the international diplomatic fraternity has grown accustomed to that which he describes as 'double standards on human rights issues that, since the passing of the Mandela era, have become the norm in South Africa's foreign relations'. This orientation, according to Mills, has the potential to create an international perception of South Africa as a 'rogue democracy'. This is a disconcerting prognosis that deserves greater scrutiny – which it will be duly granted in the remainder of this chapter. Having introduced and contextualised the three chronological parts of South Africa's development with regards to the external context, it now remains to provide an explicit ideological orientation for the ANC regime's foreign policy orientation, before the secondary research questions are considered.

7.4.1.1 *The NDR and the ANC regime's foreign policy fundamentals*

The *Strategy and Tactics of the ANC* (2013) represents the party's ideological roadmap towards building a National Democratic Society. It sets out the ANC's tasks and

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responsibilities 'that have to be undertaken in a global environment of contradictory tendencies' (ANC, 2013:par.4).

A significant portion of the document is devoted to the international significance of the NDR and is entitled *The Global Balance: Character of the International Situation*, from which it is possible to identify the essence of the regime's foreign policy orientation. The document commences by stating that the 'dominance of a capitalist system with minimal regulation presents enormous challenges for social development and for global governance and security' (par.5). This ideological precedent is further clarified by noting that:

- 'The ANC was formed and it evolved as part of progressive forces across the globe in the fight against colonialism, racism, poverty, underdevelopment and gender oppression. It drank and continues to drink from the well of these progressive global experiences' (par.151).
- 'At the political level, the dominant imperialist powers have historically used various means to assert their geo-political and economic interests. This finds contemporary expression in unilateralism and militarism which have reared their ugly head on a scale hardly witnessed in recent history. In intellectual and policy discourse, notions of empire and benevolent colonialism find respectable articulation. In many respects, the current global balance is evocative of the situation in previous eras of dominant empires and colonialism when brute force was the currency of geo-political intercourse' (par.157).
- 'The ANC forms part of the global forces - including governments, political parties and civil society organisations in developing and developed countries - campaigning for a humane and equitable world order' (par.178) and 'The ANC will continue to work with other countries and progressive forces to promote the transformation of the global order away from unilateralism and conflict' (par.179).

Noting the above extracts, and taking into account the perspectives regarding South Africa's post-apartheid foreign policy discussed previously, it is possible to conclude that the ANC regime's orientation towards the external environment is based upon the conception of a postcolonial context which is still characterised by inequalities between developed (generally rich, neo-colonialist and neo-imperialist) states and developing (generally poor, marginalised and exploited) states, while the ANC regards itself as part of a progressive movement to transform the unequal nature of international power relations. This underlying regime-ideological orientation should be consistently borne in mind when operationalizing the series of secondary research questions that follow.

7.4.2 Secondary research question #1

Are the unconditional rights of self-determination and non-intervention invoked (both historically and currently) in such a manner that they undermine the core attributes and functionality of the state?

For the purposes of addressing this secondary research question, the operationalisation will distinguish between the ANC as liberation movement (pre-1994) and the ANC regime (post-1994). Regarding the invocation of the right to self-determination the ANC was an active (if not leading) proponent of this doctrine. Indeed, the armed struggle it waged after 1961 was squarely formulated in the language of self-determination and the abolition of colonialism. As Oliver Tambo (1980) explained:

The state of war which exists in South Africa is a war of national liberation, for self-determination on the basis of the Freedom Charter ... It is, as Article 1 of Protocol 1 of 1977 [of the Geneva Convention] recognises, an armed conflict in which peoples are fighting against 'colonial domination and alien occupation and against racist regimes in the exercise of their right of self-determination.'

The Freedom Charter (ANC, 1955) also utilises the lexicon of liberation:

'South Africa shall be a fully independent state, which respects the rights and sovereignty of all nations ... The right of the peoples of Africa to independence and self-government shall be recognised and shall be the basis of close co-operation.'

Therefore, it is reasonable to posit that the notion of self-determination for all South Africans, and particularly non-whites, was regarded as an unconditional right by the ANC and furthermore represented a fundamental point of departure in the struggle against apartheid. However, it is also important to take note of the aspects that *differentiate* the ANC's struggle for self-determination from those of other liberation movements.

First, the apartheid state as apparatus of oppression differed from conventional colonialism in the African context. Whereas European colonialism was usually perpetrated by a metropolitan power geographically removed from the colony itself, apartheid was maintained by an *indigenous* white minority. The ANC (1987) conceptualised this nuance as 'colonialism of a special type' according to which:

... there is no spatial separation between the colonising power (the white minority state) and the colonised black people ... The special features of South Africa's internal colonialism are also compounded by the fact that the white South African state, parliament and government

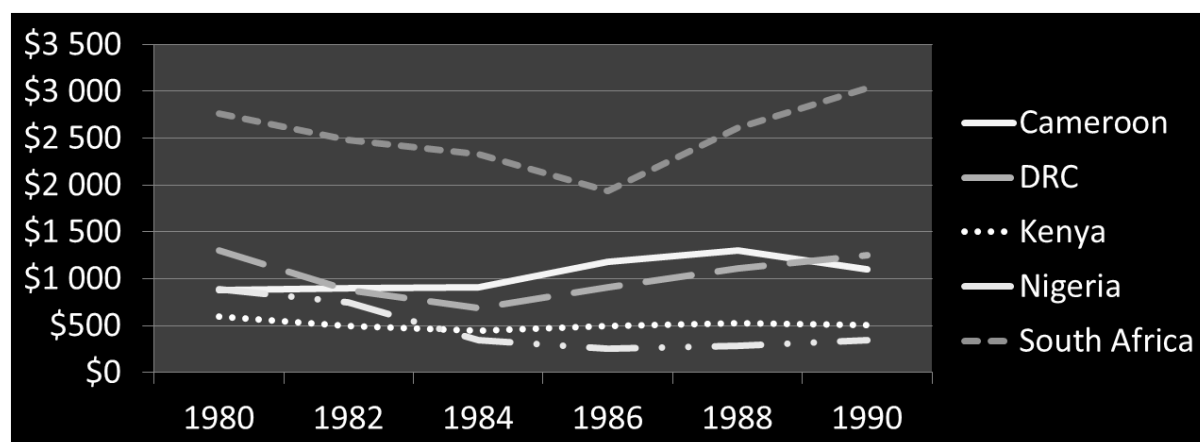
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are juridically independent of any metropolitan country and have a sovereignty legally vested in them by various Acts of the British government and state.

Therefore, the white minority were *settlers* with permanently vested interests in South Africa, as opposed to the extractive and foreign nature of conventional colonial powers such as Belgium, Portugal, France and Britain. This reality, in turn, had implications for the post-liberation environment for *both* the liberator and oppressor, since both groups would have to *co-exist*. This stands in contrast to the large scale repatriation of Europeans to the metropolitan state after earlier episodes of African decolonisation.

Second, because of the reasons indicated above, the white minority state had, during the course of its existence, invested heavily in its own perpetuation. This created a functional state in the positivist sense of the word, whereby the institutions and apparatus of state were developed and consolidated, stimulated in large part by the highly profitable mining sector and its contribution to the South African economy. Accordingly, South Africa had the highest GDP per capita in Africa during a time when other postcolonial states were experiencing economic decline, as the graph below clearly demonstrates:

Graph 6: GDP per capita of selected independent African states, 1980-1990



Given the relative infrastructural strength of the South African apartheid state in economic, but also military terms, a *negotiated* transition was a strong likelihood, since both parties had too much to lose in a zero-sum scenario. Furthermore, a negotiated transition also meant that the ANC would receive the institutions and apparatus of state (or in the party's idiom the "levers of power") *in an intact, developed and functional condition*.

In returning to Jackson's theoretical contribution, as discussed in previous chapters, the reader will recall that the invocation of an unconditional right to self-determination was

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reasoned to be a contributor to state dysfunction since *the crucial consideration of postcolonial feasibility was routinely disregarded* during periods of transition. However, the South African transition exhibits features that distinguishes it from the classic postcolonial transition, to wit: (i) an indigenous, not foreign, oppressor that (ii) had permanently vested institutional interests in the South African state, which (iii) necessitated a negotiated transition resulting in (iv) a form of 'pacted transition' (Linz & Stepan, 1996:55) characterised by compromise. The well-known outcomes of this transition were an inclusive democratic order defined by Constitutional supremacy and, at least initially, a Government of National Unity. Thus, even though the ANC pursued the goal of self-determination throughout, it was *not realised unconditionally* since it was the outcome of a negotiated settlement that resulted in the *functionality of the South African state apparatus being retained* in the immediate post-apartheid setting.²¹²

The remaining part of the secondary research question concerns the selective appeal to the right of non-intervention in such a manner that it undermines the functionality of the state. Typically, the right to non-intervention is cited by dysfunctional states/regime wishing to maintain a dysfunctional institutional environment (typically characterised by neo-patrimonialism) that works to its domestic benefit, by excluding foreign intervention that might threaten or alter the status quo. By the same token, the inviolable sovereignty of states is the premier statute in the canon of contemporary international relations, and foreign intervention is usually a contentious practice (even in cases where it is justifiable in terms of international law) and is only pursued in instances of urgent compulsion.

During the 20 year existence of the post-apartheid state there has not been an internal crisis of such magnitude that would warrant the possibility of intervention by a foreign state, either unilaterally or as part of a multilateral coalition. As a result, the regime has not been required to assert its right to non-intervention in the realm of international relations against foreign invaders. However, the ANC regime's roots as a liberation movement (and its concomitant ideological espousing of non-intervention) have often been revealed in solidarity with other states of the developing world, particularly those in Africa. For example, merely days after having voted for UN Resolution 1973 authorising military intervention in Libya, President Zuma condemned NATO operations in that country, stating: "We say no to the killing of civilians ... No to the foreign occupation of Libya or any other sovereign state!" (Economist, 2011). Similarly, as part of its position of "quiet diplomacy" towards Zimbabwe,

²¹² As previously indicated in this study, there is strong evidence to suggest that the negotiated settlement is still viewed by many in the regime to have stymied the *revolutionary* course of action sought by radical members of the ANC prior to negotiations.

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the regime has endorsed the principle of non-intervention in its neighbour's affairs and condemned European and British sanctions against Mugabe – despite the fact that Mugabe's leadership and governance has long departed from any democratic norm.

