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EDITORIAL

BY **VASU GOUNDEN**

This is the most rewarding and the most troubling editorial I have written for *Conflict Trends*. My pleasure in writing this editorial stems from the success of achieving our goal, established 10 years ago when *Conflict Trends* was first published, to present the various trends in African conflict. More importantly, we wanted to create an African medium through which we could present 'African solutions to African challenges'.

Over the years of presenting the work and writings on conflict in Africa by many diverse authors, we have recorded a significant number of challenges on the continent, interspersed with some notable African solutions. It was therefore with great pride and relief that I noted the successful end to the Kenyan stand-off between President Mwai Kibaki and opposition leader, Raila Odinga, mediated by Kofi Annan, former Secretary General of the United Nations and currently an 'elder' in Africa. He was joined by Graça Machel, another eminent 'elder' in Africa and trustee of ACCORD, as well as the former president of Tanzania, Benjamin Mkapa.

The Kenyan agreement was genuinely an African solution to an African challenge. Three eminent and very experienced Africans persevered to ensure that what had become an African embarrassment almost overnight could also become a success story for African-led conflict resolution efforts. We are all mindful that the tenuous peace that was attained could fall apart at any time. However, given the deep resentments and hatred that followed the recent violence in Kenya, one cannot help but be impressed at the speed with which agreement was reached – and through African efforts!

I stress 'African efforts' to highlight the maturing of our internal work-in-progress. Indeed, since 1990 when contemporary conflict resolution took root on the continent, Africa has become better equipped to deal with its own problems. We still have a long way to go in institutionalising conflict resolution systems, processes and skills, but we are also no longer at the starting blocks – we are very much in the race towards

transforming our continent. Several developments on the economic front also indicate that our efforts towards sustainable solutions are proving effective, albeit very slowly.

However, in December last year, I watched with disbelief as Kenya, one of Africa's success stories (as most believed) tore itself apart in a few days. I was disturbed by the killing frenzy, but not shocked by the violent conflict events that unfolded as I had (unfortunately) seen this phenomenon many times in my career as a conflict resolution practitioner. What did shock me was the realisation that this was happening in Kenya, and being perpetrated by Kenyans. I have been to Kenya many times, and although it was not the exemplar of developed or developing nations, the country nevertheless always presented itself as a stable nation, and Kenyans appeared so peaceful.

As events unfolded in Kenya, one began to see the façade of stability unravel and the cracks of ethnic discontent come to the fore. Obscured for years, identity-based inequalities were etched in the memory of Kenyans, and it took but one incident and a little provocation for it all to explode. This is a lesson for all Africans, but particularly for those of us who claim conflict resolution as our profession. We need to be vigilant, and to ensure that our assessment of situations goes deeper than a tourist's leisurely use of the term 'peaceful country'.

We need to know that poverty, unemployment and the social dislocation of communities are not merely statistics for academic reports, but are indicators of brewing conflict. We need to know that, in the context of global inequity, a reassertion of identity is on the rise. Those in power can use any opportunity to exploit growing discontent and fears through manipulative identity politics for their own narrow purposes. Let Kenya be the ointment that reveals our sight. **A**

Vasu Gouden is the Founder and Executive Director of ACCORD.



KENYA'S CRISIS: ELITE AND FACTIONAL CONFLICTS IN HISTORICAL CONTEXT

WRITTEN BY **KARANJA MBUGUA**

Introduction

The eruption of violence following Kenya's recent election crisis shocked many the world over, especially as the country was once regarded as stable and known for its mediation of other conflicts in the Horn of Africa region. Kenya's reputation as one of the beacons of hope in sub-Saharan Africa stemmed from the perception of its relative stability compared to its neighbours, the holding of regular elections and the peaceful transfer of power in 2002, after 24 years of Daniel arap Moi holding the presidency. At the end of January 2008, however, more than 1 000 people were killed, more than 300 000 displaced and the economy suffered more than US\$3 billion in losses and about 500 000 lost jobs. The crisis is

still affecting the economies of countries in the East Africa region.

The subsequent debate about the crisis has attracted different viewpoints. One dominant view holds that the crisis arose over the disputed 27 December 2007 presidential elections. In order to capture the long-standing reality, however, this article aims to explore the evolution of elite conflicts arising out of competition over state power and resources since independence. This article posits that since political and economic grievances persisted in the country, elite and factional conflicts were

Above: Members of the Kisii tribe fight a battle with the Kalenjin tribe in the town of Chepilat (February 2008).

transformed into mass and communal conflicts, such that by March 2007, the state-funded Kenya National Human Rights Commission (KNHRC) boldly predicted the violence that erupted at the end of the year.¹ Indeed, issues such as the dehumanisation of people and imputation of evil intentions by conflicting parties and media partisanship, which William Ury noted exist before a country enters into violent conflict, evidently existed in Kenya prior to the elections.²

Therefore, the disputed elections only triggered the explosion of existing conflicts into the most serious violence Kenya has seen since independence. This occurred when voting and elections, as change and conflict transformation mechanisms, were compromised, after Kenyans had come to believe in their power following progressive improvements from 1992, culminating in the highly acclaimed 2002 elections. The article concludes that unless the crisis is resolved substantively, there are indications that it could transform into an intractable conflict.

Elite Conflicts in the Early Years

The participation of citizens in elections, and the collective involvement of the elected officials in the

attracted support from the populous ethnic communities.⁶ KADU, on the other hand, preferred a decentralised state, locally known as *majimbo* (a Kiswahili word for regionalism), and attracted support from the numerically weaker ethnic groups.

KADU's *majimbo* politics was aimed primarily at restricting land in the former White Highlands, particularly in the Rift Valley Province, under the control of the groups living in the area, or at least under the control of the local elite. Conversely, KANU's centralism aimed at forestalling restrictions of land transfer to those born in the area, and to allow the party's Kikuyu supporters access to the land market in the Rift Valley.⁷

KANU, led by Jomo Kenyatta, won the elections with 67% of the vote, and formed the first post-colonial government. A year later, the country departed from the parliamentary system into a republican state with a strong president. Meanwhile, KADU voluntarily dissolved itself and joined KANU. This change had two related effects: firstly, it ushered in a de facto one-party system and, secondly, it transformed competition over state and land control, and allocation of the capital budget from interparty political disputes into elite conflicts, as identified by Naomi Chazan et al.⁸

AT THE END OF JANUARY 2008 MORE THAN 1 000 PEOPLE WERE KILLED, MORE THAN 300 000 DISPLACED AND THE ECONOMY SUFFERED MORE THAN US\$3 BILLION IN LOSSES AND ABOUT 500 000 LOST JOBS

decision-making process thereafter, are not just important ingredients for the establishment of democracy. Elections also serve as mechanisms for legitimacy, integration and socialisation, and can lead to nation-building and stability.³ However, elections do not necessarily lead to democracy or stability. The failure of elections to resolve political and economic disputes can have destabilising effects, as Kenya has proved.

Kenya has held elections under both the multiparty and single-party political systems. Multiparty elections took place in 1963, 1992, 1997 and 2002, while one-party system elections took place in 1969, 1974, 1979 and 1988. However, the conduct and outcomes of these elections attracted different responses, depending on the structural tensions prevailing at each time.

During the independence elections in 1963, for example, competition between two ideologically distinct political parties – the Kenya African National Union (KANU) and the Kenya African Democratic Union (KADU) – occurred. KANU-KADU differences revolved around the structure of the post-colonial state and control of land resources, especially the White Highlands.⁴ KANU espoused a centralised state and 'African socialism'⁵, and

Chazan et al identifies five categories of conflicts that are common in Africa: elite conflicts, factional conflicts, communal conflicts, mass conflicts and popular conflicts. Elite conflicts arise from competition between elites for control of political power. Acting individually or in temporary alliances, and pursuing a multiplicity of interests, elites favouring divergent policy positions often cast their demands in class, ethnic and ideological terms.

Using this framework, three broad semi-corporate groups⁹ lay at the centre of elite conflicts in the 1960s: a 'radical' or 'populist' coalition that articulated the interests of the landless, small-scale farming and low-skilled workers; a conservative group that sought to expand opportunities for large-scale farming, business and upper income groups; and former KADU members, who articulated agricultural policies that favoured larger farming operations but limited free exchange of land between residents of different regions.¹⁰

However, elite conflicts hardly threaten the established political order and rarely turn broadly violent, because their tactics are concerned with gaining benefits within the system rather than undermining it. The worst

form of violence in elite conflicts is political assassination. Within this context, conflicts between the three broad alliances in Kenya in the 1960s led to two consequences. Firstly, they led to the end of KANU as a hegemonic party, and the formation of an opposition political party – the Kenya People’s Union (KPU). Secondly, the conservative group employed repression, ethnic categorisations and patron-client networks – that is, the informal personal relations between powerful individuals with proximity to the head of state and his advisors, and less powerful mediators advancing personal interests – to ward off competition between it and the first and third groups. Political assassinations were also used as a weapon to deal with intragroup competition.

Transformation from Elite Conflicts to Mass Conflicts

The first assassination – of KANU’s Secretary General and Minister of Economic Planning, Tom Mboya, in July 1969 – shook Kenya’s politics and ignited ethnic tensions across the country.¹¹ Ali Mazrui avers that the assassination marked Kenya’s descent into a one-party state, which was premised on political exclusion and ethnic domination.¹² However, political exclusion and ethnic domination transformed hitherto elite conflicts into factional conflicts. Factional conflicts in this sense are conflicts organised by elites, but extend into communities where mobilisation and rewards are based on patron-client networks. This linkage with communities leads to ethno-regional conflicts, since the factions mobilise ethnically through patron-client politics.

Indicators of this transformation from elite to factional conflicts in the early 1970s include, firstly, state-engineered construction of political identities from cultural identities. This construction was executed through ethnic welfare associations led by the Gikuyu, Embu and Meru Association (GEMA).¹³ Secondly, the ethnicisation of state power led to the disproportionate allocation of public resources to central Kenya, as the International Labour Organisation (ILO) noted in a report entitled ‘Employment, Incomes and Equality’ in 1972.¹⁴ This widened the imbalances in economic development between regions. Thirdly, concerns were raised around land redistribution, particularly in the Rift Valley Province, where allocation of land to members of the Kikuyu community provoked resentment. Indeed, the Rift Valley has been the epicentre of the post-2007 election violence.

Further, political repression of alternative political viewpoints by the dominant elite hampered the formation of enduring national constituencies, and accelerated elite fragmentation. For instance, a populist coalition that premised its political platform on issues such as land



REUTERS / THE BIGGER PICTURE

Former president, Daniel arap Moi relinquished power in 2002 after 24-years of holding the Kenyan presidency.

redistribution and greater equity collapsed when Josiah Mwangi Kariuki, one of its leaders and a wealthy member of the Kikuyu elite, was assassinated in March 1975, while his counterpart Jean Marie Seroney, a Kalenjin attorney from the Rift Valley, was detained. Indeed, this political repression, ethnicisation of power and elite fragmentation undermined competition between parties promoting explicit political ideologies.

Ultimately, the transformation of the elite groups undermined the political base of the dominant wing, and laid the foundation for the emergence of mass conflicts. ‘Mass’ in this sense refers not to numbers but to “those violent eruptions which constitute contests between those who can effect rapid transformation of the structure of power and those who seek to preserve the status quo”.¹⁵ Mass conflicts revolve around social classes, as power structures are based on economic relations.

However, the rise of mass conflicts in Kenya was delayed by two developments. On the one hand, Daniel arap Moi rose to power following President Kenyatta’s death. While Moi retained the strategies that Kenyatta had used to manage competing claims on power and resources, the Kenyatta elite split into several factions. The more moderate faction supported Moi, whilst the

fortunes of the other factions diminished sharply. Moi also co-opted new elites from small ethnic groups that had been out of power, and pursued populist themes that resonated with the masses (for example, the free school milk programme). Indeed, only in 1990 did segments of the informal sector, which formed part of Moi's populist base, begin to participate in opposition politics.¹⁶ While disputes between the emerging elites were resolved

presidency and led to personal rule, increased repression, curtailment of divergent political opinions, undermining of factional associations and the altering of the character of civil society. Nevertheless, emerging elite and factional conflicts were rampant in the party-state until 1991. These elite conflicts led to the assassination of the Minister of Foreign Affairs, Dr. Robert Ouko, in February 1990.

REUTERS / THE BIGGER PICTURE



The graffiti “peace wanted,” painted on a wall in Nairobi’s Kibera slums, sums up the plea of the Kenyan people for a stable and peaceful country.

through co-optation and rotations within state institutions, the remaining Kenyatta elite faction was finally edged out of power and influence in the mid-1980s.

The dominant elite outlawed political opposition through a constitutional amendment in June 1982, returning Kenya to a one-party state *de jure*. Subsequently, in the mid-1980s, Kenya turned into a party-state.¹⁷ The party-state concentrated power in the

Two main reasons account for the transformation of the elite and factional conflicts into mass and communal conflicts after the legalisation of plural democracy in 1992. Firstly, economic decline and liberalisation, and the changing national and global political context, limited the use of public resources as tools of political patronage. Therefore, the dominant elite employed ethnic conflicts disguised as land clashes to

respond to political competition. The clashes, which aimed to alter political demography and predetermine electoral outcomes, were executed through militias. These militias mobilised traditional structures such as 'warrior bands', dressed in traditional attire, and used weapons such as bows and arrows, machetes and spears. The violence killed more than 3 000 people and displaced more than 250 000 between 1992 and 1998.

Secondly, the opposition movement comprised several factions with divergent conceptions of democracy and governance. These factions ranged from the KPU supporters and socialists who had been suppressed since the 1960s, civil society groups that opposed the party-state in the late 1980s, and the Kenyatta-era elite, who had lost power struggles in the 1980s to a younger generation of politicians and who were now seeking accommodation in a new order. These groups, unfortunately, failed to rise above the legacies of the past. Therefore, political competition between them degenerated into ethnic and sectional competition. However, the events of 2002 delayed the transformation of elite and factional conflicts into mass and communal conflicts.

A Turning Point: Transfer of Power in 2002

The year 2002 ushered in a major shift in Kenya's conflict evolution processes, unlike previous transitions. The year marked the end of Moi's rule, as he was constitutionally barred from running again. Thus, competition for his succession in KANU split the party. One faction, led by Raila Odinga, who had left the opposition in 1998 to join Moi, teamed up with an opposition faction, led by Mwai Kibaki, to form a loose alliance – the National Rainbow Coalition (NARC). Though the only point of convergence between the two factions was the defeat of Moi's chosen candidate, Uhuru Kenyatta, in the presidential elections, the alliance won and a peaceful transfer of power followed.

NARC's win boosted Kenya's electoral system, which had been progressively improving since 1992, while the peaceful transition boosted confidence in the power of the vote. Kenyans came to believe they could change the old political order, hold leaders to account, reform state institutions, address ethno-regional imbalances and historical injustices, and build a new national identity through voting. Indeed, Gallup pollsters declared Kenyans to be the most optimistic people in Africa in January 2003.¹⁸

However, NARC was comprised of four diametrically opposed political tendencies: the Kenyatta-era elite that had lost power and influence in the 1980s; the elite that arose under Moi in the mid-1980s, but deserted him when he unilaterally chose a successor in KANU in 2002; the historically marginalised groups (by both Kenyatta and Moi); and individuals – liberals, social democrats

and former socialists – whose aim was to influence public policy in the post-Moi era. A Memorandum of Understanding (MoU) cemented these four tendencies in December 2002. However, Kibaki, a key member of the Kenyatta-era elite, discarded the MoU as soon as he took power in January 2003, and the NARC alliance collapsed.

The collapse of NARC saw the dominant elite revert to old tactics such as political patronage, repression and ethnicity to ward off challenges. These tactics revived elite and factional conflicts, and laid the basis for mass and communal conflicts. Hence, between 2002 and 2007, elite, factional and mass conflicts occurred simultaneously – often reinforcing each other. These conflicts were aided by ethno-regional inequalities, which had



REUTERS / THE BIGGER PICTURE

Kenya's President Mwai Kibaki (right) chats with opposition, Orange Democratic Movement (ODM) leader, Raila Odinga, during a closed door meeting in Nairobi (March 2008).

reproduced themselves over time and across generations, locking the excluded in a perpetual inequality trap. The elite factions exacerbated ethnic anger through magnifying community myths and emotions, and disseminating negative and dehumanising campaigns through various forms including FM radio stations, emails and text messages.¹⁹

However, the post-2002 era coincided with a different national and global environment. New institutions – mostly non-governmental organisations – had emerged; discourses on democracy, governance and human rights were in vogue; and human rights organisations had conducted civic education in the country, particularly in the 1990s, with emphasis on constitutional reforms, equity and ethno-regional imbalances. More importantly, the citizens had progressively come to believe in the power of the vote as a tool for change and conflict transformation. Indeed, the 2005

referendum over a new constitution, which the government lost, greatly enhanced this power of the vote.

Kenyans therefore approached the 27 December 2007 elections armed with this enhanced confidence in the power of the vote. The elections pitted President Mwai Kibaki and his Party of National Unity (PNU) against Raila Odinga, the leader of the Orange Democratic Movement (ODM), and Kalonzo Musyoka, the head of the ODM-Kenya. Voter turnout, at about 70%, was the highest in the country's electoral history, and passions ran high. Opinion polls conducted in the lead-up to the elections pointed to a close election. However, 49 out of 50 polls pointed to a possible narrow win by the opposition candidate Odinga. He actually maintained his lead in the early counts of the presidential vote. When election observers expressed surprise, the opposition cried foul, and riots erupted in the country when the Electoral Commission of Kenya (ECK) announced Kibaki the winner, with 4 584 721 votes against Odinga's 4 352 993 votes. In the parliamentary elections, which occurred at the same time as the presidential elections, Kibaki's party won 43 out of 210 parliamentary seats, Odinga's party won 99, and small parties won the other seats. In the local government elections, Kibaki's party won 437 out of 2 484 seats while Odinga's party won 1 037 seats.

All international and domestic observers reported that the tallying of the presidential vote was flawed, and called for an international audit. To the voters, the flawed process compromised their confidence in the power of the vote. This compromise coincided with three other critical factors. Firstly, a majority electoral system in which the winner takes all. Secondly, a politico-economic environment characterised by widening ethno-regional imbalances. Thirdly, ethnic anger that elite factions had been stoking through manipulating community collective memories prior to the polls. The interplay between the compromise of the power of the vote and these three factors predisposed all groups towards collective violent reactions, characteristic of mass and communal conflicts. This crisis therefore needs to be resolved substantively; otherwise the transformation of elite and factional conflicts into mass and communal conflicts will turn it into an intractable conflict.

In recognition of the challenge, the Kofi Annan-led international mediation team has focused their efforts in four key areas. The first, an audit of the presidential vote, seeks to unravel electoral flaws in the 2007 elections and recommend necessary reforms to the electoral

process. These will include a review of the winner-takes-all system. The second seeks to unravel violence and transitional justice issues, including correcting the legacies of the past. The second seeks to unravel violence and transitional justice issues, including correcting the legacies of the past. The third, power sharing, seeks to stabilise the country during the transition process. And the last key area revolves around substantive issues at the heart of the conflict including the state structure, land distribution and economic equity. These four areas sum up the fundamental issues behind the transformation of elite and factional conflicts into mass and communal conflicts. It therefore stands the best chance of reversing the conflict evolution and escalation.

Conclusion

Elite and factional conflicts arising from power struggles after decolonisation and structural rivalries over state power distribution have been evident in Kenya since independence. The persistence of political, social and economic grievances has, over time, triggered the transformation of elite and factional disputes into mass and communal conflicts. Such transformation has, however, been delayed or stopped at crucial historical junctures such as the change of government in 1978, the adoption of plural politics in 1992, and peaceful transition in 2002. Unfortunately, developments after these junctures have failed to resolve these conflicts.

Further, the 2002 transition was critical because, firstly, it coincided with a changed national and international political environment; and, secondly, the changes of the 1990s had progressively enhanced the power of the vote as a tool for change and a mechanism of conflict transformation. However, the failure of the 2002 transition to usher the anticipated reforms and the manipulation of communities' collective memories by elite factions predisposed groups towards violence. The flaws in vote tallying in the 27 December 2007 presidential elections finally triggered violence. Lastly, the Kofi Annan Initiative, if it succeeds, will hopefully reverse the effects of the transformed elite and factional conflicts to mass and communal conflicts, as recently experienced. **A**

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ELITE AND FACTIONAL CONFLICTS ARISING FROM POWER STRUGGLES AFTER DECOLONISATION AND STRUCTURAL RIVALRIES OVER STATE POWER DISTRIBUTION HAVE BEEN EVIDENT IN KENYA SINCE INDEPENDENCE

Endnotes

- 1 In March 2007, the KNHRC submitted a memorandum to President Mwai Kibaki urging him to maintain the Inter-Parties Parliamentary Group (IPPG) agreement that had been in place since 1997, whereby all parliamentary parties made nominations for appointment to the Electoral Commission of Kenya (ECK). In the submission, the KNHRC argued that unilateral abandonment of the agreement would invite chaos and instability if the election results were disputed. Towards the end of the year, President Kibaki unilaterally abandoned the agreement. For other predictions, see Society for International Development & Institute of Economic Affairs (2000) *Kenya at the Cross Roads: Scenarios for Our Future*, Nairobi: Society for International Development & Institute of Economic Affairs, Available at www.kenyascenarios.org.
- 2 Ury, William (2000) *The Third Side: Why We Fight and How We Can Stop*, New York, NY: Penguin Books.
- 3 Adar, Korwa (1998) 'Ethnicity and Ethnic Kings: The Enduring Dual Constraint in Kenya's Multi-ethnic Democratic Electoral Experiment' in *Journal of the Third World Spectrum* 5, no.2 (Fall 1998), pp. 71-96.
- 4 The term White Highlands describes an area in the central highlands of Kenya, where British immigrants settled in considerable numbers during the colonial rule. They took advantage of the good soil and cool farming climate. The British East Africa Protectorate, founded in 1905, encouraged British immigration and by 1920, when Kenya became a colony, about 10 000 British farmers had settled in the area.
- 5 The concept of 'African socialism' was articulated in KANU's ideological document, the 'Sessional Paper No. 10 on the Application of Planning to African Socialism', which was published in 1965. Despite using the term 'socialism', the paper supported a mixed capitalist system.
- 6 Kenya's ethnic groups are: Kikuyu 22%, Luhya 14%, Luo 13%, Kalenjin 12%, Kamba 11%, Kisii 6%, Meru 6%, other African 15%, non-African (Asian, European, and Arab) 1%. However, there are also many sub-groups within these main groups.
- 7 There are eight administrative provinces in Kenya: Nairobi, Central, Eastern, North Eastern, Coast, Rift Valley, Western and Nyanza. For details on KANU-KADU politics of the land question, see Widner, Jennifer A. (1992) *The Rise of a Party-State in Kenya: From "Harambee!" to "Nyayo!"*, Berkeley: University of California, p. 81.
- 8 Chazan, Naomi; Lewis, Peter; Mortimer, Robert A.; Rothchild, Donald & Stedman, Stephen John (1992) *Politics and Society in Contemporary Africa (2nd edition)*, Boulder CO: Lynne Rienner Publishers.
- 9 For details on the distinction between factions and corporate groups in Kenya, see Widner, Jennifer A. (1992) *The Rise of a Party-State in Kenya: From "Harambee!" to "Nyayo!"*, Berkeley: University of California, pp. 2-3. For details on the distinction between factions and corporate groups in general, see Lemarchand, René (1988) 'The State, the Parallel Economy, and the Changing Structure of Patronage Systems' in Rothchild, Donald & Chazan, Naomi (eds.) *The Precarious Balance: State and Society in Africa*, Boulder CO: Westview Press, pp. 149-70. Available at <http://ark.cdlib.org/ark:/13030/ft9h4nb6fv/>.
- 10 Widner, Jennifer A. (1992) *The Rise of a Party-State in Kenya: From "Harambee!" to "Nyayo!"*, Berkeley: University of California, pp. 31-33.
- 11 Ng'weno, Hilary (2007) 'Mboya Up Against Kenyatta's Tough Inner Circle' in *Daily Nation*, 3 December 2007; and Ng'weno, Hilary (2007) 'Mboya's Murder and the Return of One-Party State' in *Daily Nation*, 4 December 2007.
- 12 Mazrui, A. Ali (2008) 'Kenya in Search of Solutions' in *The Monitor*, 12 January 2008.
- 13 For details on GEMA, see Joseph, Karimi & Ochieng, Philip (1980) *The Kenyatta Succession*, Nairobi: Transafrica Press; Widner, Jennifer A., op cit.; Ng'weno, Hilary (2007) 'The Making of a Nation: Rise of Gema and its Liability to Kenyatta's Government' in *Daily Nation*, 11 December 2007; and Ng'weno, Hilary (2007) 'The Making of a Nation: Why Njonjo Scuttled Gema's Plan to Lock Moi Out of Presidency' in *Daily Nation*, 18 December 2007.
- 14 International Labour Organisation (1972) *Employment, Incomes and Equality: A Strategy for Increasing Productive Employment in Kenya*, Geneva: ILO.
- 15 Chazan, Naomi; et al, op cit.
- 16 Widner, Jennifer A., op cit., p. 81.
- 17 Jennifer A. Widner defines the party-state as a government structure in which the party has lost influence and has assumed the role of transmitter and enforcer of policy decisions, with executive police powers.... The party-state represents an effort by leaders both to exclude participation by some social groups and, at the same time, to shape the views held by members of weaker interest groups. For more information on the evolution of the party-state in Kenya, see Widner, Jennifer A., op cit.
- 18 Wolf, Tom; Logan, Carolyn; Owiti, Jeremiah & Kiage, Paul (2004) 'A New Dawn? Popular Optimism in Kenya After the Transition', Afro Barometer Working Paper No. 33, Available at <http://www.afrobarometer.org/papers/AfropaperNo33.pdf>. Accessed on 4 March 2008.
- 19 In 2004, a committee appointed by the Ministry of Information to probe the content of media houses noted that Kikuyu vernacular radio stations were disseminating hate information against other Kenyan communities. See also 'Kenya: Spreading the Word of Hate' in *IRIN*, 23 January 2008.



ELECTION-RELATED VIOLENCE IN AFRICA

WRITTEN BY **SAMUEL MONDAYS ATUOBI**

Introduction

Elections in most African countries are characterised by uncertainties, due to the possibility of election-related violence. Election-related violence may take place at different stages of the electoral process: before, during or after elections. During the 2003 Federal and States elections in Nigeria, at least 100 people were killed and many more were injured.¹ Approximately 600 people were reported killed in the recent election violence in Kenya, following disputes over the results of the December 2007 presidential elections.² During the

August 2007 run-off elections in Sierra Leone, violence erupted following a clash between the supporters of the ruling Sierra Leone People's Party (SLPP) and the opposition All People's Congress (ACP). Violent attacks were also reported against the supporters of the SLPP when the ACP leader was sworn in as the new

Above: A protester hurls rocks during a demonstration against the disputed re-election of President Kibaki in Mombasa, Kenya (January 2008).



Voter intimidation to prevent or influence voting is one manifestation of election violence.

president.³ Elections in Zimbabwe, Uganda, Ethiopia, Chad and Zambia have also all in the past been characterised by violence. The incidence of election-related violence in Africa is so high that even an election considered to be free and fair in electoral outcome may not have been free of violence before, during or after the election. Elections in Africa are periods during which the stability and security of African states hangs in the balance, due to the threat of related election violence.⁴

Although this article focuses on election violence in Africa, the problem is not limited to this continent. It is not uncommon in some Asian countries such as India, Pakistan, Philippines and Malaysia. In the Philippines, 75 people were killed prior to the May 2007 elections, while 80 others were wounded in election-related violence.

What is the essence of democracy and multi-party politics if it still results in violence that leads to the destruction of life, livelihood and property? What argument can we advance in favour of democratic consolidation in Africa when elections end in chaos, as we are currently witnessing in Kenya? What factors account for the predominance of election-related violence in Africa? How does election-related

violence impact peace, security and development on the continent? And how can it be addressed?

With the Kenyan post-election violence still fresh in our minds, this article examines the manifestations and sources of election-related violence and its implications for democratisation, peace, security and development in Africa, and offers suggestions for dealing with it. This article argues that election-related violence in Africa can be traced to the inherent structural weaknesses in election administration and management. This article concludes by calling for concerted regional efforts to address the problem of election-related violence in Africa.

Manifestations and Sources of Election Violence

Election-related violence is defined as political violence aimed at the electoral process. It is geared towards winning political competition of power through violence, subverting the ends of the electoral and political process.⁵ In this article, election violence or election-related violence is understood as violent action against people, property or the electoral process, intended to influence the electoral process before, during or after elections. Election violence can be explained by two perspectives – cultural and structural. The cultural perspective presupposes the existence of “a political culture of thuggery that generally predisposes actors to engage in violence and intimidation during political contests”, while the structural explanation suggests that “society and politics are organized in a manner that generates conflict”.⁶ These two perspectives are reinforced by ethnic rivalries and mobilisation in politics in most African countries that have been volatile during elections.

The nature or manifestations of election violence include:

- ❖ murder/killings;
- ❖ looting, destruction and damage of property;
- ❖ assault and death threats;
- ❖ bombings;
- ❖ forceful dispersion of political rallies;
- ❖ fighting among political parties;
- ❖ violent street protests and hooliganism;
- ❖ arbitrary detentions and arrests without warrant;
- ❖ abduction;
- ❖ economic repression or sabotage; and
- ❖ intimidating voters and attempting to prevent voting.⁷

Victims of election violence may not necessarily be voters or people who have direct responsibilities in the electoral process. This is especially true when election violence is characterised by ethnic and religious clashes. However, the immediate victims of election violence are usually voters, political parties and their members

THE INCIDENCE OF ELECTION-RELATED VIOLENCE IN AFRICA IS SO HIGH THAT EVEN AN ELECTION CONSIDERED TO BE FREE AND FAIR IN ELECTORAL OUTCOME MAY NOT HAVE BEEN FREE OF VIOLENCE BEFORE, DURING OR AFTER THE ELECTION

and electoral officers. Sometimes, media houses (newspapers, radio and television) and civil society organisations also suffer attacks during election violence. Generally, the perpetrators of election violence are political parties and their members, who use violence as a means of influencing the electoral process to their advantage, and preventing other political parties from rigging an election or reversing an electoral outcome that may not favour them. Partisan security agents, such as the police and military, have also been used by the state to perpetrate election violence. The media, too, through unguarded and biased reporting and comments can, directly or indirectly, instigate political parties and their members to participate in election violence.

What factors impact the high incidence of election-related violence in Africa? There are several factors responsible for election-related violence on the continent, among them structural weakness in election management, and especially the election management bodies; the nature of the electoral system (that is, the winner-takes-all); abuse of incumbency (access to state resources, manipulation of electoral rules); identity politics; heavy-handedness of the security forces during elections; and deficiencies in election observation and reporting.

Three of these factors are discussed further in this article: structural weakness in election administration and the lack of capacity on the part of election management bodies; the nature of the electoral systems in most African countries; and identity factors. These three factors appear to be the most basic, and common to most African countries where election-related violence is a recurring feature of the electoral process.

Structural weakness in election management

In Africa, a number of factors are responsible for weakness in the electoral system, and the lack of independence and capacity of election management bodies to deliver on their constitutional mandate.

When considering the ability of an election management body to manage free and fair elections, two questions are crucial:

- ❖ Is the election management body truly independent and free from the influence of the ruling party or opposition parties beyond constitutional provisions?

- ❖ Does the election management body have the resources and capacity to deliver on its constitutional mandate?



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The capacity of an election management body can be measured by its ability to undertake voter registration, train polling personnel and conduct voter education, amongst other functions.

The capacity of the election management body to manage transparent, free and fair elections can be measured by its ability to perform functions such as voter registration, training polling assistants, voter education, managing logistics on election day, vote tallying, announcing results and settling electoral disputes, without constraints. While, in some countries in Africa, the capacity of electoral bodies to deliver these functions has improved from one election to the next, in other countries there is stagnation. This situation may be due to the lack of political will on the part of ruling governments to resource the electoral bodies adequately, because it may be benefiting from the status quo. The lack of independ-



A soldier guards unused ballot boxes in an attempt to prevent election fraud and corruption.

ence and the capacity of election management bodies to deliver on their democratic mandate is an obstacle in their ability to organise free, fair and transparent elections. Constitutional provisions guaranteeing the independence of electoral bodies in Africa are, in most cases, not respected. In some cases, electoral commissioners have been forced to resign before the elections were completed while, in other cases, they are ordered to declare election results they do not believe reflect the true outcome of the elections.

Nature of the electoral system

Electoral systems are used to translate votes cast in an election into seats or offices won by candidates. One important component of the electoral system is the electoral formula that is used to translate votes into seats and positions – whether it is plurality/majority, proportional, mixed or another system. In the plurality (first-past-the-post) system, candidates who win more votes than any other candidate – in their constituency – are elected. The system does not require a candidate to win a majority, but a plurality in terms of the total valid votes cast. On the other hand, the majority system requires that a candidate wins 50 percent of the total valid ballots cast. Where no candidate obtains more than 50 percent of the votes, a second round of elections is organised for the two front-runners, to enable a clear winner to emerge. The proportional representation system is the direct opposite of the plurality system. It allows for representation

after an electoral contest in proportion to the number (percentage) of votes obtained. Some countries use both the plurality and proportional systems, to include the interests and rights of women and minority groups.

The choice of a particular system has a profound effect on the future of politics in the country concerned. About 28 African countries use the plurality/majority system, 15 countries use the proportional representation system and five countries employ a mixed system.⁸ The electoral system used should ensure a stable and accountable political system for the particular country. However, the plurality/majority (winner-takes-all) system, with its adversarial nature, usually engenders divisions and provides incentives for competitors to cheat. This does not, however, suggest that parties do not try to cheat under other systems but, since opponents can lose completely, the desire to cheat with the plurality system is higher. This is a major source of election violence in Africa. The challenge is therefore to adopt an electoral system that rewards participants in an electoral contest fairly.

Identity factors

In a political situation, identity factors such as ethnicity, religion, race and so on can be manipulated by the political elite to gain votes – either to enable them to remain in office or to gain access to political power. In situations where access to political power ensures control over the distribution of state resources for personal gain, the consequences of such divisive identity politics is often devastating. In Africa, it is not uncommon to find parties that draw support along specific identity lines, such as religion, race or ethnicity. In such situations, political contests are reduced to identity politics, in which parties operate on the assumption that the group that wins an election has exclusive access to state resources. Politics, as a means of gaining access to state resources through identity group manipulation, therefore becomes a factor in election-related violence, in which an attempt to rig an election is an attempt to deny some groups access to state power, and therefore state resources. The problems of identity-based politics brings into focus the need to re-examine electoral systems in Africa, in favour of more inclusive systems.

Implications of Election Violence

Election-related violence threatens the development and consolidation of democracy. In countries where violence is a regular feature of the democratic process, democratic values and institutions are prevented from developing because power is gained and retained through violence. Where a government is perceived to have come to power through irregularities, its legitimacy is then questionable, and it will likely have problems

with forging national unity. Apart from the effects of election violence on the legitimacy of the electoral process, it also impacts voter turnout and the eventual outcome of the electoral process. Since voter turnout determines the results of elections, election violence can distort the outcome of an election.

Election violence can also impact negatively on existing social relations. The prevalence of identity

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An election official travels to a polling station with a ballot box on the back of his motorbike.

politics in most African countries makes it more feasible for election violence to assume identity dimensions and polarise groups along ethnic lines. Although the current post-election violence in Kenya cannot be attributed entirely to identity politics, the fact that the violence has assumed ethnic dimensions raises concerns about the negative impact of election violence on social relations. If not properly addressed, the possibility of election violence erupting in future elections along identity lines may be high. The negative impact of election-related violence on social relations is also possible in other multi-ethnic African societies.

Election violence can also escalate into larger scale, protracted conflicts. In Rwanda, Burundi and Côte d'Ivoire, widespread conflicts were preceded by disputes over the electoral process and election results, among other factors. In post-conflict states, election-related violence or disputes over election results can derail peace processes. In 1992, following disputes over the election results in Angola, the National Union for the Total Liberation of Angola (UNITA) returned to

war, which lasted almost a decade. It must, however, be noted that not all protests over elections and the results are justified, since some political parties also 'cry foul' any time they realise that they are about to lose an election.

In the long term, protracted election-related violence also has a negative impact on the economy. Although the economic costs of election-related violence cannot be easily quantified, considering the destruction of property associated with it, widespread election-related violence can reverse economic gains. The ongoing violence in Kenya is likely to cost the government revenue from tourism, and further impact negatively on the economic activities of countries in the region that rely on Kenya's port facilities. Violence is also likely to affect general economic activities such as commerce, agriculture and food production. In the long run, investors are likely to shy away from such countries undergoing political instability resulting from – and related to – elections.

Conclusion and Recommendations

In attempting to address the problem of election violence in Africa, the following suggestions should be considered by regional actors and organisations. First, there is a need to address the weaknesses in election management, by building the capacity of election management bodies to deliver on their constitutional mandate. In most cases, it may be beyond the capacity of national governments to meet the financial commitments required to build the capacity of election management bodies, and the support of regional organisations is therefore required. For instance, an election support fund can be created by the African Union (AU), through which resources can be made available to strengthen the capacity of electoral bodies to run elections effectively. The establishment of an apex body to manage elections at the sub-regional and regional levels should also be explored. Such a body, apart from helping to enhance the capacity of national election management bodies in organising elections more professionally, can also be useful in ensuring the independence of electoral bodies and warding off undue influence from undemocratic governments.

Second, the problem of gaps in election observation and reporting can also be addressed by regional bodies, through the establishment of common standards for election observation. This will help to reduce the tensions created by conflicting reports from different

AS A CONTINENT, AFRICA NEEDS TO EMBARK ON A GRAND PROJECT TO ADDRESS THE PROBLEMS OF IDENTITY DIVISIONS, WHICH HAVE PERMEATED ELECTORAL POLITICS

observer groups. In most cases, elections declared as free and fair by some observer groups are called a sham by other observer groups. The development of the Economic Community of West African States (ECOWAS) *Handbook on Election Observation* is a step in the right direction, and the idea should be explored by other regional organisations. The creation of common standards for election observation at the regional level should eventually lead to the creation of common election observation standards for the continent, under the leadership of the AU.

Third, problems relating to electoral systems in Africa need to be addressed. It is time to begin revising the winner-takes-all electoral system, and adopt more inclusive electoral systems that take into account identity diversities in Africa. Electoral systems should aim at achieving the objectives of proportionality of seats to votes; accountability to constituents; durable governments; ethnic, religious and racial conciliation; and minority office-holding.⁹ The AU, through the African Peer Review Mechanism (APRM), can create the platform for constitutional reviews in countries where their electoral systems have become a source of political tension.