The regime's penchant for non-interventionist strategies such as 'quiet diplomacy' (which includes refraining from condemning human rights abuses), particularly where developing states are concerned, may be argued to be one of the few consistencies present in its foreign policy. However, early in the democratic era, this position was challenged by Nelson Mandela, who condemned Nigerian General San Abacha's regime after it executed nine prominent anti-government activists (this, after quiet diplomacy had evidently failed). Mandela strongly criticised Abacha publically and called for sanctions against the Nigerian military regime – a move that sparked outrage in the community of African states. Pretoria subsequently failed to secure SADC or Commonwealth support in condemning Nigeria, thereby highlighting a conundrum that would characterise South African foreign policy in the years to come, namely that, to quote Taylor and Williams (2006:13), '[South Africa's] desire to champion African solidarity was directly at odds with its stated foreign policy principles of speaking up for liberal values of human rights, democracy and the rule of law'. It would appear that the chastisement of South Africa after the Nigerian incident by other African states fixed the notion that any form of unilateral gesture that could compromise African solidarity was off limits – *regardless of the legitimate issues at play*. From that point onwards, the norm of regional/continental relations became that of quiet diplomacy towards other regimes in Africa, with foreign involvement only considered upon request of another government (e.g. military intervention in Lesotho during 1998)²¹³ or as part of a multilateral initiative (e.g. Burundi and the DRC).

7.4.2.1 Conclusion

From the preceding operationalisation, it is evident that both the constructs of self-determination and non-interference are invoked by the ANC regime, which is itself an example (albeit somewhat atypical) of a postcolonial liberation movement-*cum*-government. First, it was shown that the particular nature of the South African 'colonial' transition was characterised by negotiation and compromise and, as such, the realisation of self-determination under the stewardship of the ANC cannot be said to have been unconditional. Similarly, the transition period itself was widely hailed as a success and did not in itself

²¹³ Given that Lesotho is entirely landlocked by South Africa, the 1998 military intervention to restore the democratically elected government after a *coup d'état* may equally be viewed as an exercise to maintain South Africa's internal stability. Botswana also took part in the 7 month operation, codenamed *Boleas*.

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undermine the core attributes and functionality of the state – it is posited elsewhere in this study that the decay in state functionality commenced with the *ideological transformation* of the South African state ('levers of power'), which only occurred *after* the transition. This is an important perspective, since many postcolonial dysfunctional states can cite the period of transition *per se* as a watershed in the decay of the state's functions and attributes.

Second, although the regime has not needed to invoke the right to non-interference with regard to South Africa's domestic affairs, its foreign policy is defined by a fundamental subscription to this notion. Solidarity with other states in the developing world, and particularly in Africa, which are politically oppressive and dysfunctional appears to be a leitmotif in South African foreign policy. Condemnation of such states is strictly avoided, according to the practice of "quiet diplomacy" that may itself be interpreted as a proxy for the unconditional right to non-intervention. Since this issue relates to foreign states, it does not represent an immediate dysfunctional influence domestically. However, if the ANC regime is perceived to be tolerant towards dysfunctional states for the expediency of African solidarity, it may also be perceived to be leaning towards accepting patterns of state dysfunction domestically.

7.4.3 Secondary research question #2

Is developmental assistance claimed from the developed world on grounds of redress, and how is such aid employed domestically by the regime?

It was noted previously in this chapter that the first post-apartheid government inherited a functional state apparatus with a comparatively strong economy, albeit one that was internationally isolated through sanctions. Because South Africa had not been a colony for nearly half a century, much domestic investment had taken place locally through both the public and private sectors. Thus, South Africa presents an exception to the rule of aid dependent postcolonial states that characterised Africa for much of the latter part of the 20th century. Additionally, given South Africa's unique 'colonial' history, it is not possible for the current regime to make claims of compensation from another sovereign state for colonial redress.²¹⁴

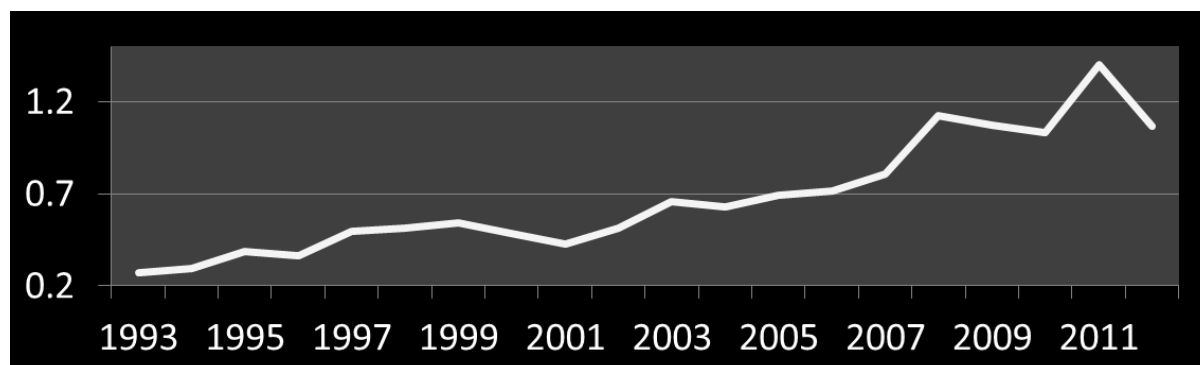
Despite being classified as an upper-middle-income economy by the World Bank, South Africa has received substantial amounts of Official Development Assistance (ODA) from the

²¹⁴ However, individuals such as Desmond Tutu and Pierre de Vos have argued for a "wealth tax" on those who benefitted from apartheid (i.e. white South Africans).

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developed world, of which the amount currently stands at approximately \$1 billion per year, as indicated by the graph below:

Graph 7: Net Official Development Assistance (OAD) received by South Africa in US\$ Billion, 1993-2012



Yet, given its current level of economic development, South Africa receives a high proportion of development assistance when compared to states with similar GDP per capita figures, as shown by the table below:

Table 20: Comparison of net ODA received in 2012

STATE	GDP PER CAPITA (US\$)	ODA RECEIVED IN 2012 (US\$)
Colombia	7,752	778,440,000
South Africa	7,508	1,090,790,000
Grenada	7,485	7,840,000
Azerbaijan	7,392	342,910,000

It is, however, important to note that not all development assistance is measurable in monetary terms. According to Besharati (2013:14) South Africa's development challenges include 'high poverty rates and weak capacity of the public service to deliver appropriate services, which thus justified donor engagement [and] much of development assistance, was therefore provided in the form of capacity development'. Therefore, while foreign development assistance to the South African *government* has been largely capacity building, *civil society organisations* are the primary recipients of actual donor funds.

Despite receiving substantial amounts of ODA, South Africa has never been an aid *dependent* state and annual development assistance from abroad does not exceed more than 1% of total Gross Domestic Product. However, this does not mean that the regime is willing to forego the aid it currently receives. When the UK announced in 2013 that it

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planned to stop bilateral development assistance to South Africa by 2015, the move was criticised by DIRCO (2013), which stated that it had 'noted with regret the unilateral announcement [that will] no doubt will affect how our bilateral relations going forward will be conducted'. This indicates that South Africa still views foreign development assistance as an important component of its relations with the developed world.

7.4.3.1 Conclusion

Although South Africa is a recipient of substantial official development assistance, particularly when compared to other upper-middle-income states, it is not aid dependent. The majority of development assistance is administered not by government organs, but rather by civil society organisations that generally have good track records of accountability. Given the absence of an orthodox colonial past, it is not possible for the regime to claim developmental assistance on the grounds of redress. However, the ANC regime's traditional foreign policy stance is one that emphasises the developmental responsibility of developed states towards the global South (discussed in the preceding section). It is therefore reasonable to posit that, given the international component of the NDR (and its domestic employment equity policy) the regime endorses a form of 'international affirmative action', although South Africa's apartheid history and comparatively high levels of economic development precludes it from benefiting directly from such an arrangement.

7.4.4 Secondary research question #3

Are human rights observed and protected domestically, and does a transparent relationship with the international community exist in this regard?

As alluded to previously, the place and role of human rights in South African foreign policy has been a contentious issue in the democratic era. As an idea, human rights stand centrally in the ideological framework of the ANC regime. It also represented a much publicised part of its struggle for democracy whilst the organisation was in exile. In his seminal 1993 article in *Foreign Policy* magazine, Mandela (1993:86-93) proclaimed that the foreign policy of a democratic ANC government would rest on four pillars, most important of which would be 'that issues of human rights are central to international relations and an understanding that they extend beyond the political, embracing the economic, social and environmental ... Human rights will be the light that guides our foreign affairs'. However, the

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regime's human rights credentials, both domestically and internationally, require closer scrutiny.

7.4.4.1 *Domestic human rights perspectives*

Nelson Mandela (1993:87) described the international anti-apartheid campaign as 'the most important human-rights crusade of the post-World War II era'. To be sure, during 'the mid-1990s the ANC was basking in the glow of a peaceful democratic transition and was portrayed as the pivotal protagonist in the triumph of universal human rights over apartheid. This, in turn, accorded South Africa the status of having a significant 'moral stature' in its early post-apartheid international relations (Titus, 2009:13).

In stark contrast to this, the ANC *in exile* had been an organisation with scant regard for human rights, including those of its members. The final report of the Truth and Reconciliation Commission (TRC, 1998:325) notes that it had found that the ANC and its various organisational components, particularly MK, had 'committed gross human rights violations in the course of their political activities and armed struggles, acts for which they are morally and politically accountable'. The cited violations refer not only to acts of terror against South African civilians, but also in the ANC rank and file. The Commission (TRC, 1998:348) found that:

...the ANC, particularly its military structures which were responsible for the treatment and welfare of those in its camps, were guilty of gross violations of human rights in certain circumstances ... although it was not ANC policy to use torture, the Security Department of the ANC routinely used torture to extract information and confessions from those being held in camps.

The ANC's security apparatus (discussed previously in this study) was singled out by the Commission, which found that:

Many of these abuses were committed by the ANC's security department (established in the mid-1970s) – known by the acronym NAT (for National Security) or Mbokodo/Mbokotho ('crushing boulder'). The detention camp in Angola known as Quatro (Number Four), officially called the Morris Seabelo Rehabilitation Centre or Camp 32, was set up in 1979 as a 'rehabilitation centre' and was one of the places where significant abuses took place.(TRC, 1998:349)

It is therefore ironic that the international campaign against apartheid, declared apartheid to be a crime against humanity yet Trehwela (2009:3) could describe the actions of the ANC/SACP in exile (2009:3) as follows:

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This regime of terror, extending beyond the gates of the ANC/SACP 'Buchenwald' of Quadro, was a necessary element in the total practice of repression and deception which made the Anti-Apartheid Movement the most successful Popular Front lobby for Stalinism anywhere in the world.

Thus, there exists an incongruity between the human rights approach of the ANC in exile when compared with its much vaunted foreign policy orientation in the democratic era.

Notwithstanding this controversial past, since 1994 domestic human rights have been enshrined and generally observed under the ANC regime, in line with the Bill of Rights and so-called Chapter 9 institutions such as the South African Human Rights Commission (SAHRC), Public Protector and the Commission for Gender Equality. According to Freedom House (2014) South Africa is regarded as a free country, scoring well in the categories of freedom, civil liberties, and political rights. However, several factors are cited that impinge on human rights, including:

- The regime's sensitivity towards criticism in the press and the undermining of freedom of the press and freedom of expression
- Deterioration of judicial and prosecutorial independence as a result of political meddling and judicial misconduct
- Torture by police and excessive force during arrest, interrogation, and detention
- Maltreatment of refugees, including physical and sexual abuse by police and immigration officers
- Violent xenophobia
- Exceptionally high rates of violent crime, particularly sexual assault
- Increased frequency of violent strikes and labour disputes

Noticeably most of the abovementioned aspects have been discussed elsewhere in this study's operationalisation in the South African context. The Marikana incident of 2012 remains an appalling blemish on the regime's domestic human rights record. The causes of the massacre, like many of the aspects noted above, may be traced back to the institutional context of state dysfunction that is also discussed at length in this study. In 2014, the international NGO Human Rights Watch issued a statement in which it noted that: 'There is an increasingly violent reaction to peaceful protests in South Africa. It seems that every time there are protests in South Africa, the police are heavy-handed, and use excessive force ... the police must abide by international standards, and use proportionate force' (Evans, 2014). This statement concurs with this study's analysis of the *emergent securitisation and praetorianism* of the institutional context, and highlights the *human rights implications* of such a dynamic.

7.4.4.2 *International human rights orientation*

As noted previously, South Africa's newly democratised foreign policy orientation was characterised by a highly principled emphasis on human rights. Whilst Mandela's intentions of actively pursuing this righteous course of action was in all probability genuine, his diplomatic naiveté in this regard was soon exposed by the Nigerian episode involving the Abacha regime. Henceforth, the regime's international human rights position would be toned down considerably from the Mandela's individualist 'moral- and value-laden' 'foreign policy (Titus, 2009:14) to subsequently form part of the 'silent diplomacy' paradigm crafted during Mbeki's tenure. Like Mandela, Mbeki's approach to foreign relations also revolved around his person, albeit with different goals and outcomes. The latter's aspirations as world statesman necessitated a more pragmatic approach (particularly in his interaction with his African counterparts) that resulted in the relegation of human rights as a foreign policy objective. Prominent examples of this ambivalence to human rights occurred during South Africa's tenure as non-permanent member of the UN Security Council between 2006 and 2008:

- In January 2007, South Africa (along with China and Russia) voted against a resolution that demanded an end to human rights abuses perpetrated by the Burmese military junta (the cited abuses included ethnic killings, systematic rape and forced labour).
- In March 2007, South Africa initially opposed UN resolution 1474 that aimed to extend the sanctions imposed on Iran in connection with its nuclear program. South Africa voted in favour of the resolution only after it became apparent that the 'no' votes were in the minority.
- In July 2008, South Africa voted against a resolution that intended to impose sanctions against Zimbabwe's President Robert Mugabe (other negative votes were China, Russia, Libya and Vietnam).

It was indeed concerning to see the regime align itself with states such as Burma, Zimbabwe, China, Libya and Iran especially as, amongst them, were some of the worst sovereign human rights offenders in the world. Indeed, the Economist (2010) commented that during South Africa's first tenure in the UN Security Council it 'did much to squander its reputation as a beacon of human rights'. Similarly, Cornelissen (2006:40) remarks that 'on the whole, South Africa's participation on human rights at the UN has been informed and

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constricted by its larger political ambitions ... as a consequence it has been ambiguous and has not enhanced its claim as an ethical leader’.

More recent developments under the Zuma administration appear to continue the theme of ambivalence towards international human rights. In October 2013, South Africa, in its capacity as member of the AU, opposed the indictment of Sudanese President Omar al-Bashir,²¹⁵ Kenyan President Uhuru Kenyatta²¹⁶ and his Vice-President William Ruto by the International Criminal Court (ICC) on charges of crimes against humanity. Whereas South Africa has traditionally been a supporter of the ICC’s activities in Africa, the ANC (2013b) remarked that ‘There is clear evidence that the ICC is used more to effect regime change in the majority of cases. The sovereignty of many African countries is undermined’. Sometime earlier, as a continuation of an established trend towards the appeasement of China, the government in 2011 failed to grant the Dalai Lama a visa to visit South Africa, which resulted in a much publicised and embarrassing episode for the regime. The Department of Home affairs claimed that the visa application was not made timeously and therefore could not be considered (the Department was at pains to point out that the visa had not been *denied*) in reply to which Desmond Tutu remarked that ‘our government is worse than the apartheid government ... we expect [government] to be sensitive to the sentiments of our constitution’ (Smith, 2011).

As a means of providing an overview of South Africa’s international human rights position, the table below represents a collection of UN human rights related treaties and conventions that collectively constitute the contemporary legal framework for international human rights. South Africa’s position in relation to each of these treaties is indicated, noting whether the treaty has been ratified and if reporting obligations have been fulfilled (UNOHCFR, 2014).

²¹⁵ Bashir was charged by the ICC with ten counts of genocide, crimes against humanity and war crimes relating to Darfur. A warrant was issued for his arrest.

²¹⁶ Kenyatta was charged with five counts of crimes against humanity relating to the 2007 Kenyan general election, during which he supported the incumbent, Mwai Kibaki. He is accused of funding a Kenyan militia that systematically attacked opposition supporters, resulting in at least 1000 deaths. Ruto is charged with coordinating the militia and its activities (he is currently on trial in The Hague).

Table 21: South Africa's ratification of international human rights treaties and their respective reporting obligations

TREATY	RATIFIED	REPORTING STATUS
CAT - Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment	Yes	Overdue since 2009
CAT-OP - Optional Protocol of the Convention against Torture	Yes	N/A
CCPR - International Covenant on Civil and Political Rights	Yes	Overdue since 2000
CCPR-OP2-DP - Second Optional Protocol to the International Covenant on Civil and Political Rights aiming for the abolition of the death penalty	Yes	N/A
CED - Convention for the Protection of All Persons from Enforced Disappearance	No	N/A
CEDAW - Convention on the Elimination of All Forms of Discrimination against Women	Yes	Up to date
CERD - International Convention on the Elimination of All Forms of Racial Discrimination	Yes	Overdue since 2010
CESCR - International Covenant on Economic, Social and Cultural Rights	No	N/A
CMW - International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	No	N/A
CRC - Convention on the Rights of the Child	Yes	Overdue since 2002
CRC-OP-AC - Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict	Yes	Overdue since 2011
CRC-OP-SC - Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography	Yes	Overdue since 2005
CRPD - Convention on the Rights of Persons with Disabilities	Yes	Overdue since 2010

Although South Africa has ratified many important human rights conventions to date, the failure to ratify important charters such as the Convention for the Protection of All Persons from Enforced Disappearance, the International Convention on the Protection of the Rights of Migrant Workers and the important Covenant on Economic, Social and Cultural Rights is perplexing.²¹⁷ Furthermore, South Africa has failed to report on its treaty obligations for eight out of the nine conventions that require such feedback and in the case of the International Covenant on Civil and Political Rights this has not been done for almost 15 years. It therefore appears that the South African position on international human rights did not survive the short-lived honeymoon period of the Mandela presidency. Instead, realpolitik and the politics of solidarity so typical of Jacksonian 'quasi-states' predominate, at the expense of upholding human rights in the international arena.

²¹⁷ As of 2014, South Africa is one of only seven out of 169 states that have not ratified the ICESCR

7.4.4.3 Conclusion

The South African apartheid and post-apartheid epochs are in large part defined by their respective approaches to human rights. In the democratic era, human rights have been accorded a sacrosanct status domestically, as enshrined in the Constitution and Bill of Rights, and gross violations of human rights have not occurred under the ANC regime. However, noting the earlier discussion regarding high levels of violent crime in South African society, as well as recent issues that have the potential to erode human rights domestically, it is likely that the abuse and contravention of human rights will feature more regularly as time passes and regime rule is extended. Should this become compounded by a praetorian political dynamic, the potential desecration of human rights will likely be exacerbated.

In reflecting upon the ANC as an organisation in exile prior to 1994 it is clear that there is a disconnect between the image of the liberation movement portrayed to the international community when compared to the human rights abuses that were perpetrated by the ANC, and its security apparatus in particular (it has been established elsewhere in this study that many of the regime's current leaders were former members of the ANC security structures). At the level of international relations, it is difficult to see how the regime can reconcile its strong pro-human rights foreign policy stance of the Mandela years with the ambivalent and often contradictory attitudes it has adopted since. An objective analysis of the regimes' international human rights record suggests that it would be inaccurate to describe South Africa as a champion of international human rights. South Africa has, on many occasions, defended states and leaders that have perpetrated human rights violations, ostensibly for the sake of developing world solidarity and economic benefit. However, the regime has not purposefully concealed domestic human rights abuses from the international community and it can therefore be argued that it maintains a transparent relationship regarding human rights.

7.4.5 Secondary research question #4

Are there instances of domestic or regional low-intensity warfare that threaten the functionality and geographical integrity of the state or parts thereof?

As with many of the secondary research questions considered thus far, the answer to the above research question is sharply bisected by the apartheid and democratic eras. Prior to the democratic transition, the armed conflict involving the ANC and the Republic of South

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Africa represented a war the intensity of which escalated with time. The Border War, as it became known, initially fell within the operational domain of the South African Police, which conducted counter-insurgency operations against the liberation forces of the People's Liberation Army of Namibia (PLAN). The conflict subsequently escalated to involve other belligerents, including the SADF, the Portuguese Armed Forces, the Cuban Revolutionary Armed Forces and various irregular forces such as MPLA, MK, FNLA and UNITA. As such the conflict is accurately described as a proxy conflict of the Cold War, particularly since it eventually absorbed other conflicts in the region such as the Angolan Civil War (Wessels & Monteiro, 2001:268). Namibian independence in 1990 and the negotiated transition in 1994 signalled the end of hostilities on the Republic's borders and the return of relative stability to southern Africa.²¹⁸

Since 1994, there has never been a coordinated military effort to undermine South Africa's territorial borders. Nor has there been a credible internal military or paramilitary threat that aimed to undermine the state. However, various acute societal phenomena have been colloquially described as 'low intensity wars', including:

- Sustained periods of violence in the taxi industry, also referred to as 'taxi wars' and a 'low intensity war, by Dugard (2001:19).
- Conflict between the ANC and IFP in KwaZulu-Natal and Gauteng in the mid-1990s was perceived by those involved to be a 'low intensity conflict' (Cock, 1998:103).
- The decimation of the local rhino population which has resulted in increased anti-poaching initiatives has been described as a 'low-intensity war' by the South African National Parks agency (Helfrich, 2013). The cross-border and international nature of this criminal activity raises serious concerns about the integrity of the Republic's borders.

Essentially, the abovementioned aspects relate directly to the high levels of criminality in South African society, discussed previously in this study, which has, itself, been described as a 'low-intensity war' that affects all citizens (Pincus, 1997:51). Of course the examples cited do not definitively represent low-intensity warfare as the concept is employed in the military or political sciences, yet they do point towards a disconcerting societal culture of violence in South Africa. Whilst this aspect has been discussed extensively in this study under the header of societal/internal phenomena, it is worth reiterating the destructive outcomes that may promote state dysfunction as a result of the rejection of the state's 'rules

²¹⁸ However, the Angolan Civil War was only concluded in 2002 with the death of the UNITA commander, Jonas Savimbi.