The fourth problem is related to resolving electoral disputes. An effective electoral system should include an efficient mechanism to settle electoral disputes. In most cases, traditional courts have been slow in dealing with electoral cases, mostly because they can be influenced by the ruling party if the outcome of the court's decision will not be in the party's favour. Setting up independent electoral courts can help to reduce conflict resulting from disputes over election results. The AU must address how it can be involved in resolving election disputes in member countries. Fallout from the attempt by the AU to resolve the Kenya post-election violence points to weaknesses in conflict resolution mechanisms in Africa. The initial attempt by the AU chairman to intervene in the crisis was thwarted by the Kenyan government, which instead welcomed an American envoy. When the AU was finally allowed to intervene, not much was achieved. Earlier intervention by the AU could have prevented the destruction that followed the announcement of the election results.

Lastly, as a continent, Africa needs to embark on a grand project to address the problems of identity divisions, which have permeated electoral politics. While there is the need to adopt all inclusive political systems that take into account Africa's ethnic and religious diversity, political parties must be guided by codes of conduct that will prevent them from creating divisive identity sentiments during elections.

Multiparty democracy and electoral politics have indeed taken root in Africa, and have proven to be

better than dictatorships and one-man rule. While election-related violence threatens the consolidation of democracy, it should be viewed as one of the problems that needs to be addressed as part of democratic transition in Africa. Addressing election-related violence is, however, the combined responsibility of all citizens of Africa, including the regional and continental organisations. **A**

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KENYA IN TRANSITION: MEDIATION, POWER SHARING AND CONSTITUTIONAL REFORM

WRITTEN BY **TIM MURITHI**

Following its controversial December 2007 presidential elections, Kenya found itself in uncharted territory. Violence and internal displacement has either directly or indirectly affected the life of every Kenyan. All of Kenya's citizens who have tragically suffered following these events, means that the country, as

freedom movement. The discussions seemed to have made progress on a number of issues, including addressing the violence and humanitarian challenges generated by the internal displacement. There has also been an agreement to establish a truth and reconciliation commission to address past atrocities. There are,

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Kenya's president, Mwai Kibaki (left) and opposition leader Raila Odinga (right) sign a power sharing agreement intended to end the post-election crisis.

a collective of its citizens, has also been traumatised. The first sign of hope that a way forward could be found, through this uncharted territory, came when the Party of National Unity (PNU) and the Orange Democratic Movement (ODM) agreed to a dialogue and mediation process. This was led by Kofi Annan, the former United Nations (UN) Secretary General, supported by Benjamin Mkapa, former president of Tanzania, and Graça Machel, a former leader within the Mozambique

however, key issues that still need to be addressed, such as how to consolidate peace and stability through a power-sharing arrangement, and the needed constitutional, economic and societal reforms.

Challenges of Mediating the Electoral Dispute

The mediation process in Kenya and the subsequent implementation of an agreement will need to be supported by the African Union (AU), and the

international community in general. Mediation became necessary in Kenya when Samuel Kivuitu, Chairman of the Electoral Commission of Kenya (ECK), declared that he did not know who won the presidential elections. The fact that Kivuitu and his commissioners are appointed by the government means that they are legally responsible for facilitating and adjudicating electoral processes in Kenya. The ECK has the mandate to referee between political parties effectively. When a referee pronounces that he does not know who won the contest, then neither side can claim victory. In effect, neither the PNU nor the ODM could unequivocally claim to have won the presidential election. Jendayi Frazer, the United States (US) Assistant Secretary of State, declared that, based on reliable information that she obtained, there were electoral irregularities in areas where both the PNU and the ODM were dominant.

Faced with such a scenario, it is clear that there is a need to transcend the political stand-off and the unhealthy brinkmanship in which the opposition and government are engaging. There are people within both the PNU and the ODM that are against the mediation process,

on the electoral process. In the absence of a transparent electoral process, what this meant was that the will of the Kenyan people had not been adequately recorded.

The violence that resulted led to the death of approximately 1 000 people and the internal displacement of about 400 000 people. Therefore, the only way out of the situation was for the interlocutors in the ongoing dialogue and mediation process to move away from entrenched positions, either claiming legitimacy or challenging the legitimacy of the elections.

One possible effect of political power is to believe that one does not need to listen to the opinions or views of others. However, this is to confuse power for leadership. Effective and ethical leadership will always improve the well-being of all people subjected to that leadership, irrespective of ethnic affiliation. In politics, particularly on the African continent, those who possess power often believe that they can hold on to it indefinitely. Those who seek power will stop at nothing to achieve it. In the middle are the people waiting for genuine leadership to improve their well-being. In Kenya, more leadership was shown by its citizens,

THE MEDIATION PROCESS IN KENYA AND THE SUBSEQUENT IMPLEMENTATION OF AN AGREEMENT WILL NEED TO BE SUPPORTED BY THE AFRICAN UNION (AU), AND THE INTERNATIONAL COMMUNITY IN GENERAL

because they believe that they are correct in their particular judgement of the electoral outcome. However, in practical terms, there is no way to transcend this situation unless the parties involved in this crisis are prepared to resort to force. Any further escalation of tensions would undermine the immediate prospects for restoring peace and stability in Kenya. If violence erupts again, the difficulties of promoting reconciliation in the long term will be compounded.

In February 2008, the parties engaged in mediated dialogue found it more difficult to resolve the issue that is fundamentally at the core of the recent unrest in the country. The side of the PNU, which formed the government with the ODM-Kenya party, was concerned that if it agreed to a grand coalition or a power-sharing agreement, then it would tacitly be acknowledging that the election was, in some way, not transparent. However, the government did not have the burden of trying to prove or disprove whether the presidential election was in some way flawed. This task was already undertaken by the government-appointed chairman of the ECK, Samuel Kivuitu. When Kivuitu announced that he did not 'know' who had won, it meant that the legally sanctioned arbiter of the state polls had effectively cast aspersions

who have voiced their concerns for ensuring that the country moves away from its recent trauma of violence and internal displacement. The numerous calls from civil society, the ecumenical community, business, trade unions and professional associations for a peaceful solution to be found, demonstrates that the people of Kenya want their politicians to transcend this impasse.

It is regrettable that the politicians have entrenched themselves into inflexible positions, and are not focusing on the overriding interests of the country. In all mediation or dialogue processes, parties have to be able to move away from their entrenched positions and understand what is in the genuine interests of the country. Unfortunately, parties often believe that a mediation or dialogue process is essentially about pushing their particular position until the other side concedes. Such an approach does not effectively resolve a problem – it only postpones it, or even escalates it. While the positions that the parties hold may seem legitimate or rational to them, holding onto them steadfastly will not solve the immediate problem, fuelled by the lack of transparency and confirmed by the head of the ECK. The ECK's aspersions on the electoral process also cast doubt on whether another legally sanctioned institution,

such as a judicial court, will be able to adjudicate in a way that is perceived as transparent by all parties. The mediation impasse in February 2008 requires a political solution, and it is hoped that it will be achieved by the Kofi Annan-led mediated dialogue process. The alternative would be more mass action, instigated by the ODM, and more reprisals by government forces. Ultimately, both the PNU and the ODM would do well to find a way to govern the country jointly, until another internationally supported electoral process can be convened in two or three years. In this regard, the UN Electoral Assistance Unit should play a central role in the process leading up to Kenya's next election process.

Constitutional Reform as Peacebuilding in Kenya

The current political unrest also indicates that confidence in the institutions of governance in Kenya must be restored. The ethnic animosity between Kenya's communities has been festering for over 44 years, since independence. Kenya has only had three post-colonial presidents, and two of them have been drawn from only two ethnic groups, the Kikuyu and the Kalenjin. In the absence of a complete transformation of the constitutional framework to ensure that there is adequate ethnic accommodation, the future sustainability of Kenya will remain in doubt.¹ The issue of how to govern multi-ethnic societies is not unique to Kenya or Africa; it is, in effect, a global problem.² In this regard, post-colonial African governments should as a matter of principle only operate on the basis of governments of national unity, so as to prevent the politics of exclusion, which inexorably leads to the fragmentation of the nation-state.³ In former British colonies, the Westminster parliamentary model – based on electoral polls that utilise the principle of first-past-the-post – ensures that smaller ethnic groups will almost always be consigned to permanent opposition status.⁴ This does not augur well for the security of the state. However, it is not sufficient for a proportional system to be introduced, for two main reasons. Firstly, a proportional representative (PR) system might increase ethnic inclusion, but if the legislature has to contend with a presidential system that monopolises all the executive power, then the parliament can effectively be made redundant. Secondly, a PR system can be manipulated to undermine intraparty democracy. The PR system operates on the basis of a list of individuals, selected by the party. Individuals who successfully get onto the list and wish to remain in favour with the party leadership are therefore beholden to the party's leadership. This gives substantial leverage to the leadership of the party to control its members and suppress dissent, which ultimately undermines democracy. The PR system can, therefore, undermine the potential for dissent. The

most effective solution would ensure that a legislature has a mixed constituency and proportional system of electing members to parliament. Andrew Feinstein, writing with reference to the need for constitutional reform in South Africa, noted that "changes of a constitutional and policy nature are desperately needed".⁵ Feinstein remarked that central to these changes would be the "adoption of a mixed constituency or PR system, so that members of parliament (MPs) are able to have an independent voice either as non-party constituency MPs or as representatives of a party directly elected by people from a specific geographical area, so that they are not beholden exclusively to their party leaders".⁶

In order to curtail the inevitable drive within the executive to consolidate and centralise power, the legislative and judiciary need to be constitutionally independent and sufficiently endowed with the power to implement a system of checks and balances to constrain the excess of executive power. The net effect of such a reconfiguration of political power would be to dismantle any existing 'imperial' presidency, which has become a common feature in many African countries, effectively. Evidently, incumbent presidents do not favour such a far-reaching degradation of their power. However, in the interests of the future sustainability and integrity of the state, such a restructuring of the constitution is necessary.

The Need for Politico-economic Reforms in Kenya

Feinstein also made reference to a number of reforms that are equally relevant to the current situation in Kenya. In particular, there is a need to transform the way in which political parties are funded. In order to ensure a level playing field, there needs to be adequate state funding of political parties. The criteria could include parties that achieve a certain percentage of the national electorate. There should also be full disclosure of all party funding from all sources.⁷

Kenya has also been afflicted by the dominance of special interests in influencing political parties. New laws are therefore required to address this issue. Given the level of corruption that has undermined the political, economic and social spheres in Kenya, it will be vital to prevent members of the government from having any direct or indirect business interests while in government.⁸ The monitoring of this process should also be open to public scrutiny, to ensure that transparency prevails.

The problems that have led to the crisis in Kenya have international dimensions. Since Kenya's independence, the country's leadership effectively supported the Western alliance during the Cold War's ideological divide. In the context of globalisation, the West

has continued to exert an undue influence on politics and government in Kenya. As a former British colony, Kenya's trade was dominated by its relationship with countries in the West. International corporations have also joined the fray, in the quest to generate profit from the accumulation of wealth in Kenya. There is a need to curtail some of the activities of international actors that perpetuate corruption in Kenya. An international framework to regulate, sanction and prosecute against corruption is necessary. This could take the form of a National and Global Convention on Political Processes and Participation, which would enumerate a code of ethics and conduct for politicians and citizens to regulate against impropriety before and after elections, and during the term of a government.

Civil Society and the Rebuilding of Kenya

Civil society actors took the initial lead, when politicians were locked in an impasse immediately following the December elections and in early January 2008, to encourage mediation and peacebuilding. Ideally, civil society actors should also be included in the mediation process, since politicians can be driven by their own questionable agendas, such as being focused on how to acquire more power and how to prevent the other side from taking power. Ultimately, any hope of resolving the situation in Kenya will require the active participation of civil society and the media. In particular, civil society has taken the lead in implementing relief operations for internally displaced people. Civil society will also have an important role to play in the implementation of the peace agreements that emerge from the Kofi Annan-led mediation process, in the short term. In the medium to long term, civil society will need to undertake countrywide reconciliation and civic-education initiatives, to ensure that genuine peace is sustained.

Conclusion

The burden of leadership is upon Kenya's political leaders to find a way for people to once again regain their sense of unity. The parties in dialogue or mediation have an even greater burden of ensuring that the interests of all Kenyans are taken into account, and not only the limited positions of their parties. The parties to this conflict need to adopt a more enlightened approach to resolving the ongoing dispute. The crisis in Kenya is an opportunity for the interlocutors in the dialogue and mediation process to demonstrate that they will respect the agreements to which they have committed, and that they will genuinely implement the provisions contained in them. The initial initiatives undertaken and led by civil society in Kenya indicate that where there is a will, there is also the potential to resolve the current problems and demonstrate ethical leadership.

The events in Kenya are not unique to the country. Similar scenarios have emerged in other parts of Africa and elsewhere in the world. The crucial question is whether the current crisis in Kenya will provide an opportunity for the country to transition towards a new era of democratic governance and stability. The stakes are high for the country and its citizens, and also for the Great Lakes and Horn of Africa sub-regions. The Kenyan case demonstrates that central to most crises on the African continent are issues pertaining to ethnic chauvinism and manipulation, political violence, governance, human rights and the rule of law. If Kenya is able to transition to ethnic accommodation and the revision of its governance institutions and structures successfully, then it will offer hope and a set of well-learned lessons to other countries in similar situations. Presently, Kenya remains in a precarious position: even if the politicians and parties to the mediation efforts agree on a form of power sharing and constitutional reform, it still remains a challenge to implement such agreements. In order for Kenya to transition peacefully and well, vigilance in monitoring the process will be required on the part of its citizens and its leaders, as well as from the pan-African and international communities. **A**

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FAITH-BASED PEACEBUILDING IN SUDAN¹

WRITTEN BY **ULRICH MANS**

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Finding one's way through Sudan's political labyrinth has never been easy. The country's elite has long been an intractable web of influential individuals, and the distribution of power has always been difficult to understand from the outside. To make matters more complex, the networks span far beyond the political arena, and know many linkages with faith-based actors. Sudan has a significant number of religious leaders that are important power brokers – both public and behind the scenes – when it comes to public governance. This has certainly not changed with the coming of the Comprehensive Peace Agreement (CPA), which is the national road map to peace between the North and South after more than two decades of violent conflict. While the crisis in Darfur continues unabated, the CPA defines the current developments in much of the rest of the country. There are many religious leaders who aspire to national politics, and politicians who seek religious authority within the transition process. There is a broad spectrum of actors, including pro-governmental insiders, large opposition movements and smaller faith-based organisations operating in

secret. While for many, Sudan's governance structures are synonymous with the ruling National Congress Party (NCP), the reality is multilayered and includes the most subtle of differences. Understanding these differences is key for donors to embark on meaningful engagement in the country's fragile peace process.

In fact, for outsiders such as bilateral donors, Sudan's transition is representative of a key dilemma for post-conflict donor support in an era of the global war on terror. How much can secular development assistance do in deeply religious countries? When looking at peace processes across the globe, there is a growing recognition that purely secular development strategies are on the decrease. In Iraq, the United States (US) military allied with Sunni community patrols in an attempt to show peacebuilding progress after five years of mayhem. In northern Pakistan, international cash flow into local

Above: Sudanese take part in Friday prayers outside the Great Mosque in Khartoum.

Madrassas are being watched closely by Western intelligence agencies, and the reluctance of major donors to engage with Hamas after their democratic victory in Gaza has led to a major humanitarian crisis. Meanwhile, Afghanistan's current government looks set to embrace some sort of Taliban inclusion in the national peace process, at least if its cooperation against Islamic radicals can be secured. When it comes to faith-based peacebuilding, donor agencies are struggling to maintain a clear-cut policy.

To what extent could and should development programmes address and, even more importantly,

and possess the structures and networks necessary for the mobilization of people."⁵ Their moral authority and their ability to create genuine commitment to peace among large parts of the population make them an important 'driver of change' in peacebuilding. The question remains how external support to religious actors can be undertaken without doing harm. A thorough understanding of the local context is critical. This article argues that it is useful to use different 'categories' when addressing the interrelationship between peacebuilding and religious actors. The underlying idea is to create clusters of actors based on their attitude towards the



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Sudan has a significant number of religious leaders that are important power brokers - both public and behind the scenes - when it comes to public governance.

support (parts of) a country's rich spectrum of faith-based actors in a peacebuilding process? Religion is often viewed as a source of tensions; popular perceptions about religious fundamentalism have led to an increasing awareness among (secular) policymakers that religion can play an instrumental, potentially problematic role in local, national and international conflicts. However, many observers agree that the current and potential contribution of faith-based actors should not be overlooked.²

Various scholars have argued along the lines of 'the global resurgence of religion and the transformation in international relations'³ and 'faith-based diplomacy'⁴. As Ter Haar argues: "... religious actors tend to enjoy institutional legitimacy, have an available methodology,

peace process. In broad terms, this would in any given country cover the spectrum from supporters to spoilers. For the purpose of a more detailed mapping, it is useful to work with qualifications for a particular context. For example, in the case of Sudan, four categories can be used: 'silent supporters', 'active promoters', 'confined contributors' and 'potential spoilers'. In other country contexts, it might be necessary to go further along the spectrum towards 'active spoilers'. This way, policymakers can gauge the likelihood of success for peace support strategies on the one hand, and strategies of a more preventive character on the other hand. The jury is out for the added value of such an approach to policymakers. However, it can facilitate a donor agency's decision on whether or not to support certain faith-based

IN SUDAN, FEW DOUBT THAT RELIGION IS PART OF THE SOLUTION – JUST AS MUCH AS IT IS PART OF THE PROBLEM. NONETHELESS, IT IS IMPORTANT TO NOTE THAT RELIGION ITSELF SHOULD NOT NECESSARILY BE THE CENTRE OF ATTENTION

peacebuilding activities. The case of Sudan serves as an insightful example.

Transition Challenges in Sudan

The role of religious actors in Sudan's peace process is both intriguing and difficult to understand. The population has wearily watched the peace process stagnate after approximately three years of political gambling on both sides. This is despite the fact that the 2005 accord appeared to have many of the ingredients for successful implementation. These included year-long preparations, international backing and the commitment of the US as a major world power ready to push for a political settlement. However, the sceptics have thus far been correct. Donors are dealing with both a de facto split country, as well as with a strong, nearly impregnable politico-religious network in the north. In Khartoum, both the NCP and the Sudan's People's Liberation Movement (SPLM) have been unable to keep the momentum of 2005, and numerous opportunities to consolidate the CPA process have proved elusive. The problematic issues between northern and southern power brokers are numerous: the planned population census has repeatedly been delayed and jeopardises the planned election date of 2009; the Technical Ad Hoc Border Committee and the Commission for the Protection of Rights of Non-Muslims in the National Capital did not convene at all for the first two years; and major disagreements continue to fuel mistrust regarding the withdrawal of the Sudanese Armed Forces from the south.⁶ A recent SPLM walkout over the Abyei border demarcation at the end of 2007 is the latest in a series of peace process frustrations around the Government of National Unity (GNU). No less worrying, the southern elite in and around Juba has followed suit; SPLM cadres (both military and civilian) have quickly merged with Christian authorities and their networks. As a consequence, faith-based peacebuilding and politics in southern Sudan are becoming increasingly intertwined.

It is, therefore, no surprise that Khartoum currently hosts few prominent 'drivers of change' among its faith-based actors. However, there is a plethora of private foundations, churches, religious leaders and other semi-public (umbrella) organisations, all of which engage in a broad range of activities across the country. A good overview is not easy to obtain; it proves particularly difficult to distinguish between anthroposophist versus political ambitions on the one hand, and between private

versus public funding schemes on the other. This uncertainty makes it hard for external actors to keep up with the various alliances determining the political developments in the North. In Juba, there are far less faith-based actors, largely due to the limited infrastructure. Christian and Muslim groupings in the new capital of the South both struggle to organise their respective communities: Muslims face increasing marginalisation by the new political elite; in addition, the Christian churches find themselves in a gradual transition from relief aid towards more sustainable engagement in the peace process. In general, uncertainty reigns. Many of Sudan's faith-based authorities maintain a wait-and-see attitude, and are reluctant to embrace the CPA openly.⁷ At the same time, open criticism regarding the peace agreement is rare: it is still the only legitimate benchmark for most Sudanese, and the best chance for peace. As a result, faith-based peacebuilding in Sudan is 'stuck in change'.

Nonetheless, Sudan's faith-based actors have become more proactive. A good number of organisations have made an effort to plan for future activities, in concurrence with the peace process and its provisions. These include the establishment of new religious communities in formerly inaccessible areas of the country and planning ahead for to-be-expected developments, such as resettlement schemes for returning refugees. Figure 1 illustrates the expansion drive of selected organisations across the North-South divides.

Active promoters

Various faith-based actors actively support Sudan's peacebuilding process. These active promoters consider the CPA peace accord as a landmark agreement, and engage in activities from relief services to political mediation. For them, quick implementation and a clear peace dividend for the population are key. This is not to say that faith-based actors are apolitical. Some of them have been part of the CPA negotiation marathon from 1993 onwards, and continue to see their engagement as a contribution to a new, post-agreement political playing field. This stance often leads to political ambitions of the religious leadership. This active promoters category includes major players such as the Catholic Church and its related non-governmental organisation (NGO), called SudanAid. A number of Catholic leaders have, over the years, established good working relationships with the SPLM, as well as – albeit to a lesser degree – with the authorities in the North. The Ansar Al-Mahdi is another

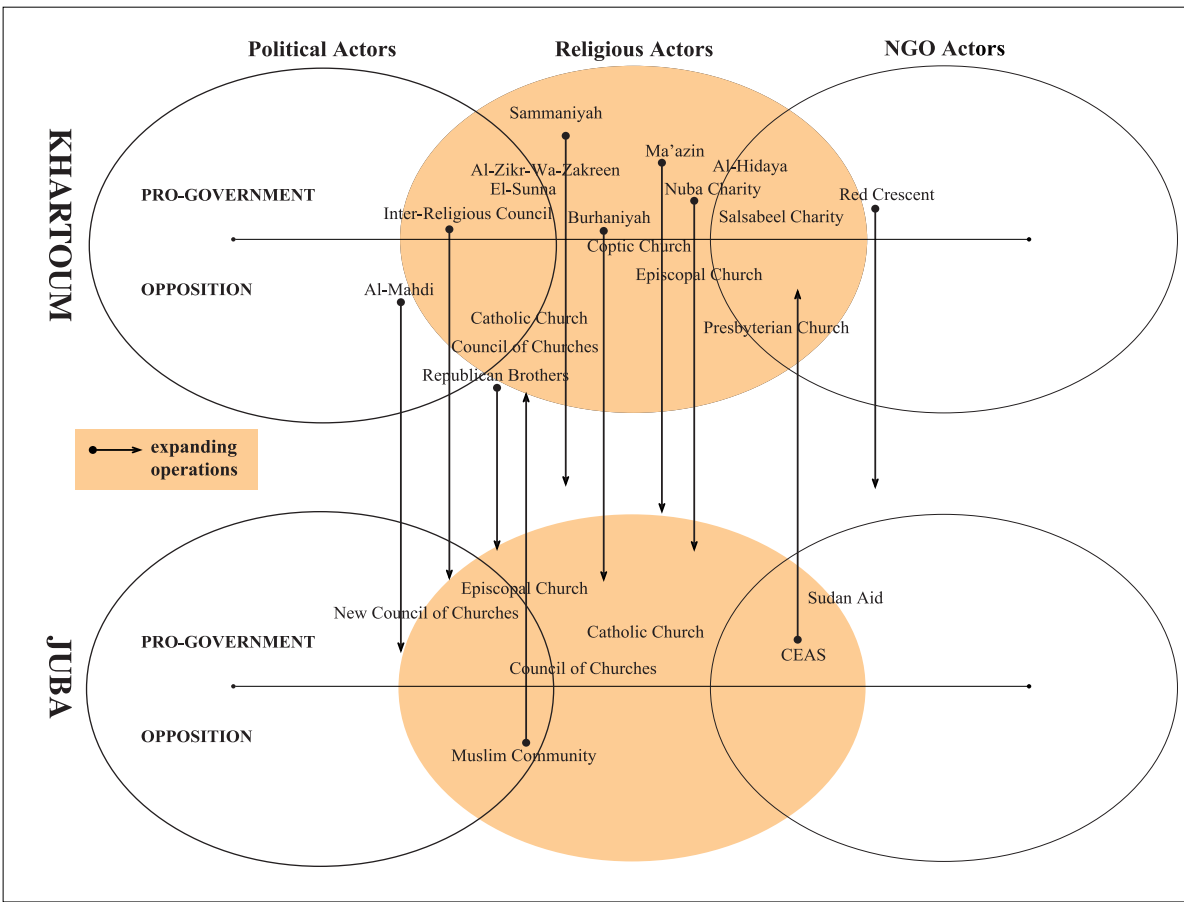


Figure 1: Sudan's spectrum of political, religious and NGO actors and their expanding peacebuilding activities.⁸

interesting player in Khartoum's faith-based peacebuilding landscape. It is affiliated with the opposition Umma Party, and actively engages in Sudan's political debate. The question remains to what extent this group can maintain a clear-cut separation regarding its more NGO-related work. In southern Sudan, the Church Ecumenical Action in Sudan (CEAS) is a large NGO with a strong focus on facilitating its member churches in peacebuilding work all over southern Sudan. CEAS has long enjoyed international funding for its activities. Closely linked to CEAS, the New Sudan Council of Churches (NSCC) used to be the strongest network in the South, and combined operational capacity with a great deal of legitimacy among the Christian majority and the international community. Since the merger of the NSCC and Khartoum's Sudan Council of Churches (SCC) into the newly established Sudan Council of Churches (SCC-NEW), it gained size but lost momentum (see next category of 'confined contributors'). Internal mismanagement of the northern partner, coupled with political turf battles across its leadership, has thus far created more problems than reconciliation. While these types of umbrella organisations carry great potential for supporting the CPA, there is the

dilemma of adequate representation. In Sudan's complex civil society landscape, it is hard to make umbrella efforts genuinely all-inclusive. As a result, external support must look at the level of credibility, and should not be unconditional.

Confined contributors

This category falls into two types of faith-based actors. On the one hand, there are large networks that encompass a wide range of religious authorities. This includes, for example, the above-mentioned Sudan Council of Churches, a prominent Christian umbrella body with a rich history in political engagement. However, difficulties between the various member churches and SCC representatives have been a recurrent issue over the last couple of years, and effectively prevented the council from an active engagement in the CPA peace process since the signing of the agreement. Since the fusion with the former New Sudan Council of Churches, the legacy of internal mismanagement has yet to be solved. A more recent initiative has seen the emergence of the Sudan Inter-Religious Council (SIRC) since 2003. Set up with the active help of prominent NCP figures, however, the council has suffered

from the public perception that it does not appropriately represent the Muslim community in the north, and its NCP links are too close for many to see it as a credible force in promoting genuine dialogue. The greatest problem for both these network-like groupings is that they do not have the authority to speak with a single voice representing their members and followers. On the other hand, there are various smaller organisations that provide very specific ‘services’ to small constituencies, such as students’ grants and other kinds of support. Their networks remain an important building stone of Sudanese society but, in the case of confined contributors, these assets are not out in the open. Some of these groupings even refrain from

authorities in the South, the Government of Southern Sudan (GOSS) and with the authorities in Khartoum.

Potential spoilers

Some three years into the CPA, open criticism towards the peace agreement is still rare among the religious communities. War fatigue among the population and international support to the CPA still prevents many from openly criticising the peace process. However, various faith-based actors represent legitimate grievances among the wider Sudanese population, and the continuing stalemate in Sudan’s transition is likely to increase the number of potential spoilers, especially in

ADVOCACY AND DIALOGUE ARE CENTRAL IN THIS DELICATE ENVIRONMENT, BUT CAN ONLY SUCCEED IF GENUINELY REPRESENTATIVE OF THE KEY ACTORS

engaging at all in the public debate, until the political climate in Khartoum becomes less restrictive. In addition, these organisations generally lack structural funding to implement their activities on a more permanent basis.

Silent supporters

A number of faith-based groupings maintain a neutral standing towards the recent changes in the country. Even though these actors generally regard the CPA as a milestone for Sudan’s future, they refrain from playing an active role in the peace process. Instead, many of them focus on their own constituencies. The Coptic Orthodox Church is a prominent example. It has long applied a wait-and-see attitude towards political changes. In the past, this strategy paid off for the small amount of Copts left in the capital: sidelined from the major power play, they are known for their neutrality and therefore can – potentially – fulfil mediating roles in the political arena. In contrast, the Ansar El-Sunna is a relatively active grouping, and its pragmatic view on Shari’a law is an interesting entry point for CPA observers. The group departed from the belief that the entire Sudan should be governed by Shari’a law. The question remains whether the Ansar El-Sunna will develop a stronger commitment to the peace process. Other faith-based actors such as the Sufi Burhaniyya Order and the Salsabeel Charity Organization have no particular interest in supporting the CPA process, and do not engage in activities beyond their own constituencies. The Sudan Red Crescent Society (SRCS) does not consider itself as faith-based, and emphasises its strict impartiality. With the SRCS expanding all over Sudan, however, it will be interesting to see how the organisation will in future deal with local

the run-up to the planned elections. The Muslim community in Juba struggles with being a religious and political minority in the South. Thus far, the Muslim community has not made discrimination an issue, but this might change in the not-too-distant future if the SPLM-run government does not alter its perspective on how to include Muslim leaders. In times of election campaigns, Muslim grievances are likely to turn into more open, and potentially violent, criticism. Other Christian leaders have been ambivalent, proclaiming “unity of our people and our churches”, while at the same time encouraging anti-Muslim sentiments in the Juba area.¹⁰ In northern Sudan, some Sufi leaders emphasise the negative consequences of the CPA, arguing that the West is pushing Sudan into compliance. Current criticisms from within the Muslim communities should not be taken lightly. These criticisms include frustrations by smaller Muslim denominations about the lack of change in Khartoum’s power balance, as well as the perceived over-attention paid to the Christian minority. In the medium term, this could lead to more serious tensions in Khartoum.

Support the Supporters or Spoil the Spoilers?

As a Sudanese presidential advisor explains: “Religion is not an issue – the attitude is the problem.”¹¹ In Sudan, few doubt that religion is part of the solution – just as much as it is part of the problem. Nonetheless, it is important to note that religion itself should not necessarily be the centre of attention. The Sudanese people have in the past managed religious coexistence in peace and harmony, and continue to do so in the most remote areas, under the most diverse circumstances. In today’s Sudan, it is the attitude within and between religious

communities, and the behaviour of their leaders, that is at issue. The culture of peace is essential for the CPA to be implemented, and can only be sustained if the socio-political environment is conducive. In other words, more than ever, peace between North and South Sudan is about creating a different mindset, a more reconciliatory attitude among all Sudanese citizens. Given their moral authority, religious communities have the responsibility – more so than others – to support this goal actively.

Even though faith-based peacebuilding should not become a priority for international donors, outside actors can play a positive role. In the case of Sudan, there are various options to engage with faith-based actors, be it with potential spoilers, silent supporters, confined contributors or active promoters. Most of these activities should certainly be considered with care, not least because of the fact that external intervention has a limited role to play in a national peacebuilding process. Still, donor aid, given out with great enthusiasm since the CPA was signed, has to make a better effort to take faith-based peacebuilding into account, otherwise national peacebuilding in the long term might prove impossible. As this analysis highlights, this is not an easy task. Given the highly complex networks of religious actors and their close interconnections with the political playing field, there are limited possibilities for outsiders to support specific actors. Sudan is too diverse for outsiders to engage with individual organisations at the national level; it is too large for single actors in Khartoum or Juba to keep a valid overview; it is too difficult to monitor; and support to individual stakeholders is often too sensitive to balance. For a bilateral partner, there is a risk of being perceived as biased towards one or more stakeholders.

As a consequence, there are two main tracks emerging for constructive engagement by outside actors. First, a more conducive environment for the various faith-based organisations and their activities must be supported. This is a crucial precondition for all four categories. Any of the current concerns around legitimate grievances (potential spoilers), wait-and-see attitudes (silent supporters), political and financial restrictions (confined contributors) or non-inclusivity (active supporters) would benefit from a sustained effort to create a context in which faith-based peacebuilding can genuinely contribute to the CPA peace process. This being an honourable goal, it also is a formidable task. It might, in fact, not be the most promising avenue for international actors to follow. Second, international engagement should not target individual organisations with support. Rather, it should facilitate dialogue between the different groupings – religious as well as non-religious. In this regard, the most accessible consideration for international engagement includes umbrella organisations and making use of their lobbying potential.

They can target the top level and elites who shape the transition process. Advocacy and dialogue are central in this delicate environment, but can only succeed if genuinely representative of the key actors, and if generally perceived to be doing so. This is not yet the case. In the meantime, however, Sudan's faith-based umbrella organisations still offer the best way to support and include faith-based actors in the peace process. ▲

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SITUATION REPORTS

REPUBLIC OF KENYA

BY **KARABO RAJUILI**

The Republic of Kenya is situated on the east coast of Africa, along the equator. Kenya is bordered by Ethiopia to the north, Somalia to the east, Tanzania to the south, Uganda to the west and Sudan to the north-west, with the Indian Ocean in the south-east. The Great Rift Valley divides the country's central highlands, with a fertile plateau in the west. In addition to vast agricultural land, natural resources include limestone, soda ash, salt, gemstones, fluorspar, zinc, diatomite, gypsum, wildlife and hydropower.



Map No. 4187 Rev. 1 UNITED NATIONS January 2004

Geography

| | |
|-------------------------------|---|
| Population | 36 913 721 (2007 est.) |
| Population Growth Rate | 2.799% (2007 est.) |
| Birth Rate | 38.94 births/1 000 population (2007 est.) |
| Death Rate | 10.95 deaths/1 000 population (2007 est.) |
| Life Expectancy | Male: 55.24 years Female: 55.37 years (2007 est.) |
| Infant Mortality Rate | 57.44 deaths/1 000 live births (2007 est.) |
| HIV/AIDS | 6.7% (2003 est.) |
| Ethnic Groups | Kikuyu 22%, Luhya 14%, Luo 13%, Kalenjin 12%, Kamba 11%, Kisii 6%, Meru 6%, other African 15%, non-African (Asian, European, Arab) 1% |
| Religions | Protestant 45%, Roman Catholic 33%, Muslim 10%, traditional/indigenous beliefs 10%, other 2% |
| Languages | English (official), Kiswahili (official), numerous indigenous languages |
| Adult Literacy | Male: 90.6% Female: 79.7% (2003 est.) |

Socio-cultural

| | |
|--------------------|---|
| GDP | US\$57.65 billion (2007 est.) |
| Growth rate | 6.3% (2007 est.) |
| Budget | Revenue: US\$5.444 billion Expenditure: US\$6.399 billion (2007 est.) |
| Imports | Machinery and transportation equipment, petroleum products, motor vehicles, iron and steel, resins and plastics |
| Exports | Tea, horticultural products, coffee, petroleum products, fish, cement |
| Debt | US\$7.715 billion (31 December 2007 est.) |

Economic

Political

Main Parties

Forum for the Restoration of Democracy-Kenya (FORD), Kenya Forum for the Restoration of Democracy-People (FORD-People), Kenya African National Union (KANU), National Rainbow Coalition-Kenya (NARC-Kenya), Orange Democratic Movement (ODM), Party of National Unity (PNU)

Government Type

Republic

Refugees and IDPs

150 459 (Somalia), 76 646 (Sudan), 14 862 (Ethiopia)
- Internally displaced persons (IDPs): 431 150

Demographics

Key Events

1963 Independence from Britain, with Jomo Kenyatta as president

1978 Jomo Kenyatta is succeeded by Daniel arap Moi (KANU)

1989 Reforms made to the constitution, allowing multiparty elections to be held in subsequent years (1992, 1997 – both won by Moi)

2002 Moi is constitutionally barred from being re-elected; Mwai Kibaki (NARC) elected as president

2004 New draft constitution completed; includes limits to presidential power and the creation of the post of prime minister

2005 New draft constitution rejected by voters as it expanded the president's powers; President Kibaki replaces his cabinet

2007

(27 December) – Presidential and parliamentary elections held

(29 December) – Violence breaks out in response to presidential election victory, declared to Kibaki over Odinga

2008

(January) – Violence escalates into the Rift Valley, Nakuru and Naivasha; murders of ODM members of parliament

(28 February) – National Accord and Reconciliation Act signed by Kibaki and Odinga

(March) – Parliament convenes to begin to ratify Act

REPUBLIC OF KENYA



Significant economic progress under the Kibaki government was made from 2002 to 2007, with an estimated 6% growth in the economy over this period. However, the deeply rooted, unresolved identity issues within Kenyan society were brought to the fore in the violent conflict following the disputed December 2007 elections. Over the course of two months following the elections, 1 000 deaths and the displacement of 300 000 people were recorded, and considerable damage to property and infrastructure occurred. The National Accord of Reconciliation Act of 2008, signed in February, has seen relative stability return to the country after a two-month political crisis, with a power sharing arrangement established between the PNU and the ODM. With tenuous stability in place, the focus has moved towards resolving long-term issues, and the return and settlement of displaced people.

Main Issues

- Contested December 2007 presidential election, the discrepancy between the presidential and parliamentary election results, and the nature of the electoral system.
- Undemocratic practices and widespread corruption at governmental level.
- Political manipulation of ethnic identities, leading to interethnic and communal violence.
- Unresolved land conflicts - communal tenure.
- Large numbers of refugees and IDPs.

- The PNU, led by President Mwai Kibaki.
- The ODM, led by Raila Odinga.
- Mungiki sect.
- Kalenjin warriors.
- Saboat Land Defence Force (SLDF).
- The African Union (AU).
- Various international pressure groups.

Current Status

Parties

Conflict Resolution

A political deal was originally initiated between the ODM and the PNU by the Kikuyu business community. This was followed by the efforts of the AU's chair, John Kufor, in drafting the Principles of Agreement. While this process received support from a broad cross-section of local and international actors, the PNU withdrew from the process. The stalled mediation process was subsequently replaced by an AU-supported Panel of Eminent African Persons in late January 2008, led by former UN Secretary General Kofi Annan (and including former Tanzanian president, Benjamin Mkapa, and former first lady of Mozambique and South Africa, Graça Machel). Following the resolution of the new prime minister's post and responsibilities in Kenya, Kibaki and Odinga signed the National Accord of Reconciliation Act in February 2008.

Key aspects of the Act allow for:

- A new two-party coalition government to be established.
- Cabinet posts to be divided equally between the two parties.
- Odinga will assume the new post of prime minister, which will be created by changing the constitution. He can only be dismissed by the National Assembly (where the ODM has a majority).
- Two new deputy prime ministers to be appointed.