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of the game'. It also emphasises how the various theoretical dimensions of state dysfunction may overlap with regard to a particular dysfunctional phenomenon in practice.

7.4.5.1 Conclusion

Since the end of apartheid and the conclusion of the armed struggle, there have not been instances of regional or domestic low-intensity conflicts that threaten the integrity of the South Africa state. However, sustained high levels of crime contribute to a domestic environment where violence is commonplace, even though it is not militarised in nature. It should be an institutional priority to ensure that criminal activity does not attain the proportions of, for example, the South American narcotics trade that poses a risk of severe regional destabilisation.

7.4.6 The South African external context: Concluding perspectives

At the commencement of this section that aims to operationalise the constructs related to state dysfunction in the institutional context, the question was posed: *To what extent are aspects of negative sovereignty employed in South Africa's relations with the international community, in both historical and postcolonial contexts?*

The subsequent analysis and operationalisation commenced with a brief reconstruction of the development of South Africa's interaction as a member of the international community. It was noted that in the democratic era the presidencies of Mandela and Mbeki were characterised by their individualist interpretations of South Africa's role in international relations. It was also argued that, in practice, South African foreign policy since 1994 lacked a consistent and coherent character, which may be attributed to the personalised international relations of successive presidents. However, upon reviewing the ideological points of departure posited by the NDR, a broad international relations theme emerges that emphasises solidarity of states of the Global South, scepticism towards the developed world and the West in particular, and a self-image of the ANC as a leading progressive force in world politics.

Subsequently, a series of secondary research questions were operationalised, which concluded that:

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- South Africa's 'colonial' past differs fundamentally from that of other African states and does not represent orthodox colonialism. The apartheid state did not represent a minimal satellite administration of a metropolitan power, but rather a fully-fledged and functional institutional arrangement.
- The ANC, as a liberation movement, did not succeed in asserting the right of self-determination unconditionally, since it acquired power through a negotiated transition. However, the concept is firmly part of the organisation's ideological frame of reference.
- The regime has invoked the doctrine of non-intervention, not domestically, but in relation to other states of the developing world, many of which are dysfunctional. It also views foreign involvement (particularly by developed states) in the affairs of dysfunctional states as unjustifiable and undermining of sovereignty, notwithstanding human rights violations and crises of governance in such states.
- Given the unique nature of South Africa's apartheid past, the regime does not claim international assistance on the grounds of colonial redress. South Africa receives developmental assistance from developed states, but this does not represent a significant percentage of GDP. South Africa is therefore not an aid dependent economy and is therefore not a beneficiary of a form of international affirmative action, although it is contended that the regime's ideology would support such a position.
- Human rights are observed and respected domestically and violations of human rights are sporadic and not indicative of a systemic issue. However, recent events suggest a tendency towards the demotion of human rights as a regime priority.
- Internationally, South Africa's reputation and self-image as a champion of human rights does not concur with its foreign relations stance. The regime is generally apathetic towards human rights in the developing world and has frequently sided diplomatically with human rights offenders. The demotion of human rights as a regime priority is an ominous sign that relates to state dysfunction.
- Since 1994, regional stability has predominated and the geographical integrity of the state has not been challenged by internal or external actors. However, the proliferation of crime and criminality means that violence is a part of South African society that, if left unchecked, poses a threat to state functionality.

Given these insights a particular picture of regime engagement with the international community emerges that bears a strong resemblance to Jackson's conceptualisation of negative sovereignty. It would be inaccurate to relegate South Africa to the least capable tier of postcolonial states (i.e. those who operate exclusively according to the doctrine of negative sovereignty) since its economic and diplomatic influence is still a factor in southern

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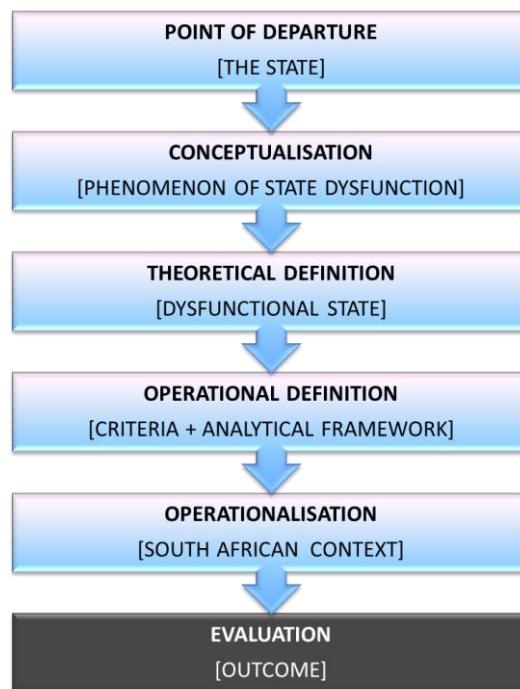
Africa in particular, and to a lesser extent in Africa and the developing world in general. As such, it is argued that South Africa is a state that finds itself wedged between the two 'sovereignty games' that characterise contemporary international relations according to Jackson. On the one hand, it is neither wholly capable nor ideologically geared to compete in the 'hardball' game of strong sovereign states. Even though it occupied a position of international esteem in the immediate post-apartheid years, its moral influence on the global stage has waned considerably. The result is that, on the other hand, South Africa is now generally aligned with a bloc of states that frequently opposes the developed world. Many of these states are themselves dysfunctional (even rogue) and are representative of poor governance and political decay. It is clear that South Africa is much more comfortable among the latter category of states and the type of 'softball' sovereignty they perpetuate, where international accountability is low and domestic aberrations are shielded from the international community.

This operationalisation therefore reveals a general alignment towards the doctrine of negative sovereignty in the international context and the Jacksonian conception of quasi-states. If the tendency towards dysfunction in the institutional context (discussed previously in this chapter) continues to accelerate, it is therefore likely that the regime will integrate itself completely with the negative sovereignty paradigm in order to justify and preserve the institutional arrangements that contribute towards state dysfunction. Examples of this strategy are common in the developing world and apply to many of the states that South Africa counts as its diplomatic allies. As such, the conclusion of this operationalisation of the external dimension of state dysfunction is that: *The constructs of negative sovereignty have been employed by the regime, both historically and currently, in South Africa's international relations. Whilst this external orientation does not currently promote state dysfunction, it is likely that if decay in the institutional context continues, aspects of negative sovereignty will be utilised by the regime to preserve and perpetuate its interests domestically in the face of international pressures for political reform. This becomes more likely given that the regime has an established record of solidarity and support for states that employ the constructs of negative sovereignty to insulate domestic dysfunction and human rights abuses.*

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8.1 Orientation

In the span of the preceding seven chapters, this study has investigated a research problem by traversing the breadth of scientific enquiry – from the philosophy of science through to operationalisation. This progression towards attaining the research goal was achieved firstly through a thorough meta-theoretical exposition, which served as a foundation for the methodological approach adopted in the study. The methodology was one of a sequential and structured pursuit of the research goal, illustrated below, which was also confirmed at the beginning of each chapter as a methodological route marker:



Accordingly, the purpose of this chapter is to evaluate the study's progression and outcome given the problem statement, research questions and goals postulated in Chapter 1. In order to achieve this in a meaningful way, this final chapter will be structured according to two parts; part one reviewing the outcomes of Chapters 1 to 6 and part two evaluating the operationalisation conducted in Chapter 7.

8.2 Part one: Methodological and substantive progression

The introductory chapter of this study commenced with the contextualisation of the phenomenon of state dysfunction. Both anecdotal and scholarly evidence suggest that, particularly in the postcolonial period, states in the developing world have encountered significant challenges in maintaining and developing the state as an instrument of political organisation. In Africa, a diverse set of factors, ranging from natural disasters to protracted civil and regional conflict has highlighted the fragility of political stability, unity and organisation in the majority of states on the continent. Whereas South Africa has historically been regarded as a politically and economically stable exception to the general continental state of affairs, a discourse is now emerging in the popular domain regarding perceived symptoms of dysfunction that may (whether currently or in the future) more closely approximate the circumstances that characterise the multitude of Africa's struggling states.

These contextual perspectives inform the central theoretical statement of this thesis, which contends that: **A systematic and methodologically sound investigation is required (premised upon theory, and operationalised accordingly) in order to evaluate whether South Africa approximates a dysfunctional state.** This central theoretical statement contains two important aspects that underpin this study, besides the necessity of it being goal oriented (as any teleological pursuit should be): first, that a high premium is placed on methodological unassailability and second, that such methodological rigour should be *no less important* than the research goal itself.

This emphasis on the methodological dimension of the study is motivated in part by the realisation that many readers consider the notion of weak or failed states as controversial, and that some may even allege that the application of such a notion to South Africa may be premature and/or motivated by non-scientific considerations (such as so-called Afro-pessimism). By means of anticipation of such critique, it was noted in the introductory chapter that:

- The adoption of a systematic and scientific methodology in pursuit of a research goal ensures transparency and rationality in argumentation, whilst demonstrating to the reader how arguments are assembled and conclusions are reached in the process of creating valid and reliable knowledge.
- This study holds that science and its manifestation in the academic sphere should be receptive of any study that aims to achieve a more complete understanding of our reality or aspects of that reality. In the same manner, the growing discourse surrounding the

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South African state qualifies it as a suitable phenomenon worthy of investigation, particularly for this study.

- The concept of state most widely adopted and employed in political science is that of the Max Weber concept. The Weberian ideal-type (as it is referred to in this study) therefore serves as the normative benchmark for statehood and state functionality. In contrast to this, the Hobbesian state (of nature) is posited as the construct's antitype.

As a result, these important methodological and ontological commitments are also reflected in the problem statement that motivates the study, namely that: **By developing a theoretical and analytical framework of state dysfunction, a systematic investigation is conducted, aimed at evaluating the status of South Africa as a dysfunctional state, and identifying the nature of such dysfunction, if and where applicable.** From this research problem, a set of research questions and goals were derived in order to facilitate the structure and development of this thesis, of which the primary goal was formulated as being to: **Evaluate to what extent South Africa approximates a dysfunctional state, by implementing a theoretical conceptualisation of state dysfunction through means of an analytical framework, consisting of verifiable criteria.** It was explained that this overarching research objective would be supported through:

- Reconstructing the broad theoretical field of study regarding state dysfunction, with particular reference to different contributions on the subject, with the aim of conceptualising the dysfunctional state,
- Constructing an analytical framework according to which the phenomenon of state dysfunction may be interpreted and analysed, employing specific spheres of application and criteria that enable empirical verification,
- Operationalizing the analytical framework in the context of contemporary South Africa, according to the criteria identified in the three spheres of application, namely the societal, institutional and international spheres,
- Providing a comprehensive evaluation of South African statehood, based upon the outcomes of the analytical framework of state dysfunction.