The Kenyan parliament is tasked with the responsibility of drafting the necessary legislation to approve the Act, and to amend Kenya's constitution accordingly. Parliament will also establish a Truth and Reconciliation Commission, a Commission of Inquiry on Post-election Violence, an Independent Review Committee on the 2007 elections, and pass an ethnic relations act. Nigeria's former foreign minister, Oluyemi Adeniji, has taken over as mediator from Annan, as of 4 March 2008.

Comments

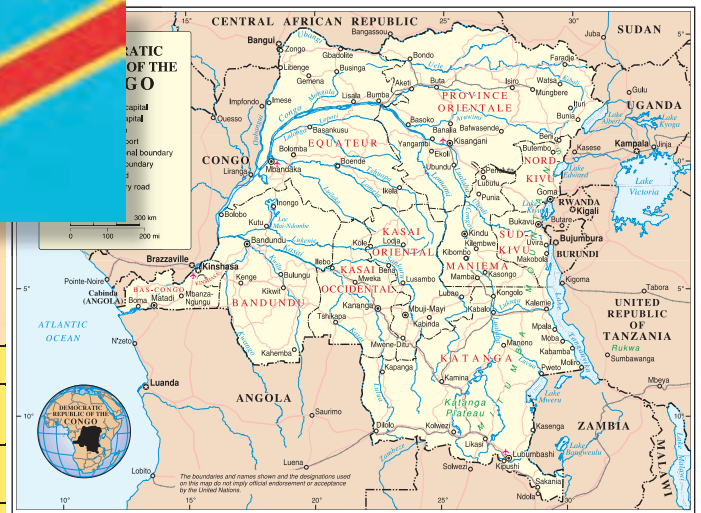
The National Accord and Reconciliation Act of 28 February 2008 provides some semblance of stability and positive progress for now. However, key aspects of the Act – that is, details of the structure and programme of the new government and the precise division of ministerial jobs – remain undefined. Therefore, the clarification and successful implementation of these and other issues will be crucial. Kenya's important role within the East Africa and Horn of Africa regions has been highlighted by the economic repercussions suffered by the entire region due to the country's recent crisis. Ensuring that stability and peace in the country progresses beyond its current tenuous nature is not only essential for Kenya, but the region as a whole.

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DEMOCRATIC REPUBLIC OF THE CONGO

The Democratic Republic of the Congo (DRC) is located in Central Africa. It borders the Central African Republic and Sudan to the north; Uganda, Rwanda and Burundi to the east; Zambia and Angola to the south; the Republic of the Congo to the west; and is separated from Tanzania by Lake Tanganyika to the south-east. The DRC has vast natural and mineral resources including cobalt, copper, nobium, tantalum, petroleum, industrial and gem diamonds, gold, silver, zinc, manganese, tin, uranium, coal, hydropower and timber.



Geography

Socio-cultural

| | |
|-------------------------------|--|
| Population | 62.6 million |
| Population Growth Rate | 3.39% (2007 est.) |
| Birth Rate | 42.96 births/1 000 population (2007 est.) |
| Death Rate | 10.34 deaths/1 000 population (2007 est.) |
| Life Expectancy | Male: 54.97 years Female: 59.5 years (2007 est.) |
| Infant Mortality Rate | Total: 65.52 deaths/1 000 live births |
| HIV/AIDS | 4.2% |
| Ethnic Groups | Over 200 |
| Religions | Roman Catholic 50%, Protestant 20%, Kimbanguist 10%, Muslim 10%, other (includes syncretic sects and indigenous beliefs) 10% |
| Languages | French, with four main national languages – Lingala, Swahili, Kikongo and Tshiluba |
| Adult Literacy | Male: 76.2% Female: 55.1% (2003 est.) |

Economic

| | |
|--------------------|--|
| GDP | US\$19.07 billion (2007 est.) |
| Growth rate | 7% (2007 est.) |
| Budget | Revenue: US\$700 million Expenditure: US\$2 billion (2006 est.) |
| Imports | Foodstuffs, mining and other machinery, transport equipment, fuels |
| Exports | Diamonds, copper, crude oil, coffee, cobalt |
| Debt | US\$10 billion (2006 est.) |

Political

Main Parties

Christian Democrat Party (PDC), Congolese Rally for Democracy (RCD), Convention of Christian Democrats (CDC), Forces of Renewal (FR), Movement for the Liberation of the Congo (MLC), People's Party for Reconstruction and Democracy (PPRD), Social Movement for Renewal (MSR), Unified Lumumbist Party (PALU), Union for Democracy and Social Progress (UDPS), Union of Mobutuist Democrats (UDEM0)

Government Type

Republic

Refugees and IDPs

106 772 (Angola), 42 360 (Rwanda), 19 032 (Burundi), 18 954 (Uganda), 11 723 (Sudan), 5 243 (Republic of Congo) (2006 est.) – 1.1 million internally displaced persons (IDPs)

Demographics

Key Events

- 1960** Independence from Belgium
- 1965** Country comes under the rule of Joseph Mobutu Sese Seko, and is renamed Zaire in 1971
- 1990** Mobutu allows the formation of two other political parties and undertakes to have free multiparty elections
- 1994** Massive inflow of refugees from conflicts in Rwanda and Burundi
- 1997** Laurent Kabila overthrows the Mobutu regime
- 1998** Kabila regime is challenged by an insurrection backed by Rwanda and Uganda; Angola, Chad, Namibia, Sudan and Zimbabwe intervene to support Kabila
- 1999** Lusaka Ceasefire Agreement signed
- 2000** Deployment of the United Nations Mission in the DRC (MONUC)
- 2001** Kabila assassinated, and his son, Joseph Kabila, is named as head of state

DEMOCRATIC REPUBLIC OF THE CONGO



| | |
|------|---|
| 2002 | Joseph Kabila negotiates the successful withdrawal of Rwandan troops in eastern DRC |
| 2003 | Inter-Congolese National Dialogue Agreement Transitional government established, with Joseph Kabila as president and four vice presidents representing the opposition groups |
| 2005 | Constitutional Referendum Ugandan Lords Resistance Army (LRA) begins settling in north-eastern Congo, resulting in renewed tensions between Congo and Uganda |
| 2006 | First multiparty, democratic elections held in DRC since 1965; Kabila wins |
| 2007 | Violence erupts in Bas-Congo, Kinshasa and eastern DRC, with over 400 people killed General Laurent Nkunda calls for a ceasefire in eastern DRC |
| 2008 | Signing of the Eastern Congo Peace Deal |

Current Status

While significant strides have been made in the DRC through various peace agreements, the conflict in the eastern DRC has continued unabated. In 2007, over 350 000 people were displaced from the region. The continued conflict has had a significant impact on the civilian population, with estimates of about 45 000 deaths of Congolese every month. The recent steps toward peace in the region, brokered by various international actors, are highly significant for the country's overall democratic process.

Conflict Resolution

Recent conflict resolution attempts are focused on the

Eastern Congo Peace Deal:

- Signed on 23 January 2008 in Goma, North Kivu, the deal is representative of 25 insurgent groups and President Joseph Kabila's government.
- The agreement seeks the integration of opposition groups into the national army, enforcement of a permanent ceasefire and amnesty to opposition groups.

Major unresolved issues include:

- Status of General Nkunda under the agreement.
- Arrangements for ensuring the ceasefire and integrating the different forces into the national army.
- Strategy to handle the return of thousands of Congolese living as refugees in Rwanda.
- The demobilisation and transfer of Rwandan insurgents (FDLR) to Rwanda.

Comments

It is the unresolved issues in the recent January 2008 peace pact that will prove to be the greatest challenge in the long-term implementation and sustainability of the agreement. This weakness is evident in the February 2008 impasse over statements made against General Nkunda's groups' participation in the mass killings of civilians, delaying the ceasefire process. Finally, the regional dimension to the various conflicts in Central Africa means that the DRC's long-term stability is inevitably linked to the success of peace efforts in neighbouring countries.

- The National Congress for the Defence of the People (CNDP), led by insurgent leader, General Laurent Nkunda.
- Congolese Government Armed Forces (FARDC).
- The Hutu Democratic Forces for the Liberation of Rwanda (FDLR).
- Rwanda.
- Uganda.

- Limitations of the Congo peace process in the areas of army integration, economic governance and transitional justice.
- Incomplete disarmament and reintegration processes.
- Postponement of the resolution of the North Kivu conflict, in favour of consolidation of national transition and elections.
- Competition over natural resources, including land security.
- Presence of foreign armed troops and groups.
- Large numbers of refugees and IDPs.

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Key Events

Parties

Main Issues

References

REPUBLIC OF CHAD

Geography

The Republic of Chad, a landlocked country, is situated in northern Central Africa. It shares borders with the Central African Republic (CAR) to the south, Sudan to the east, Libya to the north and Cameroon, Niger and Nigeria to the west. Chad is divided into three major geographical regions: a desert zone in the north, which forms part of the Sahara Desert; an arid Sahelian belt in the centre; and a more fertile Sudanese savannah zone in the south. Natron and uranium are the country's primary minerals.



Map No. 3788 Rev. 7, United Nations, November 2007

Socio-cultural

| | |
|-------------------------------|--|
| Population | 9 885 661 (July 2007 est.) |
| Population Growth Rate | 2.32% (2007 est.) |
| Birth Rate | 42.35 births/1 000 population (2007 est.) |
| Death Rate | 16.69 deaths/1 000 population (2007 est.) |
| Life Expectancy | Male: 46.17 years Female: 48.27 years (2007 est.) |
| Infant Mortality Rate | 102.07 deaths/1 000 live births |
| HIV/AIDS | 4.8% (2003 est.) |
| Ethnic Groups | Sara (25%), Arabs (12%), Mayo-Kebbi (11%), Kanem-Bornu, Tangale, Fulani, Gorane and other groups |
| Religions | Muslim 54%, Christian 35%, traditional/indigenous 7%, other 4% |
| Languages | French (official), Arabic (official), Sara (in south) and more than 120 other languages and dialects |
| Adult Literacy | Male: 56% Female: 39.3% (2003 est.) |

Economic

| | |
|--------------------|---|
| GDP | US\$15.95 billion (2007 est.) |
| Growth rate | 1.3% (2007 est.) |
| Budget | Revenue: US\$1.889 billion Expenditure : US\$1.473 billion (2007 est.) |
| Imports | Machinery, transportation equipment, industrial goods |
| Exports | Cotton, oil, livestock, textiles |
| Debt | US\$1.6 billion (2005 est.) |

Political

Main Parties

Federation Action for the Republic (FAR), National Rally for Development and Progress (RNDP), National Union for Democracy and Renewal (UNDR), Party for Liberty and Development (PLD), Patriotic Salvation Movement (MPS), Rally for Democracy and Progress (RDP), Union for Democracy and Republic (UDR), Union for Renewal and Democracy (URD)

Government Type

Republic

Refugees and IDPs

280 000 (Darfur and CAR); 180 000 internally displaced persons (IDPs)

Demographics

Key Events

- 1960** Chad gains independence from France
- 1969** Libya annexes the Aouzou Strip in northern Chad
- 1980** Goukou Oueddei comes to power and forms the new Government of National Union (GNU)
- 1982** General Habre takes over power; Oueddei forms an opposition group based in the north
- 1990** Colonel Idriss Déby a former lieutenant under General Habre, overthrows Habre in a military coup
- 1994** The International Court of Justice (ICJ) rules that Aouzou Strip belongs to Chad
- 1996** Déby elected as president
- 2000** Coup attempt by the Movement for Democracy and Justice (MDJT), led by Youssouf Togoimi
- 2001** Elections held; won by President Déby (MPS)
- 2002** MDJT and government sign peace deal to end three-year civil war
- 2003** MDJT and government sign second peace deal, rejected by some members of the MDJT
Chad begins exporting oil
- 2004** Chad receives massive inflow of Sudanese refugees from the Darfur region; Chadian soldiers clash with pro-Sudanese government militias, and fighting in Sudan's Darfur region spills over into Chad
- 2005** Referendum for constitutional amendment grants President Déby a third term in office
- (April)** Coup attempt by the United Force for Democracy and Development (UFDD), led by Mahamat Nouri, a former member of the Déby government

REPUBLIC OF CHAD

2006

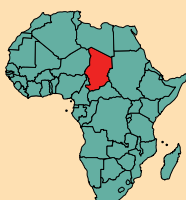
(May) Multiparty elections, won by President Déby (although highly contested and rejected by the opposition)

(January - June) Clashes between the Sudanese janjaweed rebels and Chadian troops

2007 Agreement between Chad and Sudan to end cross-border conflicts

2008

(February) UFDD and two other insurgent groups attempt a coup – State of Emergency declared, giving the government wide search-and-arrest powers and control of media reporting



Over the last two years, Chad has faced what has been termed the second Chadian civil war. The continued tension between various insurgent groupings and the government, as well as spill-over effects from Sudan's Darfur region, has contributed to the highly complex conflict. Escalation of the conflict can be traced to April 2006, when the largest opposition group, the UFDD, initiated an unsuccessful coup attempt shortly before the May elections. The grievances cited by the group included government corruption, preference given to the Zagawa ethnic group (President Déby's ethnic group) in the allocation of government and army jobs, and the mismanagement of oil revenues. In September 2007, the UN Security Council Resolution 1778 approved the establishment of a UN mission in the CAR and Chad (MINURCAT), and the deployment of European Union (EU) troops with a mandate to protect the UN mission. In 2008, with support from three other armed opposition groups, UFDD launched a more coordinated attack on the Déby government. An EU force (EUFOR) of 3 700 soldiers was deployed (with France contributing 2 100 soldiers). EUFOR is mandated to provide humanitarian support to the refugee population in Chad and the CAR. Some opposition groups see EUFOR as an additional support to the Déby government, thus potentially compromising the neutral stance of the mission. Under the current state of emergency, and with the presence of the various international missions, the violence in N'Djamena has abated. However, the opposition groups continue to make overtures for renewed coup attempts.

Main Issues

- Political factionalism.
- Politicisation of identity differences.
- Imbalances in access to economic resources, such as land.
- Intrusions by foreign powers (such as France and Libya).
- Unequal distribution of oil revenues.
- Overlap with the conflicts in Sudan, Libya and the CAR.
- Influx of refugees from Sudan and the CAR.

Conflict Resolution

Various peace deals have been negotiated and signed since 1990. In 1993, a national conference was held to facilitate the transition to a democratic system in the country. A diverse range of actors were represented, but most of the resolutions from the conference were never implemented. Further attempts at resolving the conflict issues were made in the 2002 and 2003 peace deals, signed between the government and several opposition groups. The signing of these agreements did little to alleviate the numerous conflicts. Other agreements were signed in 2007: the Darfur Agreement (15 February), the Riyadh Agreement (3 May), the Political Accord (13 August), and the Tripoli Peace Agreement (25 October). Again, all of these agreements did not prove effective.

Numerous attempts have been made to resolve Chad's conflicts with various insurgent groups and parties in various peace deals. However, what is required is a comprehensive regional solution supported by the necessary political will. The ongoing regional conflicts in the neighbouring CAR and Sudan's Darfur region continue to be a major source of conflict in Chad.

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Current Status

Parties

Comments

References

PARTICIPATORY GOVERNANCE, CIVIC ENGAGEMENT AND CONFLICT RESOLUTION IN THE SOUTHERN AFRICAN DEVELOPMENT COMMUNITY

WRITTEN BY **KUMI NAIDOO**

REUTERS / THE BIGGER PICTURE



Introduction

Participatory governance is essential for the consolidation and deepening of democratic culture. Unfortunately, in many places around the world, and in a lot of the literature on this topic, democracy is reduced to the holding of elections. Seemingly, countries can check a (symbolic) box called 'democracy' even if the elections are flawed, attract few voters and do not offer real choices to the electorate. Reducing the idea of democracy to the singular act of casting a ballot every four or five years is to undermine the power and potential of democracy. It is therefore not surprising that, in many countries

around the world, civil society organisations are advocating participatory democracy. CIVICUS: World Alliance for Citizen Participation urges governments to regard a victory at the ballot box as an opportunity for meaningful interface between elected officials and senior civil servants on the one hand, and the myriad of civic forma-

Above: In democracies, citizens are afforded the right to choose leaders through the electoral process, but participatory governance should not be limited to casting ballots only.



Citizens can resort to civic action, including protests and demonstrations, to exert pressure on governments in situations where they are constrained and excluded from decision-making processes.

tions on the other hand. CIVICUS urges political leaders to access the reservoir of free policy intelligence that can be harnessed from both the successes and failures of civil society organisations. Participatory democracy therefore seeks engagement between government representatives and organised expressions of civil society and other non-state actors, in the development and execution of policies for the benefit of all citizens.

While participatory processes are central to the enhancement of democracy, in some cases these processes are actually restrictive and not totally inclusive. For example, even though there may be well-established structures in most countries to enhance engagement between citizens and governments in the formulation and implementation of policy, in most cases it is only those who belong to organisations that make use of these structures. On the other hand, those who do not have the ability or resources to organise, and who are usually at the grassroots level, are left out. In spite of the democratic transitions experienced by most states in the Southern African Development Community (SADC), the consolidation of democracy and governance proves elusive. While regional and national protocols and agreements encourage participatory governance processes and civic engagement, as well as the role of civil society networks in development and conflict mediation, the operations and activities of these networks are increasingly being constrained by government legislation. However, civil society organisations in the SADC region have registered several successes in the areas of conflict resolution and peacebuilding. These organisations have made substantial contributions to advocating for and

promoting human rights, and conducting research and documenting findings on security, conflict prevention and peacebuilding. If participatory governance and civic engagement are important parts of conflict resolution, why is it that governments are not fully committed to building and enhancing these processes?

Participatory Governance: Who Participates and How?

What does participatory governance entail? Participatory governance is vital in providing opportunities for various stakeholders, aside from those in government, to have a say in decision-making processes. A sense of collective responsibility and ownership is ensured when policies are formulated with the consent of those who will be affected by these policies. It is also a means of enhancing democracy, given that democracy entails the participation of all sections of society in the decision-making process, and the formulation and implementation of policies. Participatory democracy therefore provides a 'voice to the voiceless' and an opportunity to contribute towards the drafting of policies.

At a local level, citizens may take part in processes with local authorities that lead to decisions about community development, service delivery, the distribution of resources and resolving conflict. At a national level, citizen participation is paramount, because decisions are taken on issues related to the formulation of government policy for particular periods, including the budgeting, monitoring and evaluation of government services. The participatory process involves different parties with rights and responsibilities, including govern-



Joachim Chissano voted for the last time as president, during the presidential elections in Maputo, Mozambique in December 2004.

ment ministers, executives, governors, parliamentarians, mayors and councillors, as well as individual citizens, civil society organisations, community leaders, religious leaders, independent media, trade unions and social movements. In most cases, citizens that need government assistance – such as access to government services – are not represented in participatory processes, because they may not have the opportunity or the resources to become involved in the governance of their country or community. Depending on the context and the timing, participatory governance evolves as confidence grows between the various stakeholders. Beginning with the dissemination of information by government, it could evolve to formal and informal consultations, discussions and debates, and then joint decision-making and the implementation of such decisions. It is encouraging that some African countries have followed the lead of their counterparts elsewhere in the world, and have included civil society actors in national government delegations to the United Nations (UN) Summit, World Trade Organisation and other global processes. For example, the Nigerian government included Justice Egware, leader of the Global Call to Action against Poverty in Nigeria, to the UN Millennium Summit review in 2005.

One fundamental objective of participatory governance is to provide an opportunity for the ownership of decisions and policies adopted by governments. Involving citizens in the formulation of policy aligns the policies and government projects with the actual needs of the people. However, it is sometimes assumed that the number of organised groups that engage with government through established channels is representative of all communities, even though citizens who do not belong to organisations sometimes do not have access to these channels. In effect, one can therefore view participatory governance as a means through which citizens utilise their 'rights' to create avenues and use self-made instruments to convince leaders to engage with them on conditions laid down by them, and not through mechanisms put in place by governments.¹

While it is true that not all citizens can participate in the drafting and implementation of policies, partly because of different interests, a fair representation of all sections of society is essential. But what happens when citizens are constrained, and are not given the opportunity to take part in decision-making processes and to express their views and opinions? In some cases, citizens resort to civic action – including protests and demonstra-

tions – to exert pressure on governments to get specific outcomes.

Civic Engagement

Civic engagement is a major factor inherent in democratic processes, and also forms a component of participatory governance. In most democracies, citizens are afforded the right to choose leaders through the electoral process, and have a say in the process of the formulation and implementation of national policies by engaging with governments – in most cases, through established channels and mechanisms. Participation by citizens is sometimes limited to taking part in voting processes, and the elected representatives often do not have adequate consultations with their constituencies. There is a need for dialogue between elected representatives and the populace on issues affecting citizens, and for citizens to provide input in the formulation of policies. When citizens, civil society networks, businesses, government and other stakeholders deliberate on key issues of public policy and arrive at a common objective or goal, it is referred to as civic engagement. Civic engagement leads to joint decision-making processes between those in government and other non-state actors, in the planning and negotiation of policies and in resolving conflict. Civic

than two decades of single-party rule in Zambia, multi-party politics were introduced in 1991, and power was transferred from the United National Independence Party (UNIP) to the Movement for Multiparty Democracy (MMD). Following pressure from civil society and the opposition, new leadership took over the party, which went on to win the elections in 2001 and again in 2006. There have also been successful democratic transitions in Malawi. While the Democratic Republic of the Congo (DRC) is yet to consolidate sustainable peace, the country held its first-ever democratic elections in 2006.

In spite of these milestones, the democratic dividend remains elusive in many of these countries. This is aptly captured in SADC's Strategic Indicative Plan for the Organ on Politics, Defence and Security Cooperation (SIPO). SIPO acknowledges that democracy and good governance have not been fully entrenched in the region.² In countries like Angola, Namibia and Zimbabwe, power is still centralised in the hands of former liberation movements that, in most cases, influence the legislative and judicial arms of government, giving them a dominant role in politics that opposition parties find hard to accommodate. Even though elections feature regularly in most SADC countries, indicating a shift towards democratic consolidation, in countries like Lesotho and Zimbabwe

CIVIC ENGAGEMENT IS CRUCIAL IN FOSTERING INTERACTIONS BETWEEN CIVIL SOCIETY NETWORKS AND OTHER STAKEHOLDERS, SO AS TO AMPLIFY THE VOICES OF CITIZENS IN PUBLIC AFFAIRS

engagement is crucial in fostering interactions between civil society networks and other stakeholders, so as to amplify the voices of citizens in public affairs.

Participatory Governance, Civic Engagement and Conflict Resolution in SADC

The southern African region has experienced a wave of democratic transitions, and the emergence of states from conflict, in the last decade of the twentieth century. This brought a new dispensation to a region that had experienced numerous crises, ranging from brutal civil wars to racial discrimination and intense liberation struggles. South Africa emerged from decades of apartheid to become one of the most promising democracies on the continent, following non-racial democratic elections in 1994. Mozambique came out of a protracted civil war in 1992, and held democratic elections in 1994 and 1999. The country witnessed a major transition in 2004, when the incumbent president Joaquim Chissano stepped down after serving for 18 years. After more

elections are characterised by violence and allegations of rigging. Election-related violence, as observed in some countries in the SADC region, and more recently in Kenya, highlights the fragile state of African democracy.

The successful organisation of elections may not necessarily guarantee democratic consolidation. Issues of good governance, the effective functioning of institutions, participation of citizens in governance processes and control of the judiciary and legislature by the executive arms of government continue to be problematic for countries in the region. This has provided opportunities for civil society groups to step into these uneasy vacuums – admittedly not without controversy – to compensate for the state. However, there remain two central challenges: space for advocacy and participation by civil society is increasingly being constrained by government legislation in some countries and, in others, civil society does not have the capacity to respond to such challenges. In spite of the major shifts towards democracy in the region, issues of participatory govern-

ance and the freedom of non-state actors to advocate in favour of human rights and democratisation remain central to the challenges experienced. To identify and respond to these challenges, certain SADC frameworks, such as SIPO, have been endorsed by member states.

SIPO identifies the significance of introducing timely evaluation of factors that can potentially lead to conflict, including the differences in welfare and poverty.³ SIPO also states that the process of building

region and globally have learnt that if you focus only on a given aspect, such as service delivery, for example, then it is unlikely that most problems being addressed by civil society organisations can be sustainably eliminated. Essentially, they are often treating the symptoms of the problem through delivery, rather than addressing the root causes. This means that civil society has to be involved at the macro level of governance, and in the formulation of policies.

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Members of various Lesotho opposition party's demonstrated on the streets following the 1998 elections.

democracy has paved the way for the establishment and consolidation of civil society networks, and that some of these networks undertake activities that positively affect the lives of citizens.⁴ While this is laudable, the same governments that ratified SIPO impose legislation and place restrictions on citizens and civil society groups, which compel civil society to work only in specific areas and on specific issues. It would appear that governments are comfortable with those civil society groups that engage in service delivery and do not push for policy changes. If governments in SADC only perceive the role of non-governmental organisations (NGOs) and other civil society groups as service delivery, then they send an unfortunate message that civil society organisations are simply cheap or free labour. However, civil society organisations in the

Lesotho

The history of Lesotho is plagued with daunting challenges, including the domineering influence of apartheid South Africa, political upheavals, lack of consensus by different political actors on the results of most elections held in the country, divisions within political parties, and disagreements over the constitution. The country's military regime ceded power to a civilian government in 1986, and held multiparty elections for the first time in more than two decades in 1993, and then in 1998 and 2002. The May 1998 elections were followed by demonstrations, protests and violence between political parties, and between soldiers and the police. The Lesotho Congress for Democracy (LCD) won the elections with an overwhelming majority, taking over from the Basutoland Congress Party (BCP). The BCP contested the results and

urged party supporters to demonstrate, while the LCD government increasingly found itself unable to exert effective control over the military. Some members of the military still had allegiance for the Basotho National Party (BNP), which had dominated the political scene in the decades leading up to 1986.

As the crisis intensified, and with increasing signs of a possible military takeover, the LCD government invited SADC to intervene. SADC forces from South Africa and Botswana were resisted by factions in the army and by rioters, leading to events that saw many people killed. With mixed success, the Lesotho Network for Conflict Management (LNCM) galvanised support from religious denominations and other non-state actors in an effort to find a solution to the crisis. These networks supported the Interim Political Authority (IPA) and facilitated talks between the different actors, including parliamentarians, which focused on the establishment of a National Peace Accord for Lesotho.⁵ There was yet another dimension to efforts at resolving the conflict, following the rather unsuccessful intervention of SADC forces. The local population and the parties to the dispute had more confidence in domestic mediation efforts, especially by civil society and churches, than by external actors.⁶

The IPA included representatives from all the parties that were involved in the 1998 elections. This gives support to arguments that participatory processes and the involvement of communities and citizens in decision-making processes are vital for the resolution of conflict. Structural challenges continue to dominate the political system, but the absence of violence in the aftermath of the 2002 elections indicated that the country might be on the path towards consolidating democracy. Though members of the opposition contested the election results, their queries were channelled through the courts and did not result in violence, as was the case in previous elections. Initiatives to resolve conflict have mostly been led by civil society actors, primarily churches and non-governmental organisations (NGOs), but the absence of participatory processes to bring together the government, the monarchy, political parties and citizens can be detrimental to the enhancement of democracy.

The success of the 2002 elections and the stability in the post-election period depicted the importance of participation, inclusion and dialogue between stakeholders. It was collectively decided that the country adopt a mixed-member proportional representative (MMP) electoral system in favour of the pre-existing first-past-the-post (FPTP) electoral system. The FPTP system had been faulted as the major cause of the political instability that had accompanied elections in previous years. The negotiations that took place following the post-election violence in 1998 were made possible with commitments from civil society networks that worked with the IPA and

the Independent Electoral Commission (IEC). The role of NGOs, and civil society more broadly, has been instrumental in the education of voters, the formulation of registration processes and in conflict resolution.

South Africa

The transition from white majority rule to a democratic South Africa was made possible, in part, by the pressure exerted on the minority government through mass action and popular demonstrations. Civic action not only brought attention to the ills of the apartheid system, but also compelled the former regime to negotiate with the majority. The decision to negotiate with the white-dominated regime grew from the realisation that if the regime could not be defeated militarily, then it could be ousted through negotiations. Negotiations continued after the advent of democracy, because certain sectors of society and the economy were still dominated by the white populace. Leaders therefore realised the importance of engaging with different sections of society, because results could not just be forced on citizens. Civic engagements continued even after the formal end of apartheid, with the participation of major businesses, civil society and political parties. This laid the foundation for the establishment of one of the most participatory forms of government in the world. The establishment of institutions and mechanisms at local and national levels to enhance the participation of all citizens was aimed at annulling discriminatory policies towards the majority of the population, and the legacy of inequality left by such policies.

Even though participation in governance processes by individuals might be constrained, South Africa's constitution makes provision for individuals to be represented by groups, organisations and institutions. Mechanisms such as the National Economic and Labour Council (NEDLAC), Community Police Forums (CPFs) and the Integrated Development Plans (IDP) initiative have been established to facilitate such engagement. In reality, however, the most vulnerable and marginalised are usually not organised, and thus access to government representatives – and hence effective participation in government – is severely constrained.

Some of the shortfalls inherent within such structures and institutions include the fact that they are more accessible to those that belong to organisations, leaving out less prominent associations and individuals at grassroots levels. As such, when citizens do not have access to governments through established channels, and when they realise that they don't have a voice in the formulation of policies, they may resort to civic engagement or 'participation from below'.⁷ This approach was adopted by the Treatment Action Campaign (TAC) in South Africa, when it successfully put pressure on the government to



Civil action brought attention to the ills of the apartheid system in South Africa.

start rolling out antiretroviral drugs to AIDS patients in 2003.⁸ This approach also lends credence to the significance of ‘people’s power’ – that citizens can successfully acquire required outcomes by putting pressure on government. Given that antiretroviral drugs are now available to patients suffering from AIDS, and the fact that the TAC is still calling on government to be proactive in fulfilling its assurances of combating HIV/AIDS, it can be argued that the actions of the TAC prevented a potentially explosive situation, especially as South Africans are dying from the disease in large numbers. South Africa’s policies on key issues affecting citizens, such as education and HIV/AIDS, have been influenced by protests and demonstrations by civil society actors.⁹ The country has well-established channels for participation in governance, but a more representative set of citizens still need to be included in such processes.

Zimbabwe

The case of Zimbabwe points to ample opportunities for intervention by non-state actors, to assist the government in resolving some of the challenges confronting the nation. The 2002 elections were accompanied by violence as the opposition denounced the legitimacy of the polls, and accused the government of manipulating

the results. The post-election period ushered in a new wave of restrictions and targeted sanctions against the opposition, media and civil society networks – particularly those that focused on human rights, governance and democratisation. Election-related violence has been a major feature, albeit to varying degrees, in almost all elections organised in the country since 1985, but the intensity of violence against the opposition by the government increased remarkably after 2002.

The political and economic quagmire that dominates the domestic scene has compounded restrictions on the participation of citizens in the governance processes in the country. The government finds it difficult to distinguish between civil society and the political opposition, and regularly accuses both of being cohorts of international organisations and foreign governments. Though there may be some level of interaction between government and selected civil society organisations, legislation such as the NGO Bill¹⁰ is used to constrain the activities of civil society in general.¹¹ Even the most basic form of participation – the right to franchise – is being denied to citizens, especially those with migrant status and those outside the country. Progress towards democratic consolidation is greatly impeded by the imposition of restrictive legislation.



An election official checks the voters' roll under candle-light at a tented polling station in Harare, Zimbabwe. Significant allegations of vote rigging and election corruption have accompanied many of the country's elections.

Zimbabwe is a signatory to major international agreements and protocols such as The Universal Declaration of Human Rights, The Geneva Convention and The Convention against Torture, thanks in part to efforts from Zimbabwe's citizens. In most cases, however, freedom of expression, assembly and engagement are stifled.¹²

Civic engagement has been encouraged by civil society networks, and demonstrations have been carried out on issues related to constitutional changes, the opening of democratic space, elections and human rights and good governance. Through civic action, protests and dialogue, civil society organisations have called on the government to address issues of democracy, human rights and restrictive legislation. While such attempts are commendable, they have not been very successful, as the government increasingly cracks down on organisations and groups of citizens that criticise it. Lessons from Zimbabwe indicate that initiatives to resolve conflict can be very successful if there is commitment on the part of government to enhance participatory processes, and to relax policies that restrict intervention by non-state actors.

Recommendations and Conclusion

The active engagement of citizens is essential for the enhancement of democracy, and citizens have often resisted the notion that casting their votes for parties or individuals is synonymous with democracy. Stated differently, voting in elections is just a first step in the democratic process, and should lead to consultations between civil society and other non-state actors and the government. This enhances democracy and increases its effectiveness by involving citizens in public activities, and holds governments accountable for their actions.

With this in mind:

- ❖ It is imperative for civil society in the region to continue to build its capacity on issues around advocacy, defence, security and governance, and not just service delivery. Civil society networks should have a good understanding of the changing political, economic and security dynamics of the region, as this will increase their effectiveness and enable civil society to intervene in a timely manner, when and where necessary.
- ❖ Several successful interventions by civil society networks have been in the social and economic sectors in the southern African region. This is, in

part, attributed to the fact that these sectors are considered 'soft spots', because they do not really threaten the position or credibility of governments. However, civil society has not made many inroads into the security and governance sectors. This is because involvement in these sectors is more of a threat to governments. Civil society should therefore build capacity and identify ways of engaging governments in these sectors. This could take the form of developing early warning systems in potentially explosive conflict situations, so that crises can be averted. This would also complement the proposed project, envisaged by SADC, to build a regional conflict early warning system.

- ❖ With regard to conflict resolution and peace-building: since civil society has played a positive role in socio-economic development, there is now a need to be dynamic and stretch beyond the traditional 'watchdog' role. Civil society organisations should also be able to act as the bridge between governments and the general populace, especially in post-conflict situations where civil society usually fills the vacuum left by the state.
- ❖ Success has also been achieved by civil society in the facilitation and monitoring of elections in some countries in the region. It is important to have guiding frameworks that will ensure that gains achieved are consolidated. There is also the need for parliaments, the executive and legislative arms of government, to be more accountable to the citizens.

SADC's SIPO acknowledges that little progress has been made in most SADC countries in consolidating democracy and promoting good governance. Participatory governance processes are greatly constrained and are not inclusive enough and, in turn, limit democratic consolidation. While regional and national protocols and agreements encourage participation and civic engagement, the instruments and channels established for this purpose limit the participation of a large proportion of citizens, especially the unorganised, poor and vulnerable. Given the fact that violence accompanies elections in several countries in the region, SIPO stipulates that all results of elections organised in tandem with the electoral principles endorsed by the African Union (AU) and SADC should be accepted by all political parties. While the organisation of elections alone cannot guarantee the resolution of conflict, civic engagement and inclusive participatory processes prior to and during elections can assist in achieving this. Civil society organisations have played vital roles in the resolution of conflict in the region but, overall, their activities and operations are still constrained by legislation and

government policies. Nevertheless, their activities have produced positive results on issues relating to HIV/AIDS, poverty and conflict resolution. **A**

Dr Kumi Naidoo is the Secretary General of CIVICUS: World Alliance for Civic Participation, an alliance of civil society organisations, networks and individuals in various countries, dedicated to strengthening citizen action throughout the world.

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AFRICOM: CONCERNS AND PRESSING QUESTIONS

WRITTEN BY **THEO NEETHLING**



Africa has not been a top strategic priority for the United States (US) in the post-Cold War period. A 1995 report by the Department of Defense (DOD) listed Africa at the bottom among the world's regions in strategic terms. In 1998, the US National Security Strategy confirmed that America's security interests with regard to Africa were limited. Hence, the tendency in the past was to relegate Africa to the periphery of American strategy.

However, as Metz¹ rightly argued some years ago, such an approach would not be wise: the US does indeed have strategic interests in Africa. After all, from a US point of view, serious transnational threats emanate

Above: US President, George Bush, watches an honour guard march in Monrovia, Liberia, in 2008. In 2007 the Bush administration announced its intention to create a unified Africa Command (AFRICOM).

AFRICOM'S MISSION IS INTENDED TO PROMOTE US STRATEGIC OBJECTIVES BY WORKING WITH AFRICAN STATES AND REGIONAL ORGANISATIONS, SUCH AS THE AFRICAN UNION (AU), TO HELP STRENGTHEN STABILITY AND SECURITY ON THE CONTINENT THROUGH IMPROVED SECURITY CAPABILITY, MILITARY PROFESSIONALISM AND ACCOUNTABLE GOVERNANCE

from the region, including state-sponsored terrorism, narcotics trafficking, weapons proliferation, international crime, environmental damage and pandemic disease. Furthermore, Africa has been the scene of recurrent humanitarian crises, often as a result of intrastate armed conflict. "This suggests that the United States should remain in Africa but do so in a way that generates the maximum effectiveness from every effort. Clearly, promotion of political and economic reform must be at the centre of American policy. But security cannot be overlooked."²

The Bush administration's National Security Strategy of 2002 indicated a need for a more focused approach towards Africa. "In Africa, promise and opportunity sit side by side with disease, war, and desperate poverty. This threatens both a core value of the United States – preserving human dignity – and our strategic priority – combating global terror."³ The administration's 2006 National Security Strategy went even further, identifying Africa as "a high priority for this Administration" and recognising that American security depends on partnering with Africans to strengthen fragile and failing states, and bring so-called ungoverned areas under the control of effective democracies.⁴

This said, on 6 February 2007, the Bush administration announced its intention to create a new unified combatant command – US Africa Command, or AFRICOM, "to promote US national security objectives in Africa and its surrounding waters."⁵ The aim of AFRICOM is to strengthen US-African security cooperation and to create new opportunities to bolster the capabilities of Africa's role-players⁶ – all of which brought a new dimension to US strategic interests in Africa. However, this interest in Africa and related developments concerning the creation of AFRICOM has sparked a vocal reaction, and some critical questions and remarks from defence and security analysts and other observers in Africa about the US's 'renewed interest' in Africa. Moreover, it has also elicited some heated responses from political role players on the African continent. Swart⁷ refers to the responses as a mixture of anticipation, trepidation, suspicion, scepticism and condemnation. He correctly points out that a number of pitfalls are already emerging in the run-up

to the establishment of this command initiative, which reflect that African governments are wary of being too closely aligned with Washington, DC. This article highlights, discusses and reflects on some of the concerns and questions about AFRICOM that have been voiced from an African, and especially a southern African, point of view.