From these research goals it is again confirmed that in the process of attaining valid and reliable knowledge this study will engage with the entire breadth of the scientific spectrum – from conceptualisation and its necessary antecedents through to application and operationalisation. Additionally, the dual nature of this study is also revealed, namely that it incorporates both the *conceptual* and *operational* realms. These aspects, in turn, re-

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emphasise the need for methodological integrity and sophistication. Having defined and demarcated the academic domain of enquiry, the next chapter turned its attention to the meta-theoretical foundation of the study that underpins both the content and methodology of the investigation.

8.2.1 Meta-theory and scientific knowledge [Chapter 2]

The construction of a meta-theoretical framework for this study is of importance for two reasons. First, in accounting for the place and role of higher order theory in this thesis, the investigation is simultaneously inducted into the province of science, since it must conform to the logical, systematic and incremental process through which knowledge is constructed. Second, because a significant part of this investigation concerns the conceptualisation of state dysfunction, the study must be equipped with the scientific and meta-scientific tools with which to conceptualise.

Thus, this chapter attempted to reconstruct the nature of scientific thought, commencing at its broadest vantage point and then progressively focusing the discussion to the point of the most essential scientific constructs. During the discussion, the following aspects related to scientific enquiry were accounted for:

- The pre-scientific,
- The distinction between ordinary and scientific knowledge,
- Social science as constituent of scientific knowledge being the domain of this study,
- The methodological, epistemological, teleological, ontological and sociological dimensions of social science research,
- Disciplines and traditions in science, and political science as the disciplinary domain of this study,
- The role and functions of paradigms in science and political science in particular.
- The place and role of scientific constructs, including:
 - Theories
 - Models
 - Typologies
 - Definitions
 - Concepts

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Having equipped the study with the scientific tools required to conduct a credible academic investigation, a framework was constructed that incorporated the abovementioned constructs which could be readily applied throughout the remainder of the study. This theoretical framework is first designed to accommodate any constructs encountered in the literature on state dysfunction and, second, to relate these constructs to an ideal-typical concept of statehood (using directional arrows to indicate positive or negative influence). This, which is regarded as a theoretical point of departure, is reproduced below:

Repeated – Table 3: Reconstructing an authors’ contribution on state dysfunction

		WEBERIAN CONCEPT OF STATE					
		ELEMENT 1	ELEMENT 2	ELEMENT 3	ELEMENT 4	ELEMENT 5	
SCIENTIFIC CONSTRUCTS	PARADIGM	Conservative/ Institutionalist					
	CONCEPTS	Conceptx	↓		↓	↓	
		Concepty		↑		↑	↑
	TYPOLOGIES						
	MODELS						

Thus, the essential contribution of this chapter resides in the fact that it anchors and orients the study’s activities of conceptualisation, and later operationalisation, in the purview of systematised science.

8.2.2 An ideal-typical state as point of departure [Chapter 3]

Having constructed a meta-theoretical framework, the next task is to begin populating it with substantive concepts, models, typologies and paradigms – of which the first must be the concept of state. Whereas the Hobbesian state of nature represents the antitype of statehood (and, in fact, a total authoritative vacuum) the Weberian ideal-type is regarded as that norm which a state should ideally approximate. In validating this contrast between the antitype and ideal-type, chapter 3 argued that the origin of all forms of political organisation is the universal human need for protection and security. This is true for both traditional forms of organisation such as the tribe or clan, as well as the most advanced and complex manifestation of political organisation, in the form of the contemporary state – i.e. both offer varying measures of relief from the Hobbesian state of nature. It is postulated that the less

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functional a state (i.e. the greater its dysfunction) the closer it will approximate the Hobbesian antitype (as numerous polities in the developing world currently do). This represents an untenable situation for both the inhabitants of such states in particular and the international community in general.

In surveying the literature pertaining to the state as the pivotal construct in political science, it was once again confirmed that Weber's conceptualisation enjoys an unrivalled disciplinary ascendancy. In reconstructing this ideal-typical concept of statehood, the following elements were identified as being definitive:

- Territory
- Administrative institutions
- Binding authority
- Compulsory association
- Monopolisation of the legitimate use of violence (i.e. coercive force)

These attributes were reconciled in a definition of statehood that emphasises their interconnected and interdependent nature, namely that **a sovereign state is a polity possessing an administration, of which the different parts are coordinated; it is a compulsory association which claims binding authority over all that occurs and exists within its demarcated territory, being able to do so through possessing a monopoly on the legitimate use of force.**

This definition enables the study to build on the meta-theoretical framework developed in chapter 2 by identifying the elements of ideal-typical statehood that will guide the latter conceptualisation of the dysfunctional state, as demonstrated below:

Repeated – Table 4: Comparing multiple authors' contributions on state dysfunction using Weberian concept of state

Weberian Concept of State					
	Coordinated administration	Compulsory Association	Binding authority	Territory	Monopoly of legitimate force
Contr. 1					
Contr. 2					
Contr. 3					

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Having augmented the meta-theoretical framework with a substantive point of departure in the form of a concept of state, the study is in a position to proceed towards the conceptualisation of the dysfunctional state, which will subsequently inform an operationalisation of the concept in the South African context (primary research goal).

8.2.3 The literary state of the field of inquiry [Chapter 4]

The process of identifying suitable scientific constructs with which to flesh out the theoretical framework commenced with a literature review of the general field of state dysfunction. This included sources dealing with political decay, politics in the developing world, as well as works on weak, failed, and collapsed states of both popular and scholarly origins. The literature review was constructed more or less chronologically in order to provide the reader with a perspective on where the study of patterns of political decay originated and how the field of study developed to the point where it is presently. This survey revealed two aspects of significance for this study, namely that:

- Although there are numerous definitions of phenomena that may be loosely catalogued under the heading of 'state dysfunction' (this includes weak states, failed states, collapsed states, etc.), the available literature does not reveal a theoretically grounded systematic conceptualisation of state dysfunction.
- It is hypothesised that because of this conceptual poverty, scholarly activity in this field has been characterised by a preoccupation with quantitative studies, favouring approaches such as prediction and diagnosis, whilst eschewing the epistemological requirements for understanding the phenomenon.

These insights confirm the necessity of this study's need to conceptualise state dysfunction afresh, before the concept may be effectively operationalised. To this end, five theoretical contributions included in the literature review are identified, all of which represent unique and divergent paradigmatic lines of thought on the phenomenon of state dysfunction. Because of this paradigmatic divergence, the scientific outcome of synthesising the five different contributions will result in an inter-paradigmatic conceptualisation that is more representative of the different traditions in the discipline. The (by now familiar) designated contributions are:

- *Strong societies and weak states* by Joel S. Migdal
- *Political order in changing societies* by Samuel P. Huntington

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- *Quasi states* by Robert H. Jackson
- *The rise and decline of the state* by Martin van Creveld
- *Democratic experiments in Africa* by Michael Bratton and Nicholas van de Walle

The suitability and relevance of each contribution for the purposes of this study is clearly accounted for, as is the fact that they are all influenced by the work of Max Weber and the Weberian tradition. This confirms the appositeness of adopting the ideal-typical concept of state as conceptual point of departure and the fact that the work of Weber is particular germane to this investigation. Subsequently, each contribution is introduced by means of (i) an assessment of the respective paradigms they employ and (ii) their views of the state. Besides introducing and contextualising these contributions, this process also reveals an organic differentiation in the dimensions of state dysfunction in which each contribution is situated. Three primary contributions respectively focus on internal, intermediate and external dimensions of state dysfunction, with two ancillary contributions spanning one or more of the aforementioned dimensions, as illustrated below:

Repeated – Table 6: The place and role of different theoretical contributions in conceptualising the dysfunctional state

DIMENSION OF STATE DYSFUNCTION	LEVEL OF APPLICATION	RELEVANT CONTRIBUTION/S
INTERNAL	SOCIETAL	Migdal Bratton & v.d. Walle Van Creveld
INTERMEDIATE	INSTITUTIONAL	Huntington Bratton & v.d. Walle Van Creveld
EXTERNAL	INTERNATIONAL	Jackson Van Creveld

Having identified and contextualised a set of five contributions from which a systematic conceptualisation of state dysfunction may be conducted, and having developed a theoretical framework through which these contributions may be synthesised and interpreted, it now remains to reconstruct, interpret and evaluate each contribution with a view to identifying the scientific constructs that may inform a conceptualisation.

8.2.4 Towards a conceptualisation of the dysfunctional state [Chapter 5]

The reader will note that thus far in this concluding and evaluative chapter that the outcome of chapters two, three and four represent systematic and incremental methodological progressions, and that each successive chapter is premised upon the one that preceded it. The same holds true for chapter 5, which has as its purpose the reconstruction of the chosen theoretical contributions and the identification of salient scientific constructs. Accordingly, the concepts, models, typologies and paradigms employed by the authors are accounted for and their relationship to the concept of state is considered (it is adjudged that the majority of constructs bear negative implications for state functionality). Whilst the entirety of the chapter's substantive content will not be reproduced here, in cursory terms it was noted (in line with the tri-dimensional model introduced in chapter 4) that:

- On a societal level, state dysfunction is encountered in societies where social control is highly fragmented. In a postcolonial context, fragmentation was exacerbated by the advent of modernisation through foreign colonists, followed by rapid decolonisation in the mid-20th century. The dysfunctional state is unable to project binding authority within a given territory due to: (i) the web-like nature of society in which influential non-state actors challenge the compulsory association of the state and offer competing strategies of survival to citizens, and (ii) the continued process of modernisation, which stimulates high levels of political expectation, mobilisation, and participation.
- On an institutional level, state dysfunction is characterised by an administrative bureaucratic order marked by low levels of institutionalisation, leading to: (i) the erosion of state capabilities, (ii) submission to non-state actors, (iii) the prevalence of corruption and other forms of malpractice by political leaders (such as the politics of survival) and (iv) malpractice particularly in the form of neo-patrimonial rule. The inability of state institutions to accommodate the political participation, mobilisation, and expectations (societal level) leads to political instability and the emergence of praetorianism, which may in turn lead to revolution and the destruction of the political system.
- On an international level, state dysfunction is maintained by the normative doctrine of negative sovereignty whereby independence, according to the principle of self-determination, is an unconditional right which is mutually protected by the principle of non-intervention (and not according to the institutional capabilities and functionality of a given state). Furthermore, the doctrine of negative sovereignty is employed by certain states of the developing world as a justification for demands of assistance, divorced from

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traditional notions of international reciprocity, and which may serve to sustain otherwise politically bankrupt administrations and imperil human rights in those states.