Establishing AFRICOM

Up to the present, US military involvement in Africa has been shared among the US European Command (EUCOM), the US Central Command (CENTCOM) and the US Pacific Command (PACOM). The establishment of AFRICOM is linked to the transfer and geographical responsibility for Africa from the above commands. After achieving full operational capability in October 2008 as a stand-alone unified command, the commander of AFRICOM will report to the Secretary of Defense, like all other unified commanders in the Department of Defense.⁸ In the Pentagon's eyes and command structures, this will effectively put Africa on par with the Pacific Rim, Europe, Latin America, the Middle East and North America.⁹ AFRICOM's transition team will use existing facilities at Kelley Barracks in Stuttgart, Germany. The plan is eventually to place the headquarters in Africa¹⁰, and US officials are consulting with strategic partners in Africa to identify a suitable location for the Command's headquarters. At the same time, there is no plan to have a significant troop presence on the African continent.

AFRICOM's mission is intended to promote US strategic objectives by working with African states and regional organisations, such as the African Union (AU), to help strengthen stability and security on the continent through improved security capability, military professionalism and accountable governance. The command's military operations would aim to deter aggression and respond to crises. Importantly, Africa's growing strategic importance to US interests is clearly acknowledged. This relates to the African continent's role in the global war on terror and the potential threats posed by ungoverned spaces (for example, failed states); the growing importance of Africa's natural resources, particularly energy resources; and ongoing concern



Pentagon officials have stressed that AFRICOM was not created to secure Africa’s oil resources for US benefit, as many Africans believe.

for the continent’s many humanitarian crises, armed conflicts and other challenges, such as the devastating effect of HIV/AIDS.¹¹

Political Responses

The creation of AFRICOM has especially not been welcomed at the political level in southern Africa. More armed US soldiers are not welcome in Africa, said South African Defence Minister Mosiuoa Lekota on 29 August 2007. Briefing the media, he made it clear that

the Southern African Development Community (SADC) defence ministers decided that no member states would host more armed US soldiers. He indicated that this was also the AU’s “continental position”. Any country that allowed itself to become a base for AFRICOM would have to live with the consequences, Lekota warned. This could amount to neighbouring African countries refusing to cooperate with them. “Africa has to avoid the presence of foreign forces on its soil, particularly if any influx of soldiers might affect relations between sister countries... nevertheless, the SADC has adopted a position that it would be better if the US did it from a distance,” Lekota said. Earlier, Algeria and Libya had ruled out hosting AFRICOM, after both countries made it clear to US diplomats that they were opposed to the new command being based in their countries, or any of their neighbouring countries.¹² In view of the above, it is clear that the initial political response from African leaders to AFRICOM has not been favourable to the establishment and future existence of AFRICOM. Only Liberia’s President Ellen Johnson-Sirleaf openly favoured the creation of AFRICOM, although she has been under pressure from fellow Liberians to abandon her stance that Liberia could be willing to host the AFRICOM headquarters.¹³

The Bush administration and Pentagon officials seem to be acutely aware of the criticism of, and scepticism about, the creation of AFRICOM. “This is not about a scramble for the continent,” said Theresa Whelan, Deputy Assistant Secretary for Defense for African Affairs.¹⁴ According to Ryan Henry, Principal Deputy Under Secretary for Defense for Policy, there are some “myths” about AFRICOM: that AFRICOM is to be an anti-terrorism unit; that AFRICOM is an attempt to counter Chinese influence on the continent; and that it is an effort to ensure access to resources, specifically oil.¹⁵ Whelan likewise asserted that some people believe that Americans are establishing AFRICOM solely to fight terrorism, or to secure oil, or to discourage China. “This is not true,” she maintained. “Natural resources represent Africa’s current and future wealth, but in an open-market environment.” She continued: “AFRICOM is about helping Africans build greater capacity to assure their own security.”¹⁶ Shortly after the announcement of AFRICOM’s intended establishment, Pentagon officials started to address and dispel what was considered to be misconceptions about the new command. It was especially stressed that AFRICOM would not be created:

- ❖ in response to Chinese presence on the African continent;
- ❖ solely for the effort of enhanced counterterrorism; and
- ❖ to secure resources, such as oil.



US marines arrive in Monrovia, Liberia in 2003. Africans are concerned that AFRICOM will result in even further large-scale deployment of US forces on the African continent.

It has also been stressed that AFRICOM:

- ❖ will not result in large-scale deployment of US forces on the African continent;
- ❖ will not result in a dramatic increase in financial resources devoted to Africa; and
- ❖ will promote regional security and stability, while coordinating US support for African leaders.¹⁷

Further Reactions and Concerns

As already stated, the announcement concerning the creation of AFRICOM sparked quite a vocal response on the African continent in general, and from South African commentators in particular. For instance, Mark Malan, a South African currently operating in Washington, DC, points out that a quick glance at the titles of recent articles on AFRICOM in the African press indicates that the Command is perceived as a threat. In his testimony before the Subcommittee on African Affairs, Committee on Foreign Relations of the US Senate, Malan (a former South African military officer and respected African security analyst) titled his paper 'AFRICOM: A Wolf in Sheep's Clothing'. Malan's main

concern is that DOD officials continue to emphasise the non-military roles of AFRICOM, such as humanitarian assistance, civic action and response to natural disasters, and this kind of 'messaging' has amplified African concerns about a militarisation of US development policy and humanitarian assistance in Africa. For Malan, AFRICOM is being presented as a tool for integrating US military, political and humanitarian objectives under a unified military command.

Malan's concern is that in Africa, mass displacement, hunger and disease are often the humanitarian fallout of political failures. In order to address such challenges effectively, there may be a need for military strength, political direction and humanitarian action, but this could not be done by integrating these elements under AFRICOM. "There can at best be good liaison between and perhaps coordination between humanitarian, developmental and military actors – but not integration." Moreover, his concern is that in some parts of the world, like Iraq and Afghanistan, the face of US foreign policy is clearly a military one, and that in Africa the DOD appears to be putting a civilian mask



African organisations and peacekeepers do not appear to have the capacity to undertake complex peace-keeping operations, and secure the continent, alone.

on the face of a combatant command, with its marketing pitch for AFRICOM.

In a Sunday newspaper article, 'This is what Africans would like to ask the Americans', Abel Esterhuysen, a South African academic and military strategist, likewise confirms that Africans are sceptical about AFRICOM. According to Esterhuysen, Americans should be open and transparent about their interests in Africa. Africa, he stresses, experienced a denial on the part of the US concerning its real strategic interests in Africa, and this is aggravated by an aggressive and militarised way of addressing problems in Iraq and Afghanistan. Such aggressive and militarised action also militates against the human face that the US attaches to AFRICOM. He also shares Malan's contention that Africans are afraid of the possibility that the US would militarise its humanitarian action in Africa, and that American defence personnel may well play a significant role in such action. Esterhuysen furthermore points towards African concerns that AFRICOM is masked behind a humanitarian face in order to ensure a soft landing for the Command on the Africa continent. American humanitarian commit-

ment, according to him, could indeed be questioned in view of the US's inaction in past or recent humanitarian crises, such as those in Rwanda, Sierra Leone and Darfur (Sudan). Hence, the question is whether the US is not simply interested in pursuing and advancing its own interest on the African continent.

Gerrie Swart, a political scientist at the University of South Africa, also asserts that there is a "predominantly negative sentiment" among African leaders about the establishment of AFRICOM. In a newspaper article, 'How welcome and successful would the US's AFRICOM be?', he purports that the US will find it difficult to convince Africans that it is unselfish. According to Swart, Americans will find it troublesome to defend AFRICOM's "altruistic approach" if the US's new strategic interest in Africa is merely working towards the advancement of US interests. To this end, the US will need to inform Africans of AFRICOM's intended projects by means of ongoing diplomacy, in order to make this a viable and successful project.

The above-mentioned sentiments are also shared by other analysts on the African continent.

Tidiane Sy, a journalist reporting from Dakar, Senegal, reported in the article 'What is Big Brother doing in Africa?', that there is widespread scepticism about the role of AFRICOM. US interests are associated with the ongoing competition for resources, especially oil, which should be viewed against the background of competition between Japan, China and the US. Sy also reported that some observers are of the opinion that AFRICOM could militarise political problems on the African continent. Specifically, the 'threat of terrorism' could be used as a pretext by some governments to deal with internal political problems and dissatisfied communities as if these were tantamount to terrorism. According to Professor Ettanibi Alemika of the Jos University in Nigeria, "they would send troops rather than to negotiate."

Appraisal and Conclusion

Whatever has been said about AFRICOM, one matter is certain: the intended establishment of

industry are already considering the Gulf of Guinea as an area of vital interest. To this end, Walter Kantsteiner, Assistant Secretary of State for Africa, earlier declared: "African oil is of national strategic interest to us, and it will increase and become more important as we go forward."²⁴

Furthermore, current US security policy is driven in large part by the global war on terror, which the Bush administration has identified as a top security priority. From a US point of view, terrorist attacks on US embassies in Dar es Salaam in 1998, Nairobi in 2002 and, more recently, in Algiers in 2007, have highlighted the threat of terrorism. DOD officials have emphasised the need to work with Africans in this regard. Of primary concern are challenges posed by 'ungoverned spaces', defined as physical or non-physical area(s) where there is an absence of state capacity or political will to exercise control. And this could arise or result from a variety of causes including poor governance, external aggression, competing claims, internal revolt and related factors.

THIS COULD INDEED BE A POINT OF DEPARTURE FOR STRENGTHENING US- AFRICAN SECURITY COOPERATION, AND TO CREATE NEW OPPORTUNITIES TO BOLSTER THE CAPABILITIES OF AFRICAN ROLE PLAYERS

AFRICOM officially reflects an evolution in US policy-makers' perceptions of American strategic interests in Africa. More specifically, in a report to Congress, Lauren Ploch, an analyst in African affairs at the Congressional Research Service, clearly states that five factors have shaped increased US interest in Africa in the past decade: HIV/AIDS, oil, global trade, armed conflict and terror.

As far as oil is concerned, Ploch points out that Africa recently surpassed the Middle East as the US's largest supplier of crude oil. Nigeria is Africa's largest supplier of oil, and is the fifth largest global supplier of oil to the US. Instability in the Niger Delta region has reduced output by as much as 25 percent at some point²³ – which is clearly not in the US interest. In this context, Crawley points out that Africa's oil production surpassed four million barrels a day in 2000 – more than Iran, Venezuela or Mexico. And, according to intelligence projections, the proportion of African oil supplies to the US will reach 25 percent by 2015, surpassing the entire Persian Gulf. The vast majority of this oil will be exported to the US from a stretch of coastline between Nigeria and Angola, that is, the Gulf of Guinea. The Bush administration is very much aware of this, and some lobby groups with members of the US oil

If left unattended or unaddressed, failed states, humanitarian disasters and ungoverned areas could become safe havens for terrorists.

In the final analysis, the pressing question is: where does this leave AFRICOM? Malan's²⁵ suggestion is that beyond military counter-terrorism, AFRICOM should focus on two primary and unashamed military support roles – firstly, defence sector reform, including civil-military relations; and secondly, support to building African peacekeeping and standby capacity. This implies a role in building more professional armed forces, and entrenching the democratic principle of civil supremacy over the military. Furthermore, this implies a demonstrable commitment by AFRICOM to provide long-term, sustainable support to developing African peacekeeping capabilities – for participating in UN peacekeeping, as well as AU and regional peacekeeping. "These roles are indeed envisioned by the DOD but they are not writ at this point," Malan argues. From the US side, not too much has been said about peacekeeping in Africa, but it is acknowledged that "[d]espite a willingness to participate in these (peacekeeping) operations, many African militaries lack the command and control, training, equipment, and logistics capability to effectively participate in such efforts". Clearly, the US has recognised the

need to enhance peacekeeping capabilities on the African continent.²⁶ This could indeed be a point of departure for strengthening US-African security cooperation, and to create new opportunities to bolster the capabilities of African role players.

Africa's main security challenge is to mobilise sufficient resources to provide a secure, stable and well-governed environment that is underpinned by the rule of law, human rights and civil liberties. Furthermore, there are great expectations that the AU will be able to deploy the long-desired African Standby Force (ASF) rapidly. But recent peacekeeping experience has revealed that the AU suffers from a lack of strategic management capacity, has no effective mechanisms for operational level mission management, has insufficient logistical support and ability to manage logistics, lacks capacity in communication and information systems, and is totally dependent on external partners.²⁷ This said, De Coning²⁸ rightly argues that the AU and African regional organisations do not have the capacity to undertake complex peacekeeping operations on their own. In this sense, the establishment of AFRICOM may well be promising, in terms of closer cooperation between the US military and African role players. In the meantime, Swart²⁹ is probably correct that much will depend on whether the US could convince role players on the African continent that there is indeed a genuine interest in ending conflict, insecurity and underdevelopment in Africa, through the provision of sustained assistance to African countries. This implies that AFRICOM should be more than a project where only the US stands to gain in the long term. **A**

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RECONCILIATION IN RWANDA: BUILDING PEACE THROUGH DIALOGUE

WRITTEN BY VANESSA NOËL BROWN

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Facilitated dialogue in the aftermath of a national conflict can counteract otherwise destructive debates and promote reconciliation. Through the thoughtfully orchestrated use of dialogue, there is cause for optimism that Rwanda can reposition its narrative, filled with cycles of interethnic violence, to become one of Africa's 21st century success stories. Dialogue is being used in various forms throughout the country, from formal discussion clubs to academic conferences, to help Rwandans strengthen national unity and equality.

Protracted conflicts such as the Hutu-Tutsi colonial legacy in Rwanda often result in violence, due to seemingly irreconcilable differences of identity. During intrastate conflicts, such as the 1994 genocide in Rwanda, parties dehumanise the opposing side. Forging national unity in the aftermath of neighbour-on-neighbour killings poses a tremendous challenge. Today, Rwanda provides a compelling case study in how dialogue – from community clubs to academic conferences – is making a significant impact on reuniting communities and preventing hate-filled narratives from being passed

to the next generation.

The 1994 Rwandan genocide stunned the world with its intensity and volume of killing in this otherwise beautiful country, located at the centre of the Great Lakes region. While this tragedy will never be forgotten, Rwanda offers an inspiring example of how solid leadership and an active civil society can engage citizens in rebuilding their communities. This African nation can claim marked success in progressing from its darkest hour to a new era marked by economic development¹, increased security and, most importantly, the hope that national unity is indeed possible. Beyond the statistics, a recent visit to Rwanda provides a snapshot of how dialogue is being used to build interethnic reconciliation and national identity. In some cases, these aims are being achieved by helping communities to rediscover

Above: A giant photograph in remembrance of the 1994 genocide stands inside Rwanda's Genocide Museum in Gisozi.



Discussion groups in schools aim to create a culture of dialogue and reconciliation.

traditional conflict resolution methods while, in others, Rwandans are challenging long-standing cultural norms that contradict the notion of equality for all.

Dialogue, Culture and Conflict

Dialogue, as a conflict resolution tool, differs from other communication methods such as mediation and negotiation. Instead of participants setting out to persuade one another of the accuracy of a particular point of view, parties engaging in dialogue approach the discussion as a constructive exchange of ideas, during which they can evaluate alternative perspectives.²

In the Rwandan context, dialogue is being used to facilitate community-building through the reunion of neighbours who, in some cases, were perpetrators during the genocide. While conflict resolution theorists proffer this technique as broadly useful, the reality of turning dialogue into effective conflict resolution practice depends on good facilitators and willing participants. While intrastate conflicts continue to rage in Africa, the current progress of reconciliation efforts in Rwanda offers hope for a more peaceful future. A recent interview with Peace Uwineza, a researcher at the Institute of Research and Dialogue (IRD), a non-governmental organisation based in Kigali, provides a bird's eye view into how dialogue as a tool is being systemically applied throughout the country.

The IRDP began conducting focus groups throughout Rwanda in 2001, in an effort to determine what caused the breakdown in national unity and what steps could be taken to recreate that national unity. The focus groups included genocide victims, those accused of genocide, and those who had lived outside Rwanda before the genocide but had since returned. While these community members co-existed in schools, markets and churches, this occasion marked the first time that they were brought together to talk about the conflict and the challenges facing their society. IRDP staff went on to solicit additional feedback from students, government workers, soldiers, police, youth, women and the Rwandan diasporas throughout Europe, the United States and Canada.

After two years of action research, roughly 10 000 Rwandans had provided their opinions and reflections on the causes of the genocide. The IRDP conveyed the findings through meetings with academics, ministers and government leaders, and later formally published its work. In 2003, the IRDP presented its findings to national leaders and citizens and provided the following synopsis.

Genocide causes:

- ❖ *History:* German and Belgian colonialists created cycles of resentment by favouring first Tutsis over Hutus and then vice versa. This history was passed down in Rwandan textbooks, and it further reinforced ethnic divisions.
- ❖ *Democracy:* With political majority taken as synonymous to ethnic majority, democracy became a scapegoat for pitting the Hutu majority against the minority Tutsis.
- ❖ *Economic situation:* Poverty was a major factor in the conflict. Rwandan leaders perpetuated the conflict by encouraging Hutus to kill Tutsis for their property.
- ❖ *Justice and the rule of law:* Justice had been an ongoing problem. Historically, there was a culture of impunity when ethnic murders were committed. For example, when Tutsis were being persecuted and killed during the 1960s, 1970s and later in the 1990s, the prevailing thinking was that there would be no consequences for murder. Rather, there would be rewards such as gaining land or other economic resources from those murdered.

Throughout the research process, dialogue groups were formed at various levels of the community in order to facilitate public discussions concerning Rwanda's past and future. The IRDP's recommendations for further research and reforms continue to be disseminated

to policymakers, and debated by leaders and citizens throughout Rwanda.⁴

Its initial research formed the foundation for various dialogue clubs established throughout the country:

- ❖ *Ecole de debate*: Secondary school discussion groups have been created in 25 schools throughout Rwanda. The IRDP works with the school's headmaster to select around 30 students, who meet twice a month. The IRDP provides the student groups with discussion topics, such as 'Organisation and functions of state institutions'; 'Tolerance and democracy promotion', and 'Rights and duties of

aim is to encourage citizens to initiate and engage in discourse on public interests. The clubs have been provided with modest start-up funds by the IRDP, so that they may initiate income-generating projects of their choice.

The IRDP created a new form of citizen-to-policymaker dialogue through its application of modern technology to Rwanda's 'under the tree' dialogue tradition. This approach, more commonly known as Gacaca, is an old Rwandan tradition. Before the colonial era, Rwandans would elect well-respected elders in their community,

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Meeting and "talking under the tree" is an old dialogue tradition in Africa.

the state and of citizens'. The goal in this effort is not that students should address the particular topics suggested by the IRDP, but rather to create a culture of debate on national challenges, and encourage students to propose potential solutions.

- ❖ *District and provincial* groups composed of local leaders (officials in charge of education, health and so on) were created. These ongoing dialogue groups also discuss macro issues. For example, the issue of population management was recently addressed in a culturally sensitive manner, to encourage families to consider the benefits of having smaller families.
- ❖ *Dialogue clubs* were created in all provinces of Rwanda, so that citizens would have formally organised meetings in which to discuss and debate genocide-related topics, as well as current challenges to communities. Participants were drawn from the IRDP's original focus groups. While the IRDP provides some of the debate topics, again the

who would sit on *Umucaca* (Kinyarwanda for 'covered ground') to resolve disputes among community members. Decisions were based on consensus, and all parties would have a chance to express their sides of the story before a case was settled. Penalties for the guilty included a fine or restitution of whatever had been the object of contention. Traditionally, in cases of murder, the perpetrator was banished or, in other cases, sentenced to death. After the culprit was banished or killed, a ceremony would be held to reconcile the families involved, and this would mark the end of the dispute.⁵

The IRDP documents modern-day 'under the tree' gatherings through films and reports. These are used as tools to take the conversations beyond the local community and directly to the decision-makers. The filmed discussions are shown to decision-makers as well as to other communities, in order to generate interest in the dialogue process. The IRDP documentaries have been shown to people in villages and to diasporas, allowing

for meaningful exchange of ideas between those people who remained in Rwanda and a significant population who now live abroad (most of whom fled due to genocide or for other political reasons). The IRDP functions as a neutral facilitator, and works to ensure that it accurately conveys participants' voices to decision-makers.⁶ Because local citizens can watch IRDP films and read its reports, they are ensured that their comments have been accurately represented, creating a high level of trust with the IRDP's dialogue programmes.