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From these analyses, the diagrammatic rendering of the chapter's outcome in which the theoretical framework developed in chapter two is now finally populated with constructs that cumulatively contribute towards the conceptualisation of the dysfunctional state. This diagram is reproduced below:

Repeated – Table 14: An integrated reconstruction to conceptualising the dysfunctional state

		WEBERIAN CONCEPT OF STATE					
		Coordinated admin.	Compulsory Association	Binding authority	Territory	Monopoly of leg. force	
SCIENTIFIC CONSTRUCTS	PARADIGMS	Inter-paradigmatic featuring historical, sociological, institutionalist and new-institutionalist, classic liberal and conservative, international relations, anti-structural, post-behaviourist, and military-strategic perspectives from contributions in the field of state dysfunction.					
	MODELS	State-in-society approach (Figure 11), posits that assuming state predominance in the developing world is flawed. States represent one actor amongst many others in society. Concepts central to this approach are: (see below)					
	TYPLOGIES	<ul style="list-style-type: none"> • Sovereignty • Positive • Negative • Modernisation • Development • Decay • Authority • Patrimonial (Weber) • Neo-patrimonial 	ENHANCE UNDERMINE CHANGE ENHANCE UNDERMINE UNDERMINE	ENHANCE UNDERMINE CHANGE ENHANCE UNDERMINE UNDERMINE	ENHANCE UNDERMINE CHANGE ENHANCE UNDERMINE UNDERMINE	ENHANCE UNDERMINE UNDERMINE	ENHANCE UNDERMINE CHANGE ENHANCE UNDERMINE
	CONCEPTS	<ul style="list-style-type: none"> • Web-like society with fragmented social control • Existence of competing strategies for survival • Presence of non-state actors (strongman / warlord) • Politics of survival (big shuffle, dirty tricks, neo-patrimonial) • Triangle of accommodation 	↓ ↓	↓ ↓ ↓	↓ ↓ ↓	↓	↓ ↓ ↓
		<ul style="list-style-type: none"> • Negative sovereignty (spawned by rapid decolonisation) • Self-determination + non-intervention (unconditional rights) • International affirmative action • Contrasts with: • Positive sovereignty (approaching Weberian ideal-type) 	↓ MAINTAINS MAINTAINS	↓ MAINTAINS MAINTAINS	↓ MAINTAINS MAINTAINS	↓ MAINTAINS MAINTAINS	↓ MAINTAINS MAINTAINS
		<ul style="list-style-type: none"> • Political Development • Institutionalisation + political participation (party system) • Political Decay • Low / lack of institutionalisation + political participation • Corruption • Praetorianism • Revolution (as explosion of political participation) 	↑ ↓ ↓ ↓ ☠	↑ ↓ ↓ ↓ ☠	↑ ↓ ↓ ↓ ☠	↓ ☠	↑ ↓ ↓ ↓ ☠
		<ul style="list-style-type: none"> • Non-trinitarian warfare • Low intensity conflict 	↓/☠	↓/☠	↓/☠	↓/☠	↓/☠
		<ul style="list-style-type: none"> • Neo-patrimonial rule • Presidentialism • Clientelism • Use of state resources (for private/regime purposes) 	↓ ↓ ↓	↓ ↓ ↓	↓ ↓ ↓		

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As it stands, the theoretical framework now serves as a concise summary of the scientific (i.e. meta-theoretical, theoretical and methodological) progression of this study. Its expanded content also facilitates the conceptualisation of the phenomenon of state dysfunction, which holds that:

A dysfunctional state represents a fundamental deviation from the ideal-typical Weberian concept of state (of which the dysfunctional attributes manifest in societal, institutional and international contexts) in that it:

- (i) may be represented according to a typology of dysfunction, incorporating differentiated gradations;**
- (ii) is often encountered as a postcolonial phenomenon;**
- (iii) is essentially characterised by a deficiency in the capability to predominate as an autonomous, legitimate and authoritative political institution**
- (iv) is therefore not authentically (positively) sovereign in either domestic or international spheres; and**
- (v) as a result is incapable and/or unwilling to fulfil the functions of state in the public interest and for the public good.**

With this conceptualisation, the study not only realises an important research objective, but also makes a scientific contribution that augments the body of theoretical knowledge pertaining to state dysfunction – this is significant given the absence of conceptual depth in relation to the phenomenon, as argued in chapter 4.

8.2.5 Towards operationalisation: An applicational framework [Chapter 6]

Now, being finally equipped with a concept that can be operationalised in order to attain the study's primary research goal, the investigation finds itself at a methodologically significant juncture. Navigating this study from the realm of the conceptual towards empirical reality requires a conduit between the two domains. In the same manner that the motive energy produced by a vehicle's engine is squandered if it cannot be transferred to the road, so too a conceptualisation may be misdirected and led astray in the process of operationalisation. In order to avoid this, the study adopted an additional methodological step through the development of an applicational framework to direct the process of conceptualisation.

The purpose of the applicational framework is to identify an empirical referent for each of the constructs identified, across the five theoretical contributions utilised during the conceptualisation of the dysfunctional state. The key is to identify appropriate avenues, both

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qualitative and quantitative in nature, through which the locus, incidence and nature of each construct may be verified in the empirical realm, all the while retaining academic fidelity by linking to the problem statement and original research goal of the study. Chapter 5 discussed each of the constructs, bearing in mind the aforementioned requirements. The outcome is a subset of 16 descriptive research questions, specifically designed to facilitate and guide the operationalisation of the concept of state dysfunction. The methodological conduit of research questions was chosen because it was deemed that they allow the researcher enough analytical leeway, without being either too unstructured or too prescriptive. Furthermore, utilising descriptive research questions is also a manner in which a pure quantitative bias can be avoided, which was noted as being problematic during the prior literature survey. The research questions are integrated with the tri-dimensional approach, and are reproduced below:

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Repeated – Table 16: Framework for the operationalisation of the concept of state dysfunction

CARDINAL RESEARCH QUESTION RESEARCH PROBLEM OF THIS STUDY		
Internal Dimension	Intermediate Dimension	External Dimension
Primary research question	Primary research question	Primary research question
To what extent does South African society exhibit evidence of the fragmentation of social control which manifests in the disregard for the binding authority of the laws of state?	What is the nature of regime institutionalisation in the South African environment, taking into account the criteria of adaptability, complexity, autonomy, and coherence?	To what extent are aspects of negative sovereignty employed in South Africa's relations with the international community, in both historical and postcolonial contexts?
Secondary research questions	Secondary research questions	Secondary research questions
<p>Are there nodal points in South African society around which a web-like configuration of society has developed? If so, what is the exact nature of these nodal points? (e.g. ethnic, linguistic, religious, cultural).</p> <p>Does South African society contain influential non-state actors who utilise violence or other means to undermine and supplant the primary attributes of state? If so, do they relate the web-like configuration of society, and what is their role in such a configuration?</p> <p>If South African society exhibits a web-like configuration with influential non-state actors that undermine the state's function of social control, what is the nature of the strategies of survival that these phenomena offer to citizens? Additionally, why do these strategies of survival appeal to citizens, and what are the factors that perpetuate their existence, pointing to deficiencies in the state's approach to social control?</p>	<p>How prevalent is corruption and maladministration in the regime context, with particular reference to the institutions of government and ruling party, and can it be described as systemic?</p> <p>Are there notable instances where the state submits to, or accommodates, non-state actors in contradiction of the interests of the state, and does such a relationship exist within the regime?</p> <p>Does the regime exhibit neo-patrimonial tendencies, taking into account the practices of presidentialism, clientelism, and the use of state resources for private ends?</p> <p>Does the regime exhibit practices related to the politics of survival, taking into account the tactics of the "big shuffle", non-merit appointments, and the use of dirty tricks?</p> <p>Does the regime exhibit praetorian tendencies, taking into account the phenomena of the widespread politicisation of social forces, the securitisation of the state, and a progression toward mass praetorianism?</p> <p>If the conditions for mass praetorianism have been established, what is the potential for revolution?</p>	<p>Are the unconditional rights of self-determination and non-intervention invoked (both historically and currently) in such a manner that they undermine the core attributes and functionality of the state?</p> <p>Is developmental assistance claimed from the developed world on grounds of redress, and how is such aid employed domestically by the regime?</p> <p>Are human rights observed and protected domestically, and does a transparent relationship with the international community exist in this regard?</p> <p>Are there instances of domestic or regional low-intensity warfare which threaten the functionality and geographical integrity of the state or parts of it?</p>

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As is evident from the structure of the descriptive research questions above, they remain informed by the study's founding (cardinal) research question and problem statement. A primary research question is formulated for each of the three dimensions of state dysfunction, which are in turn supported by a set of secondary research questions – three for the internal dimension, six for the institutional dimension, and four for the external dimension.

The outcome of this chapter is significant because it adds an additional level of methodological sophistication to the conceptualisation developed in chapter 5. Furthermore, its relevance extends beyond this investigation alone, since the formulation of the applicational framework is context neutral. South Africa as locus can be easily replaced by another state without compromising the efficacy of the framework, making it generally applicable and highly versatile. At this juncture, the study is finally poised to engage with the final methodological step in the attainment of its research goal – that of operationalisation.

8.3 Part two: Operational outcomes and evaluation [Chapter 7]

The purpose of the seventh and penultimate chapter in this thesis is to operationalise the applicational framework developed in chapter six – of which the origins have been traced back to the research problem and meta-theoretical framework developed at an early stage in this study. Each of the applicational framework's research questions were addressed systematically, as thoroughly as the constraints of the study allowed, and it was noted that in the activity of operationalisation the emphasis falls on conceptual representitivity and on providing macro-perspectives that can facilitate trend identification in the South African context. The operationalisation was also conducted according to the tri-dimensional approach, with each dimension being prefaced by a contextual and historical introduction.

A comprehensive substantial analysis of each research question in the applicational framework has already been conducted, and will not be repeated here. Instead, the conclusions arrived at with each of the three dimensions of state dysfunction are posited below:

Table 22: Operational conclusions in the three dimensions of state dysfunction

Societal [Internal]	Institutional [Intermediate]	International [External]
<p style="text-align: center;">Research Question</p> <p>To what extent does South African society exhibit evidence of the fragmentation of social control which manifests in the disregard for the binding authority of the laws of state?</p> <p style="text-align: center;">Operational Conclusion</p> <p>Even though South African society exhibits evidence of the fragmentation of state control, and by extension a rejection of the state's rules of the game, this does not constitute a threat to the integrity of the state at this time. However, high levels of violent crime and public protest have the potential to act as significant drivers of state dysfunction, if they are not addressed timeously and effectively by the state.</p>	<p style="text-align: center;">Research Question</p> <p>What is the nature of regime institutionalisation in the South African environment, taking into account the criteria of adaptability, complexity, autonomy, and coherence?</p> <p style="text-align: center;">Operational Conclusion</p> <p>The South African institutional context reveals a strong and centralised regime dynamic, whereby the state and constitution have become subservient to the ruling party. This dynamic exacerbates the effects of various institutional phenomena related to state dysfunction that form part of the analytical framework identified previously, all of which have been found to be present to a certain extent. As a result, this operationalisation concludes that the institutional context is currently dysfunctional, with strong likelihood of further decay.</p>	<p style="text-align: center;">Research Question</p> <p>To what extent are aspects of negative sovereignty employed in South Africa's relations with the international community, in both historical and postcolonial contexts?</p> <p style="text-align: center;">Operational Conclusion</p> <p>The constructs of negative sovereignty have been employed by the regime, both historically and currently, in South Africa's international relations. Whilst this external orientation does not currently promote state dysfunction, it is likely that if decay in the institutional context continues, aspects of negative sovereignty will be utilised by the regime to preserve and perpetuate its interests domestically in the face of international pressures for political reform. This becomes more likely given that the regime has an established record of solidarity and support for states that employ the constructs of negative sovereignty to insulate domestic dysfunction and human rights abuses.</p>

In an evaluation of the three dimensions of state dysfunction, it becomes evident that there is an apparent rejection of the state's 'rules of the game' domestically, resulting in criminality and a culture of protest. A degenerating trend is identified which, if left unchecked, will contribute to state dysfunction. Institutionally, the presence of a dominant, centralised and highly ideological regime dynamic is revealed through which the apparatus of state and the ANC as party have fused. Dysfunctional aspects of the party are therefore mirrored and amplified in state institutions. Again, a degenerating trend is identified with a negative outlook that contributes significantly to state dysfunction. Furthermore, the regime (both historically and currently) employs the doctrine of negative sovereignty in its relations with other states. It is posited that should institutional decay (as circumscribed) continue unabated, the regime will likely engage with the international arena in a manner that would

justify, obfuscate or camouflage domestic state dysfunction to the detriment of the common good.

8.3.1 Articulating a conclusion

Noting the abovementioned outcomes, a return to this thesis' primary research objective is warranted, which is to:

- **Evaluate to what extent South Africa approximates a dysfunctional state, by implementing a theoretical conceptualisation of state dysfunction through means of an analytical framework, consisting of verifiable criteria.**

Given this research objective and the development of the study thus far, this investigation must conclude that:

- **From the insights reached above through means of the operationalisation of an analytical framework, which was developed through a systematic and scientific process spanning from the meta-theoretical to the empirical, it can be said that the South African state currently approximates a dysfunctional state, specifically when taking into account:**
 - **The emergence and consolidation over two decades of a regime dynamic whereby the interests of the ruling party have come to dominate the interests of the state and the common good;**
 - **The growing difficulty with which the state is able to resolve acute socio-political issues before they become anti-systemic, instances of which increasingly manifest as rejection of the authority of the state and are escalating both in frequency and intensity;**
 - **The ideological and doctrinal adherence to a paradigm of negative sovereignty that is at odds with the principles of transparency, international human rights, and the common good.**
- **Furthermore, it is this investigation's prognosis that further decay in the capabilities of the South African state is likely; firstly, as a result of the clear institutional locus and depth of dysfunction and, secondly, because entrenched regimes are historically averse to democratic political change. It is also the estimation of this study that a further descent into the realm of praetorian politics is in progress, which will adversely affect the position of the South African state in future.**

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Thus, the stated purpose of this study has been fulfilled. However, despite the breadth and scope of the investigation, one cannot help but feel that so much is left unsaid given the concise nature of formal scientific conclusions. Having adopted a retrospective approach in this concluding chapter, it is perhaps now appropriate to reflect on the outcome and evaluate the future of the South African state on a more personal level.

8.3.2 Evaluative perspectives

When looking over the chapters that have given rise to the above conclusion the following aspects emerge as noteworthy highlights.

First, on a methodological level, the advantages of commencing a social-scientific study from the most essential and fundamental scientific points of departure are significant. By reconstructing the meta-scientific premises upon which science is founded, the same incremental, systematic and methodical nature of scientific development can be mirrored in the course of a research that ultimately constitutes a thesis such as this, namely the place and role of abstract constructs emerge and cooperate organically; the substantive structure and line of argument emerge spontaneously and symbiotically; outcomes are directly relatable to their respective conceptual and theoretical antecedents.

Second, in terms of the substantive content of the study a strong leitmotif is identifiable in relation to the importance of institutions. Institutions, in practices that are regularly and continuously repeated and sanctioned and maintained by social and political norms, are essential to facilitating cooperative human existence. Whether it be the family unit, band, tribe, village or ultimately the sovereign state, institutions lie at the heart of regulating constructive human interaction. Indeed, this investigation has demonstrated that the benefits of institutions are manifold and diverse. Even when considering the progress of this study from a meta perspective, it is possible to argue that science itself is an activity that owes its rational potency and unassailable authority to the fact that it represents an *institution* – it is, after all, a practice that is regularly and systematically repeated according to certain norms, as spelt out in chapter 2.

It was argued that the most fundamental socio-political institution underpinning contemporary existence is the notion of the social contract – a concept that enables mankind to invest trust and cooperation outside the familial context. The ultimate evolutionary form of the institution that is known as the social contract is the contemporary state, which is an institution that is better equipped than any other to provide a reprieve from the Hobbesian

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state of nature that characterises un-institutionalised human existence, devoid of benign cooperation and characterised only by severe competition.

As this study's discussion on Weber noted, the nature of bureaucratic power, resting on a legal structure and characterised by impersonal rules, and the authority attached to offices is the most rational and consistent form of human authority. When compared to the capriciousness of the demagogue or the esoteric claims of the mystic, bureaucratic power is stable and equitable. The reason for this is that the authority attached to an *office* or bureau is outlived by its incumbent and is therefore defined not by personality but by *statute* – to quote Popitz (1992:38):

... there is the growing depersonalisation of power relations. Power no longer stands or falls with one particular individual who at any given time happens to have a decisive say. It connects progressively with determinate functions and positions which transcend individuals.

It can therefore be argued that bureaucratic authority, as vested in the apparatus of state, is the pinnacle of institutionalised human socio-political existence, since its purpose is to provide for a *common* good.

Such is the importance of institutionalised and bureaucratized authority to contemporary statehood that Weber accorded it an explicit status in defining the core attributes of statehood as a concept. As established previously, Weber's strong functionalist approach to conceptualising the state clearly accounts for an administrative and legal order subject to change by legislation, and the organised corporate activity of the administrative staff. It is *this* institutionalised system that claims binding authority, monopolises the use of coercion and acts as a compulsory association in a given territory. Therefore, even at the *conceptual level*, the importance of institutions and institutionalisation is clearly evident, particularly for the political scientist endeavouring to understand the place and role of the state.

This measure of relevance becomes even more acute when one regards the literary corpus surveyed at the *theoretical level* in this study. All five of the contributions considered explicitly emphasised the institutional sphere in their respective analyses of the phenomenon of state dysfunction. It became very apparent that in the postcolonial context of the contemporary states in the developing world institutions, representative of the state, are the ultimate political prize. The institutions of state in their varying guises (whether it is the central bank, police force, parliament, municipal administrations, or even the national airline) are where the authority, power and vital energy of a state are vested. Given the fact that they are funded from the public purse, the possibilities they offer to the incumbent are limited

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only by statute (if the rule of law is observed). Therefore, the institutions of state provide the political incumbent with a truly *transformative opportunity*, the allure of which is often too great to resist.

Even though political transformation, *per se*, is not necessarily indicative, or a precursor, of political decay, the sweeping institutional changes that accompany a process of transformation also open a window of opportunity for the abuse of state institutions and resources. This, according to the outcomes of this thesis, approximates the narrative of institutional decay witnessed in the South African state. In the early nineties, the transformational impetus was exceptionally strong within the ANC alliance as it represented the hegemonic embodiment of the struggle against apartheid, both because of the unacceptable political past that apartheid rule entailed, but also because of the radical and revolutionary ideology (NDR) that stood at the core of the organisations' identity. When political power was achieved through means of a negotiated transition the ANC's unrivalled legitimacy (both domestically and internationally) provided it with a dilemma – it had inherited the political kingdom, but was denied the revolution it interpreted as its right and destiny. Consequently, it was exactly this conflicting mixture of ideology and the reality of the South African political context that led to the unique transformative course that the ANC adopted post-1994, which essentially prioritised a normative-ideological doctrine above developmental functionality. The definitive transformative outcome of this process is, however, not a National Democratic Society, but rather the entrenchment of a dominant ANC regime. This regime dynamic, to a large extent, resulted in the identity of the party becoming the identity of the state and its institutions – the conflicts of the party became the conflicts of the state, and so too its factions, corruption, greed, nepotism, careerism, incapacity, absolutism, and ultimately its dysfunction. Indeed, despite the near-universal acclaim the ANC enjoyed during its exile years, the organisation was no paragon of democracy and stability. Furthermore, the real and potential power that is vested in the institutional sphere exercises a decisive influence both 'upwards' towards the international community and 'downwards' towards South African society and its numerous challenges.

8.3.3 Prospects for the South African dysfunctional state

Given these insights, one may reasonably ask whether there is any possibility of this pattern of institutional decay being reversed and, if so, what is to be done? Regarding the first part of the question, given the development and outcomes of this study, it is considered highly improbable that the current institutional trajectory will change for the duration of the ANC regime. The vested interests of the current political elite militate against any tectonic

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institutional shifts that could compromise the position of the regime (i.e. at the expense of the few and in the national interest). Additionally, the electoral successes of the ANC points towards a paradoxical relationship between institutional performance and democratic accountability, and is an indication of the significant residual legitimacy the ANC still retains despite its mediocre track record in government over two decades. It may well be argued that the ANC will disintegrate from within long before it stands to experience humiliation at the polls.

However, should popular reformist impulses emerge in any of the three domains analysed in this study, the regime has at its disposal the entire ideologically loyal apparatus of state (coercive and otherwise) with which to counter such initiatives, should it wish. When the regime mobilises to this end, it will most likely be along securocratic, non-constitutional and anti-democratic lines (i.e. a *machtstaat*). Once again, the alternative of the regime acquiescing to demands for political reform appear remote, given the character of the organisation and its vested interests in the institutional status quo. Should political participation be constrained or denied whilst the impetus for political change increases and assumes an explicit anti-regime character, a fully-fledged praetorian environment will be realised with significant revolutionary potential. Consider the possible scenarios rendered through the matrix below:

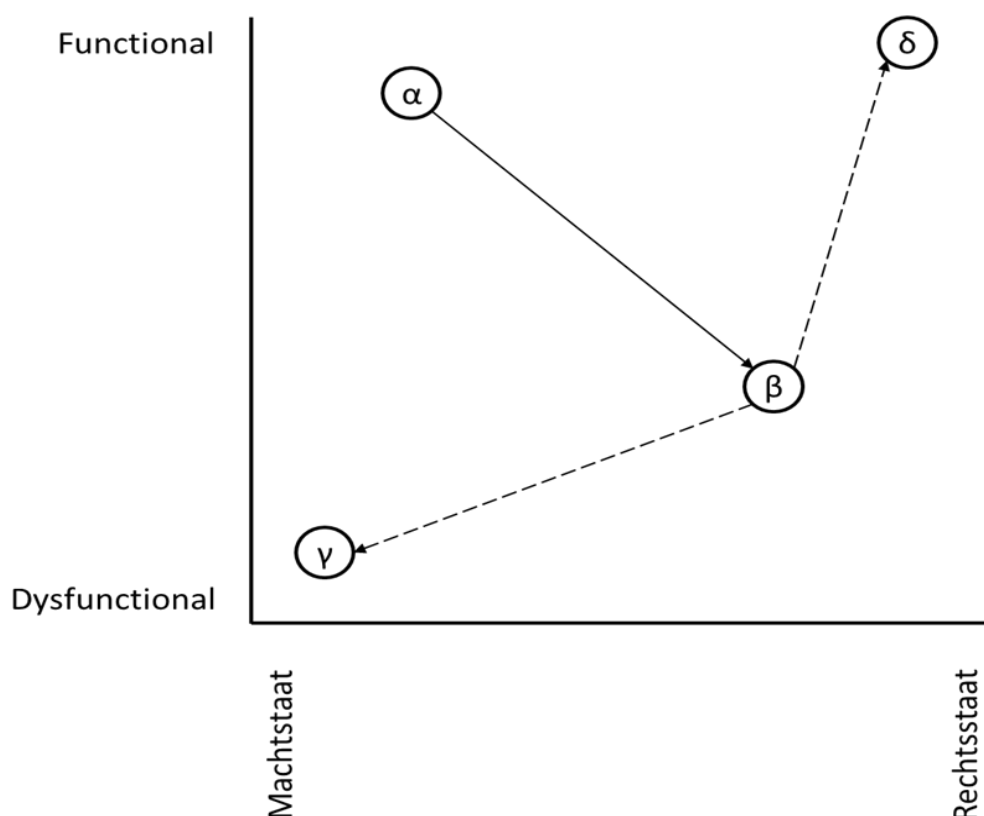


Figure 20: Possible trajectories of the South African state

In the diagram above, Alpha (α) represents the apartheid era state, characterised by high levels of exclusionary state functionality, premised upon anti-democratic and quasi-authoritarian ideology and principles (this is also the state which the ANC ‘inherited’ after the democratic transition). The solid line towards Beta (β) indicates the passage of the last 20 years, which has been characterised by a fundamental shift in the legitimacy of the state towards a democratic *rechtsstaat*. However, this was also accompanied by an incremental lapse in state functionality, as motivated by this study. From the South African state’s current position (β) two trajectories are possible, indicated by the dashed lines. Firstly, state functionality could improve towards the Delta (δ) scenario, which would entail the deconstruction of the ANC regime dynamic through democratic means in a move towards the consolidation of a constitutional *rechtsstaat* and the functional transformation of the state. Alternatively, state functionality could decay towards the Gamma (γ) scenario, which would entail the acceleration of state dysfunction and political decay, coupled with securocratisation and a return towards an apartheid-era *machtstaat*. The realisation of a Gamma-scenario would most likely be coupled with high levels of public discontent and anti-systemic political participation.

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It is, unfortunately, the reasoned deduction of this study that a regression towards a dysfunctional *machtstaat* is currently more likely than a functional *rechtsstaat*. However, as to the eventual outcome, it is even *more* likely that the future of the South African state under the current regime resides somewhere on the plane of state dysfunction, between the realms of might and right, where opportunities for astute pragmatists and Machiavellis abound, and where the average citizen is caught betwixt the realities of an Hobbesian existence and aspiration towards a Weberian ideal. However, what remains as consolation is that the process of political decay, although on-going, has not yet reached the proportions of fully-fledged state failure and collapse. Thus, the window of opportunity in which to stem the regression towards acute stages of state dysfunction is still open, and will likely remain so in the short term. Such a reformation will, however, require immense amounts of political energy that, once mobilised, may be unpredictable and destructive in itself.

8.3.4 The future of the state and democracy

Whilst this study's South African operational focus reveals much to be concerned about (from the perspectives of both scholars and citizens) one must also raise questions regarding the future of the state as form of political organisation in the global arena. This investigation has demonstrated how state dysfunction erodes states in the developing world and how other societal (non-state) actors often emerge to augment or replace the functions of state. Consequently, the question may reasonably be posed whether the state is approaching its nadir?

As this study established, the relevance of statehood developed organically from its nominal inception in 1648 at Westphalia until the early twentieth century. After two global conflicts and the emergence of a dual-superpower polarity in international politics, the stage was set for the dismantling of the colonial empires of the old-world, buoyed by the normative spirit embodied by the United Nations and the decidedly more real-political support of the Soviet Union. For the national liberation movements of the 'Third World' (Marxist-inspired or otherwise) the state represented the political end, towards which their 'wars of liberation' were moving. Securing independent statehood under indigenous rule was therefore the ultimate goal- overriding- theme in the developing world during the 20th century. Judging retrospectively, this period of anti-colonial fervour may come to be considered the zenith of the state in international relations, since the state along with all its symbolism, potential and institutional power represented the embodiment of all that subjugated peoples across the world had yearned for.

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In the 21st century, there are no colonies left, and although postcolonial borders remain controversial, the reality of domestic and international power politics dictates that they remain set. The 'window of opportunity' for national self-determination against oppressive foreign rule has closed. Furthermore, many of the postcolonial states that waged such a potent moral and violent crusade against colonial oppression are now dysfunctional, with some verging on disintegration while others are at best lines on a map. The dynamics of political and economic globalisation has prompted the waning of the state's position as the most powerful and influential actor in the international arena. It is no exaggeration to claim that the world's largest corporations now exercise *more* power than the world's smallest states. Similarly, the evolution of the European Union shows how the autonomy of the state may be consensually eroded in favour of regional integration and cooperation. Do such developments, coupled with the prevalence of state dysfunction, indicate the terminal decline of the state? This study begs to differ, and posits four perspectives that would argue against the irrelevance of the state.

First, as a form of political organisation, the state remains the most effective and inclusive manifestation of the common good. The bureaucratized and de-personalised nature of the ideal-typical state serves to aggregate and moderate political power. Insofar as the loaded notion of the common good approximates the consistent and even-handed dispensing of political goods without bias or discrimination, the capabilities of the state and the depersonalised nature of its authority and institutions are unrivalled. The strength and durability of the state's appeal lies in its universality – it endeavours to protect *all* within its territorial domain, its compulsory authority binds *all* individuals and its institutions render public goods to *all* who reside in its borders. In this regard, no other organisation can claim such universal legitimacy. This study has demonstrated extensively how state dysfunction degrades these virtues and capabilities, often to the extent that many attributes dissipate entirely. However, this process of decay does not imply that the state is any less of a desirable goal. Rather, it confirms the unfortunate reality that the common good is often subservient to the personal interest of political elites, and that the state is abused as a vehicle through which such exclusive goals are pursued.

Second, as long as democracy is accepted as a normative ideal for organised political life, the state will endure. For the same reasons that the state represents the form of organisation that is most able to expedite the common good, so it is also the optimal institutional arrangement in support of democracy. That is not to say that the relationship between the state and democracy is exclusive, for many non-democratic states have existed and continue to exist, but rather that while generalised tyranny and anarchy may thrive in the

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absence of the state, political order and democracy cannot exist without it. This recalls Huntington's dictum that the *degree of government* precedes its form. In contrast to anarchy and political disorder, democracy requires a high degree of government to be maintained – of which the requisite nature can only be rendered by an organised and functional state. As Diamond (1996:28) notes:

Democratic consolidation is fostered by a number of institutional, policy, and behavioural changes. Many of these changes improve governance directly by strengthening state capacity, liberalizing and rationalizing economic structures, securing social and political order while maintaining basic freedoms, improving horizontal accountability and the rule of law, and controlling corruption.

The reader will note that Diamond's position correlates very closely with the perspectives derived from this study, and that the state is the only organisation able to realise the democratic preconditions set out above.

Third, the relationship between state and nation is a symbiotic one that remains relevant in a globalised era. Despite the fact that the notion of national self-determination is now less vigorously pursued by the international community in the postcolonial era, the link between nations and states remains one of the most influential facets of contemporary politics. Consider, for example, the continued impact of Zionism in regional and global politics, and the tremendous ripple effect that the enduring conflict between Israel and Palestine has on the international community – and the perspective that no issue is more central to this saga than the notions of national community and state. Recent developments in the Crimea and Scotland (2014) also attest to the fact that the nexus between national communities and states is probably the most important geopolitical variable, besides natural resources. Even in the European Union and Scandinavia, where regional integration, multiculturalism and cosmopolitanism have been watchwords of established liberal and social democracies, an emphasis on nation and nationality is being reasserted. Certainly, recent elections in Western Europe have witnessed a trend in the resurgence of the political right-wing. One should not forget that the development of the modern state arose concurrently with European nationalism, and the interwoven nature of these two aspects means that nationalism is always a latent political force in the long-established and consolidated nation states of the developed world.

Fourth, and perhaps most importantly in the context of the developing world, it remains true that the benefits and privileges that sovereignty bestows are far superior to any alternative arrangement that rivals contemporary statehood. As Jackson incisively noted, sovereignty translates into formal equality for weak and strong states alike and, according to the crux of

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his argument, actually favours weaker states from a normative perspective. The attainment of sovereignty provides access to an exclusive 'members only' club where states interact diplomatically as peers whilst simultaneously spurning pretenders (regardless of the legitimacy of their cause) as rebels, secessionists, terrorists and the like. Ultimately, states remain *the only* entities that may legitimately and authoritatively negotiate treaties, levy taxes, coerce citizens and direct communal existence in the common good.

Collectively, these aspects militate against the notion that the expiration of the state is imminent and, to paraphrase Twain, the rumours of its demise have been greatly exaggerated. The state remains the paramount manifestation of power and, as such, the single most important reference in understanding the global political reality. Indeed, this study has shown that the contemporary state is far less threatened by obsolescence or contending systems of power than it is by domestic negligence and political decay. The ideal-typical and functional state remains a desirable political goal – although not all states are equally endowed with the attributes and political will to maintain such functionality.

This then is the dilemma of dysfunctional statehood. States do not succumb to political decay because contemporary statehood is somehow flawed – it still represents (by some distance) the most effective and efficient means towards organised life – but rather because of the immense *potential* it represents. Those individuals of ideological inclination have historically been unable to resist the allure of power, and in the contemporary state they encounter a Machiavellian trifecta of political *power*, *resources* and *legitimacy*. Even more so in the postcolonial context, where this prospect presents an unassailable magnetism to men of political ambition, for no such individual can resist the opportunity to transform a discriminatory past and shape the future in his own image.

In South Africa too, a normative and ideological project of transformation lies at the heart of the regime's identity. However, a transformative course of action requires a super-capable state, proficient not only in altering the status quo, but also in shaping the future of an entire national community. Yet, the same ideology that propagates this urgent transformation is also liable for the emergence of the regime dynamic that has brought about the deterioration of the institutional component of the South African state. The result, put plainly, is a vicious cycle, through which the normative urgency (and expectation) for transformation escalates, whilst the state is concurrently rendered progressively less capable of expediting such demands.

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With this in mind, one cannot but wonder if it is because of great pertinence or great irony that Woodrow Wilson's words render themselves so appropriately to the conclusion of this thesis:

'There is no higher religion than human service. To work for the common good is the greatest creed'.

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