The dialogue clubs are designed for participants to reflect on pressing social issues. One such topic currently being discussed at local and national levels is that of population growth, and its consequences on economic development. The issue of family planning has been a delicate subject since the genocide, given the great loss of human lives.⁷ Dialogue clubs provide a forum for such topics to be examined amongst citizens, and between the local and national level discussions.

In addition to debating such issues of national importance, club members also learn to apply measured approaches to the resolution of typical organisational conflicts. In one situation, a club experienced an internal conflict in which someone had misused club funds, and the group was close to dissolving over this. The situation provided an opportunity for group members to utilise dialogue to identify the root of the particular problem, and determine how best to resolve it. Uwineza, who facilitated the club's discussion on the misused funds, offered this comment on the effects of the dialogue approach to managing conflicts: "In the end, they realised that they needed to stay together, if they came together after one had killed another's child, how could they break up over some [misused funds]... you have that confidence at the back of your mind."⁸ Thus, dialogue clubs also offer participants constructive space in which to apply non-violent conflict resolution tools to day-to-day issues and, in so doing, contribute to security for the community at large.

Traditions and Conflict Resolution

Rwanda's post-conflict era has been marked by a return to its cultural traditions in efforts to address atrocities and to prevent future conflicts. Gacaca courts continue to be used to try genocide crimes.⁹ Other home-grown traditions in conflict resolution are also finding successful integration in the post-genocide era. The return to dialogue made sense for the Rwandan cultural context, as it is a familiar approach. In Rwanda, there is an old custom: "We are meeting under this tree to discuss problems... it's different than when [people] have to go to court, that doesn't make much sense to local people; you have to travel long distances, pay money. People know that dialogue is easier, cheaper and they identify with it

more easily. For Rwandan traditions, it's nice to meet to talk and chat and share."¹⁰ After the IRDP's initial focus groups identified the causes and effects of the genocide, they sought to build on this 'conversational' tradition that emphasises gathering around something common that people share, through the creation of dialogue clubs.

The IRDP infused the dialogue groups with the Rwandan tradition of *Intango* (coming together around a pot of locally made beer):

"We tell donors we cannot bring [people] together to talk for two hours if there is nothing to share. So the leaders who bring people together receive funds to make the beer... this is another tradition because people don't meet without giving beer to share (also soft drinks for those who don't drink)... some issues get heated up but at the end [of the dialogue meeting] they dance and go home relaxed."¹¹

This integration of local traditions and facilitated dialogue, which focuses on reconciliation, appears to be successful in communities throughout Rwanda.

Another traditional conflict resolution method used in the country is that of *Abunzi*, or community leaders that help resolve family conflicts. *Abunzi* are being used to address various family disputes, such as conflicts related to land or inheritance. This tradition has been revived in the post-genocide era, so that problems can potentially be solved at a local level before going to national courts. For example, if there is a conflict between a husband and wife, she could first go to the *Abunzi* committee. They then call in the husband, and they try to resolve the matter together. *Abunzi* are roughly the equivalent of mediators in the community. Citizens with family disputes are asked to report cases first to the *Abunzi*, ahead of taking them to the local court. The role of *Abunzi* in Rwanda is becoming increasingly formalised. *Abunzi* receive training, and have standard guidelines for mediating domestic conflicts.

As Uwineza explained: "We need to go back to our traditional ways to solve problems, and people like it. Many people don't like spending money and wasting a lot of time; when they disagree they are free to use this approach – it exists in every cell or *Umudugudu* (neighbourhood). The [*Abunzi*] are located in communal places so... every neighborhood has *Abunzi*." Rwanda's return to its traditional customs, particularly in the various forms of dialogue being utilised in the country, appears to be a viable way to combine traditions with other recognised conflict resolution tools. The use of dialogue to promote national unity and equality is also evident in other types of public discourse throughout Rwanda.

Dialogue and Education

Dialogue as a conflict prevention strategy is being used to promote frank discussion on previously taboo topics. Dialogue in its various forms has proven to be an essential tool in national efforts to promote better health and gender equality – issues that are critical to building security in Rwanda.

Public dialogue initiatives, conducted by partnerships of government, academic and non-governmental organisations, reach beyond community forums and seek to address specific cultural behaviours such as health and gender. Various forms of dialogue on these topics are complemented by other activities designed to promote national unity such as *Umuganda*, the local word for community service. Once a month, Rwandans are asked to participate in improvement projects such as road repair. *Umuganda* provides opportunities for local leaders to engage in civic education, and create dialogue about HIV/AIDS and other topics of public interest.¹²

Rwanda has the highest population density in Africa (with a current growth rate of 3.5 percent), and preventable diseases such as malaria and HIV/AIDS continue to be a major impediment to the country's productivity. However, investments in health can reduce the cost of disease, increase labour productivity and reduce population growth.¹³ Throughout Rwanda, one frequently sees billboards announcing '*Witergereza*', which is Kinyarwanda (the local language) for 'don't wait'. This message challenges parents not to wait until it is too late to talk to their children about HIV/AIDS. Throughout the country, parents and educators are being encouraged to engage in dialogue with young people – about specific topics like the risk of HIV/AIDS and about the country's past. Public discourse around HIV/AIDS prevention is another example of the way that Rwandans are using dialogue for the greater public good. In addition to public awareness campaigns, dialogue is being utilised in a variety of education settings. Rwandan leaders and students are also creating discourse in public schools on genocide ideology and on the status of women.

The Rwandan newspaper, *The New Times*, confirms the frank public discourse that characterises the country's ongoing efforts to transition its culture to one that promotes equality, and cautions its youth to be aware of and combat the underlying divisions that led to violence in their communities. In one account, Rwandan members of parliament (MPs) addressed secondary school students, noting the importance of eradicating genocide ideology in the curriculum:

"Fortunately your school was not cited among those tainted by genocide ideology, but you have

heard about it in other schools so you should try as much as possible to fight against it for a better future." – MP Bernadette Mukarutabana¹⁴

It is a notable sign of the country's forward-thinking leaders that genocide ideology and health education are being addressed preventatively in schools.

Using Dialogue to Promote Equality

While Rwanda can be proud of its economic growth in recent years, gender as a critical element in the country's economic success narrative must continue to be emphasised. Research confirms that the ongoing empowerment of women is critical to Rwanda's continuing social and economic improvements. Addressing women's role in Rwandan society therefore constitutes an important factor in national efforts to build security and foster non-violent conflict resolution skills.

The academic community is contributing to this dialogue through initiatives such as that led by the Center for Conflict Management (CCM) at the National University of Rwanda (NUR).

In 2003, the CCM established a research programme on Gender, Justice and Human Rights, to address the issue of gender discrimination and crimes in Rwanda. In 2006, the CCM and the United Nations Development Fund for Women (UNIFEM) held an inter-university conference at NUR on enhancing protection for gender-based violence. The conference aimed to raise awareness of gender-based violence in Rwanda and its negative impact on achieving national progress, and to make stakeholders aware of the connection between gender and core issues of peace and development.¹⁶ The multi-day event was attended by students, academics and policymakers from throughout Rwanda. It included panel discussions and documentary viewings to stimulate discussion on gender challenges, and how different actors in society can work to combat them.

One issue highlighted in the conference presentations was the general acceptance of domestic violence in Rwandan culture. According to presenters, the practice of beating one's wife has long been viewed as normal in Rwanda, and the problem has intensified significantly in the post-conflict context, and termed a 'continuation of the genocide'. A (female) conference participant pointed out that the conference itself was an important starting point for creating a new dialogue about violence against women, simply because the conference was attended by a significant number of men.¹⁷

While the inclusion of health and sex education may be a long-standing norm in schools' curricula in the West, it has not yet become requisite in Rwanda's

national curriculum. Such academic conferences facilitate dialogue on sensitive issues amongst students and educators. These events and subsequent recommendations also serve to remind policymakers that today's youth must be engaged on topics that are critical to both the individual's and the nation's development and security.

Dialogue as a Conflict Prevention Tool

Despite dialogue having a successful impact at the grassroots level, IRDP researcher, Uwineza, was frank in her assessment that many Rwandans continue to face many challenges on the journey to unity and equality. She noted that while on the surface neighbours may get along, in one-on-one relationships people still remain aware that the person killed someone in his or her family. She believes that the only way to confront the genocide legacy is to keep talking: "They may not like each other... but at least they feel like they are being listened to, there is a need for that, it releases frustration."¹⁸

Dialogue alone will not erase Rwanda's turbulent past, but it is succeeding in creating a culture of discussion and debate that was markedly absent during the past cycles of interethnic strife that resulted in genocide. It engages average citizens in reflection on decision-making, and creates space for villages to integrate non-violent approaches when confronted with family feuds, community disputes and national debates.

These examples of civil society, government and academic-led dialogues taking place throughout Rwanda are just a sample of the concentrated effort in Rwanda to promote equality and sustainable peace. Underlying tensions still exist in communities around the country, particularly in places where Gacaca courts have already released genocide perpetrators. Many challenges remain for Rwanda in terms of its goals of national reconciliation and continuing economic development, but the concentrated efforts by a myriad of concerned citizens appears to be making a significant impact in Rwanda's transition from its volatile past. Community peace can only be achieved when individuals have learned to manage personal and family conflicts in a constructive way, and choose not to resort to violence to solve conflicts, either at home or in their broader social sphere. Engaged citizens and organisations like the IRDP and the CCM provide positive examples of how Rwandans are uniting to create a brighter future for the next generation. ▲

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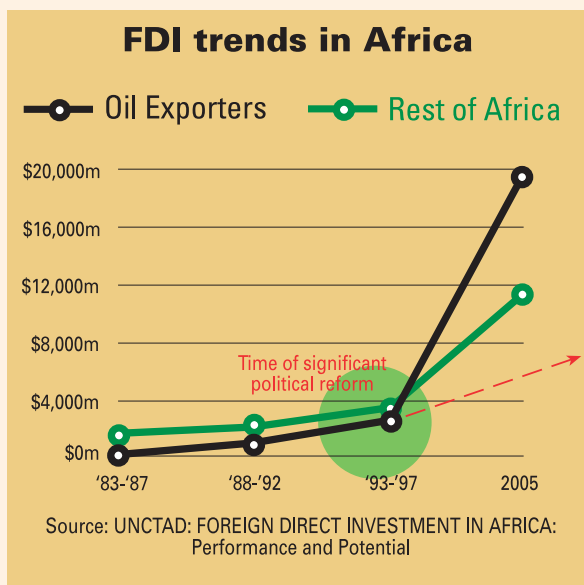
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THE ECONOMICS OF PEACE

WRITTEN BY SEAN CALLAGHAN

African gross domestic product (GDP) growth rates reached 5.7% in 2006, significantly higher than the global average of 3.8%. More than half the continent's countries recorded improved growth rates over their 2005 performances, with Zimbabwe being the only country posting a negative growth rate. "Africa's growth performance in 2006, as in previous years, was underpinned by improvement in macroeconomic management in many countries, and strong global demand for key African export commodities."¹ Africa produces more than 60 metal and mineral products, and is a major producer of several of the world's most important minerals and metals. The continent hosts about 30% of the planet's mineral reserves, including 40% of gold, 60% of cobalt and 90% of the world's platinum group metal (PGM) reserves – making it a truly strategic producer of these precious metals.



There are, therefore, significant business opportunities in Africa, especially as the continent charts a path towards political stability. Trade between China and Africa grew by 40% during 2006 to more than US\$50 billion. Much of the business opportunity is found in natural resources exploitation but there is also significant mass market opportunity, as is demonstrated by the investments made by mobile phone operators

on the continent. By 2006, the mobile phone industry reported an astonishing 192.5 million subscribers. The mobile phone market continues to grow at over 50% per annum (twice the global rate), as it has done for the past five years.

Economic and conflict trends data indicate a link between the end of the Cold War and the potential for African economic revival. "Between 1989 and 1994, almost all of the countries in Sub-Saharan Africa underwent significant political reform."² These reforms are reflected positively in fewer *coups d'état* and in accelerated GDP growth rates. Foreign direct investment (FDI) into Africa also reflects massive growth in the past few decades. The 2005 FDI figures reflect a 16-fold improvement on those of the mid-1980s.

More significantly, recent growth in FDI has not been linked to oil production per se. While 65% of FDI during the 1980s and 1990s was directed towards oil exporting countries, the 2005 figures show a shift towards a broader investment strategy. For the first time in 25 years, FDI in non-oil exporting nations was greater than that in Africa's oil exporting nations.

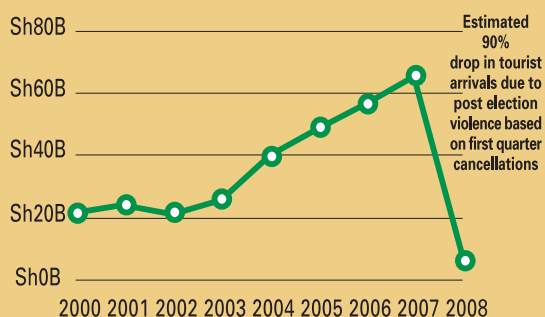
The Cost of Conflict

Despite these advances, Africa continues to struggle with conflict and poverty. A staggering 31 African nations have experienced violent conflict since the end of the Cold War. These wars have cost the lives of over nine million Africans, and continue to displace millions more. Today, more than 80% of the UN's peacekeeping troops are deployed on the African continent. It is unlikely that the continent will meet any of the 2015 Millennium Development Goal targets. The ongoing and protracted conflicts have also exacted a heavy economic toll. It has been estimated that the cost of armed conflict in Africa, since the end of the Cold War, is at least equitable to the foreign aid received over the same period. It is further estimated that armed conflict shrinks an African nation's economy by 15%.

Africa's GDP reached US\$720 billion in 2005 – double what it was in the mid-1980s. However, the six countries of North Africa accounted for 41% of the continent's total GDP, while South Africa and Nigeria accounted for a further 30%, leaving the other 46 sub-Saharan countries each with a fraction of the remaining US\$204 billion, and thus ranking them among the poorest in the world.

Kenya Tourism Income

Tourism is Kenya's leading foreign exchange earner and its primary GDP driver



Source: Kenyan Ministry of Tourism & Reuters

The negative impact of conflict on economic growth is acutely demonstrated by recent events in Kenya. Income from tourism tripled from KES21 billion (Kenyan shillings) in 2002 to over KES65 billion in 2007, making it Kenya's leading foreign exchange earner and its primary GDP driver. However, the recent post-election violence has resulted in a 90% drop in tourism during the first quarter of 2008 alone.

The Kenyan Ministry of Tourism estimates that the conflict will cost the country KES5.5 billion a month, and expects the recovery to take years.

The Economics of Peace

The link between political stability and economic growth is well established. On the one hand, it is easily demonstrated that protracted conflict deepens poverty, but does protracted poverty create an environment that escalates conflict? In his model, Humphreys suggests that growth in GDP per capita is indicative of increasing political stability. Furthermore, he suggests that as GDP per capita rates drop, the probability of conflict increases exponentially. "While violent conflicts surely result from a combination of factors, poverty creates conditions for igniting and sustaining conflict."³

A survey of current GDP per capita rates indicates that countries that continue to struggle with conflict are clustered at the dangerous end of the graph. In contrast, a country like South Africa is much less likely to devolve into conflict, according to this model.

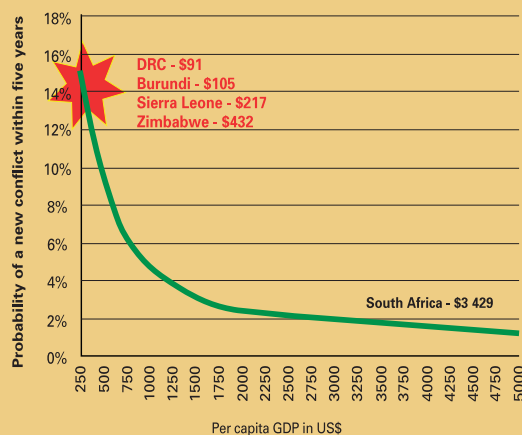
Others will disagree. Using poverty as an indicator of conflict potential may be too simple an analysis, as conflict is so much more complex. During his 2007 Albert Lutuli Memorial Lecture, Joaquim Chissano, former

president of Mozambique, said: "The assumption that less developed and less industrialised countries tend to have a higher propensity to conflict than developed industrialised countries does not simply hold. Particularly since the assumption creates or tends to create a correlation between poverty and conflicts and suggests that most of the conflicts in Africa are a result of underdevelopment and poverty. For instance, the conflict in Mozambique has neither been caused by underdevelopment nor poverty. It was simply incompatibility of perceptions and goals."⁴

Chissano further stated: "Without peace there cannot be development and without development we cannot transform societies." The point is still well made – without prolonged peace, the African economy will continue to falter. Without significant economic growth, sustaining that peace will be impossible. Herein lies the expansive economic opportunity that corporations should seek to embrace.

On the one hand, the role of the corporation is easily understood in business terms. As corporations help to grow the African economy, they not only prosper but also help to mitigate against the likelihood of renewed conflict. The other, equally important role for business is less obvious. What role can corporations play in creating peace in the first place?

Association between war and poverty



(2005 GDP expressed in 2000 \$)

Source: Humphreys and Varshney, 2003

Source: World Bank Africa Development Indicators 2007


Investing in Peace

For many years, forward-thinking corporations have reported their triple bottom line – measuring organisational success against economic, environmental and social indicators. This expanded reporting context

has led to an increased awareness within the corporate sector that long-term profitability is dependent on environmental sustainability, fair trade and fair labour practice.

Stable political environments are seen as conducive to economic success and business profitability. "African leaders have learned from their own experiences that peace, security, democracy, good governance, human rights and sound economic management are conditions for sustainable development."⁵ Very few corporations, however, have made the leap from fair trade to sustainable community to political stability.

While sanctions are an obvious example of the use of economic activity as a mechanism for political change, they are generally not imposed by the corporate sector but rather become a factor of the business environment that the corporation seeks to manage. The focus is on limiting corporations from enabling ongoing conflict, rather than on leveraging business activity to effect positive change. The Kimberley Process, which seeks to stem the flow of conflict diamonds, is one obvious recent example. The trade in these illicit stones has financed rebel movements in Angola, Cote d'Ivoire, the Democratic Republic of Congo and Sierra Leone for decades. The Kimberley Process, like sanctions, is a restrictive process that seeks to limit trade and thus cut off the financial means supporting conflict.

But is there a positive, economically expansive, role that corporations can play to mitigate against conflict and to increase the success of peace? This question is all the more important when one considers that today global corporations wield economic, environmental and social influence that, at times, dwarfs that of the nation state. Corporations invest in green technology research, not necessarily to own the technology, but rather to facilitate environmental sustainability for their own businesses. Similarly, corporations need to seek ways to invest in conflict resolution, civil society capacity-building, peace-making and political transformation – not so that they can wield unfair political influence, but so that they might help to create a socio-political environment that is conducive to sustained business operations. 

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